



**NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)  
THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT  
ENVIRONMENTAL IMPACT ASSESMENT LICENSE**

License No: NEMA/EIA/PSL/9163

Application Reference No: NEMA/EIA/SR/1684

This is to certify that the Environmental Impact Assessment Study Report received from  
**China Road and Bridge Corporation (Kenya).**

**P. O. Box 39037 - 00623, Nairobi.**

submitted to the National Environment Management Authority in accordance with the  
Environmental Impact Assessment & Audit Regulations, 2003 regarding the:  
**Proposed Nairobi Expressway Project.**

whose objective is to carry on

**Construction of the Nairobi expressway covering a total length of approximately 27KM  
designed as an access controlled dual carriageway to run along the central reserve of the  
A8 road starting from Mlolongo all the way to James Gichuru junction.**

located at

**Mlolongo to James Gichuru Junction along Mombasa road in Nairobi County.**

has been reviewed and a license is hereby issued for the implementation of the project,  
subject to attached conditions.

Issue Date : **02 April, 2020**

Signature

(Seal)

**Director-General  
The National Environment  
Management Authority.**

**P.T.O**



*ISO 9001: 2015 Certified*

## **1.0 General Conditions**

- 1.1 This project is for the construction of the Nairobi expressway covering a total length of the approximately 27KM (15.7KM at grade and 11KM elevated with 10 interchanges/entry or exists/toll plazas) designed as an access controlled dual carriageway to run along the central reserve of the A8 road starting from Mlolongo all the way to James Gichuru junction in Nairobi County.
  - 1.2 The license shall be valid for 24 months (time within which the project shall commence) from the date hereof.
  - 1.3 The Director General shall be notified of any transfer, variation or surrender of this license.
  - 1.4 Without prejudice to the other conditions of this license, the proponent shall implement and maintain an environmental management system, organizational structure and allocate resources that are sufficient to achieve compliance with the requirements and conditions of this license.
  - 1.5 The Authority shall take appropriate action against the proponent in the event of breach of any of the conditions stated herein or any contravention to the Environmental Management and Coordination Act, 1999 and regulations therein.
  - 1.6 This license shall not be taken as statutory defence against charges of environmental degradation or pollution in respect of any manner of degradation/pollution not specified herein.
  - 1.7 The proponent shall ensure that records on conditions of licenses/approval and project monitoring and evaluation shall be kept on the project site for inspection by NEMA's Environmental Inspectors.
  - 1.8 The proponent shall submit an Environmental Audit report in the first year of occupation/operations/commissioning to confirm the efficacy and adequacy of the Environmental Management Plan.
  - 1.9 The proponent shall comply with NEMA's improvement orders throughout the project cycle.
- ## **2.0 Construction Conditions**
- 2.1 The proponent shall ensure that the construction of the road does not encroach on the Uhuru Park and any other sensitive/protected area along the road.
  - 2.2 The proponent shall obtain the requisite approvals from the County Government of Nairobi and all other relevant Authorities prior to commencement of works.
  - 2.3 The proponent shall put up a project signboard as per the Ministry of Transport and Infrastructure standards showing the NEMA EIA license number among other details.
  - 2.4 The proponent shall ensure protection of road reserves and undertake appropriate landscaping including tree planting to enhance green ways scenic views.
  - 2.5 The proponent shall ensure that the road works conform to the standards set out by the Kenya Roads Board, Ministry of Transport and Infrastructure, National Construction Authority and other relevant authorities.
  - 2.6 The proponent shall ensure that key environmentally significant areas along the road such as gazetted parks are protected and preserved.
  - 2.7 The proponent shall ensure proper relocation, compensation and restoration of livelihoods for any project-affected- persons and develop a consultative plan for emerging issues and grievance redress mechanism as shall be prescribed in the Resettlement Action Plan.
  - 2.8 The proponent shall (as appropriate) construct foot bridges to facilitate pedestrian crossing at hotspot areas as shall be identified by the National Transport and Safety Authority.

- 2.9 The proponent shall ensure that their workers do not engage in illegal activities such as child labour.
- 2.10 The proponent shall undertake a separate EIA for material sites e.g burrow pits, quarries etc as per the requirements of EMCA, 1999.
- 2.11 The proponent shall ensure that measures (such as sprinkling water) are put in place to control dust pollution at all times.
- 2.12 The proponent shall ensure strict adherence to the provisions of the Environmental Management and Coordination (Air Quality) Regulations of 2014.
- 2.13 The proponent shall undertake a separate EIA for all campsites, asphalt, bitumen-making and concrete batching are subjected to a separate EIA as per the requirements of EMCA, 1999.
- 2.14 The proponent shall collaborate with EIA Experts and the contractor to ensure that the proposed mitigation measures are adhered to during construction phase and where necessary, appropriate mending-up activities undertaken and a report of the same submitted to NEMA.
- 2.15 The proponent shall ensure that appropriate signage and road markings including pedestrian are in place to prevent occurrence of accidents.
- 2.16 The proponent shall ensure that the road construction is developed on the basis of the existing main traffic routes and networks, and shall conform to the zoning plans of the major centres along the routing.
- 2.17 The proponent shall ensure that marking of the road is done concurrently with the works completion to enhance road safety.
- 2.18 The proponent shall ensure strict adherence to the provisions of the Persons With Disability (PWD) Act of 2003.
- 2.19 The proponent shall ensure that all excavated material and debris is collected, re-used and where need be, disposed of as per the Environmental Management and Coordination (Waste Management) Regulations of 2006.
- 2.20 The proponent shall provide for pedestrian walkways and cycling lanes to prevent cyclist and pedestrian from walking on the highway.
- 2.21 The proponent shall the proponent shall put in place an appropriate traffic management plan to prevent traffic congestion and shall provide designated truck stops and ample parking spaces along the route.
- 2.22 The proponent shall ensure that the relocation of utilities such as water and sewerage lines, ICT, power lines is undertaken with minimal disruption of supply among other essential services. Appropriate authorization by the service providers i.e Athi Water Services Board, Kenya Power and Lighting Company Limited, Information, Communication and Technology Authority, Kenya Pipeline Company among others shall be sought and adequate notification given to the parties to be affected.
- 2.23 The proponent shall ensure that drainage systems and surface run-off are not directed into private land and individual farms.
- 2.24 The proponent shall put in place measures to stabilize slopes and safeguard construction activities and the road works against potential occurrence of landslides.
- 2.25 The proponent shall ensure strict adherence to the provisions of the Environmental Management and Coordination (Noise and Excessive Vibrations Pollution Control) Regulations of 2009.
- 2.26 The proponent shall ensure strict adherence to the Occupational Safety and Health Act (OSHA), 2007.
- 2.27 The proponent shall provide safety induction to all the workers and defensive driving training to all the drivers involved in the project.

- 2.28 The proponent shall consider the risk of long working hours and ensure the daily working hours for drivers does not exceed what is stipulated in the Traffic Act Cap 403.
- 2.29 The proponent shall ensure that construction workers are provided with adequate personal protection equipment (PPE), as well as adequate training.
- 2.30 The proponent shall ensure that no child labour is used in the project and that HIV/ AIDS awareness is continually done among the site workers and the neighboring communities to prevent the spread of the scourge.
- 2.31 The proponent shall ensure that construction activities are undertaken during the day (and not at night) between 08.00 hrs and 18.00 hrs and on Saturdays between 0800hrs and 1300hrs. No works shall be undertaken on Sundays and that transportation of construction material to site are undertaken during weekdays and Saturdays only during the hours specified herein.
- 2.32 The proponent shall ensure that all drainage facilities are fitted with adequate functional oil water separators and silt traps.
- 2.33 The proponent shall ensure that the development adheres to zoning specifications issued for development of such a project within the jurisdiction of the Nairobi County Government and Ministry of Lands with emphasis on approved land use for the areas.
- 2.34 The proponent shall ensure strict adherence to the Environmental Management Plan developed throughout the project cycle.

### **3.0 Operational Conditions**

- 3.1 The proponent shall ensure that all equipment used are well maintained in accordance with the Environmental Management and Coordination (Noise and Excessive Vibration Pollution Control) Regulations of 2009.
- 3.2 The proponent shall ensure that the road maintenance plan is in place for regular maintenance of road ways, road furniture, road signage, trees and lighting.
- 3.3 The proponent shall ensure comprehensive public participation and involvement in the formulation and implementation of the toll charges (user-pay) for the road before implementation of the same.
- 3.4 The proponent shall design and implement an appropriate road maintenance plan to prevent deterioration of the road and to ensure the road is suitably maintained in safely usable state.
- 3.5 The proponent shall mitigate the risk of vehicular collision with pedestrians and provide walkways clearly separated from the roads by guardrails within highly populated and urban settings.
- 3.6 The proponent shall consider the risk of poor visibility at night and clearly and appropriately mark the road and also provide "cat eyes" at all stages of the project.
- 3.7 The proponent shall ensure that all solid waste is handled in accordance with the Environmental Management and Coordination (Waste Management) Regulations of 2006.
- 3.8 The proponent shall ensure that all workers are well protected and trained as per the Occupational Safety and Health Act (OSHA) of 2007.
- 3.9 The proponent shall comply with the relevant principal laws, by-laws and guidelines issued for development of such a project within the jurisdiction of the County Government Nairobi; Ministry of Transport and Infrastructure; Ministry of Health; Directorate of Occupational Health and Safety Services; Ministry of Lands, Housing and Urban Development; Kenya Forest Service; Kenya Wildlife Service; Kenya Roads Board; Water Resources Authority; Ministry of Information, Communication and Technology, Kenya Pipeline Company, Kenya Power and Lighting Company Limited, Nairobi City Water and Sewerage Company, National Transport and Safety Authority and other relevant Authorities.

- 3.10 The proponent shall ensure that environmental protection facilities or measures to prevent pollution and ecological deterioration such as traffic management plan, solid waste management plan, functional storm water drains, soil erosion control, water sprinkling on road diversions, oil spill management plan, road safety programmes are designed, constructed and employed simultaneously with the proposed project.

**4.0 Notification Conditions**

- 4.1 The proponent shall seek written approval from the Authority for any operational changes under this license.
- 4.2 The proponent shall ensure that the Authority is notified of any malfunction of any system within 12 hours on the NEMA hotline No. **0786101100** and mitigation measures put in place.
- 4.3 The proponent shall keep records of all pollution incidences and notify the Authority within 24 hours.

**5.0 Decommissioning Conditions**

- 5.1 The proponent shall ensure that a decommissioning plan is submitted to the Authority for approval at least three (3) months prior to decommissioning of any project support facilities.
- 5.2 The proponent shall ensure that all pollutants and polluted material is contained and adequate mitigation measures provided during the phase.

The above conditions will ensure environmentally sustainable development and must be complied with.