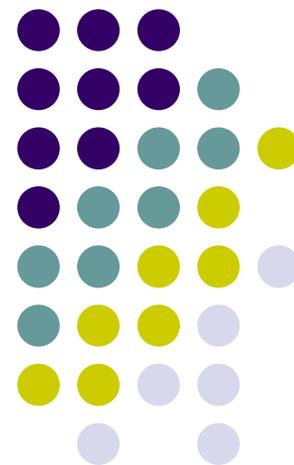


THE DRAFT ENVIRONMENTAL IMPACT ASSESSMENT, ENVIRONMENTAL AUDIT AND STRATEGIC ENVIRONMENTAL ASSESSMENT REGULATIONS.

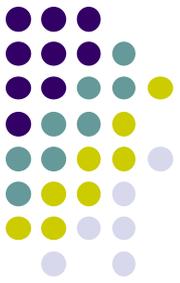
OUMA, O. Z
Deputy Director Compliance
NEMA-KENYA



nema
mazingira yetu | uhai wetu | wajibu wetu

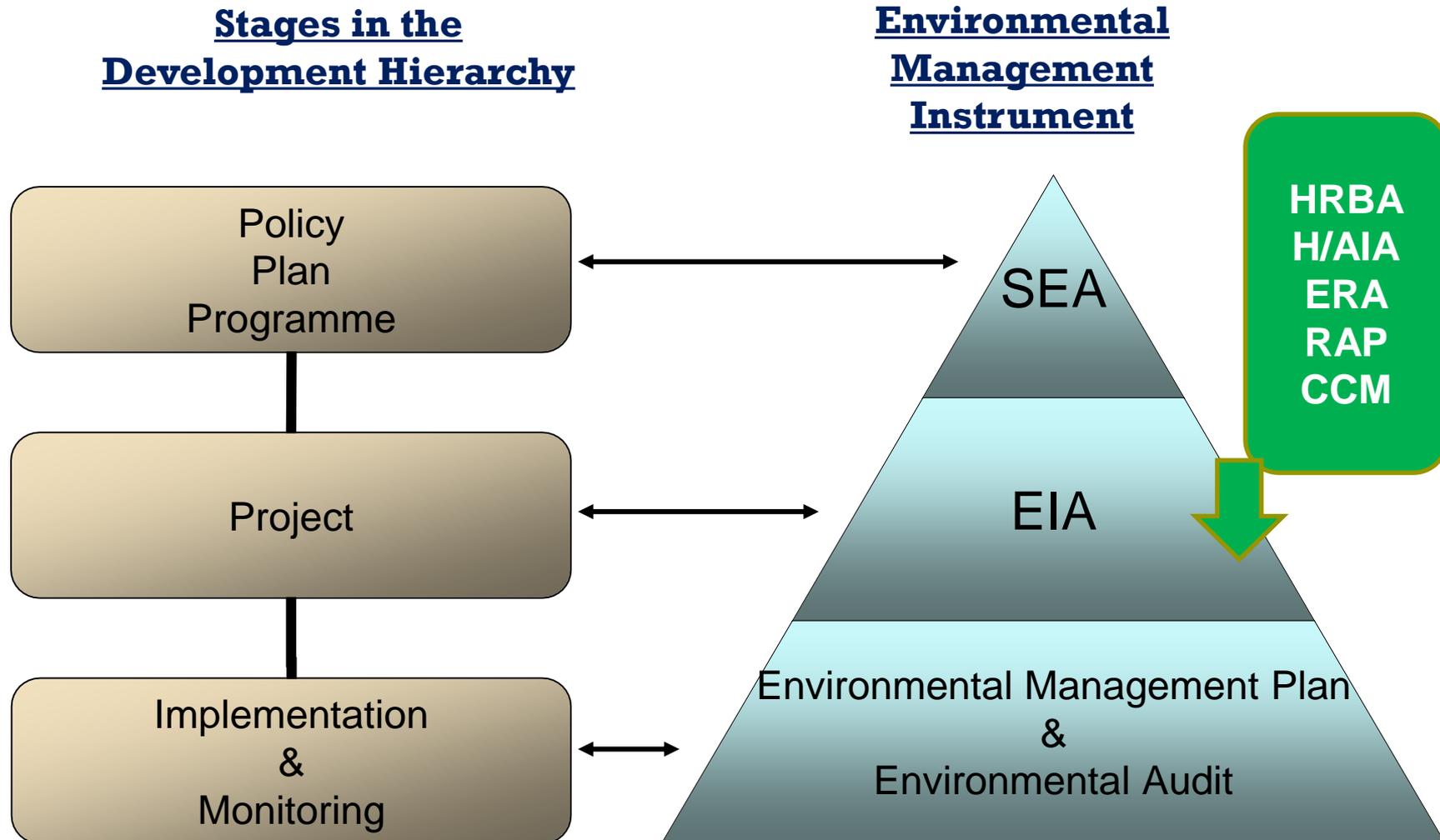
MAZINGIRAYETU
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WAJIBUWETU

Presentation Layout

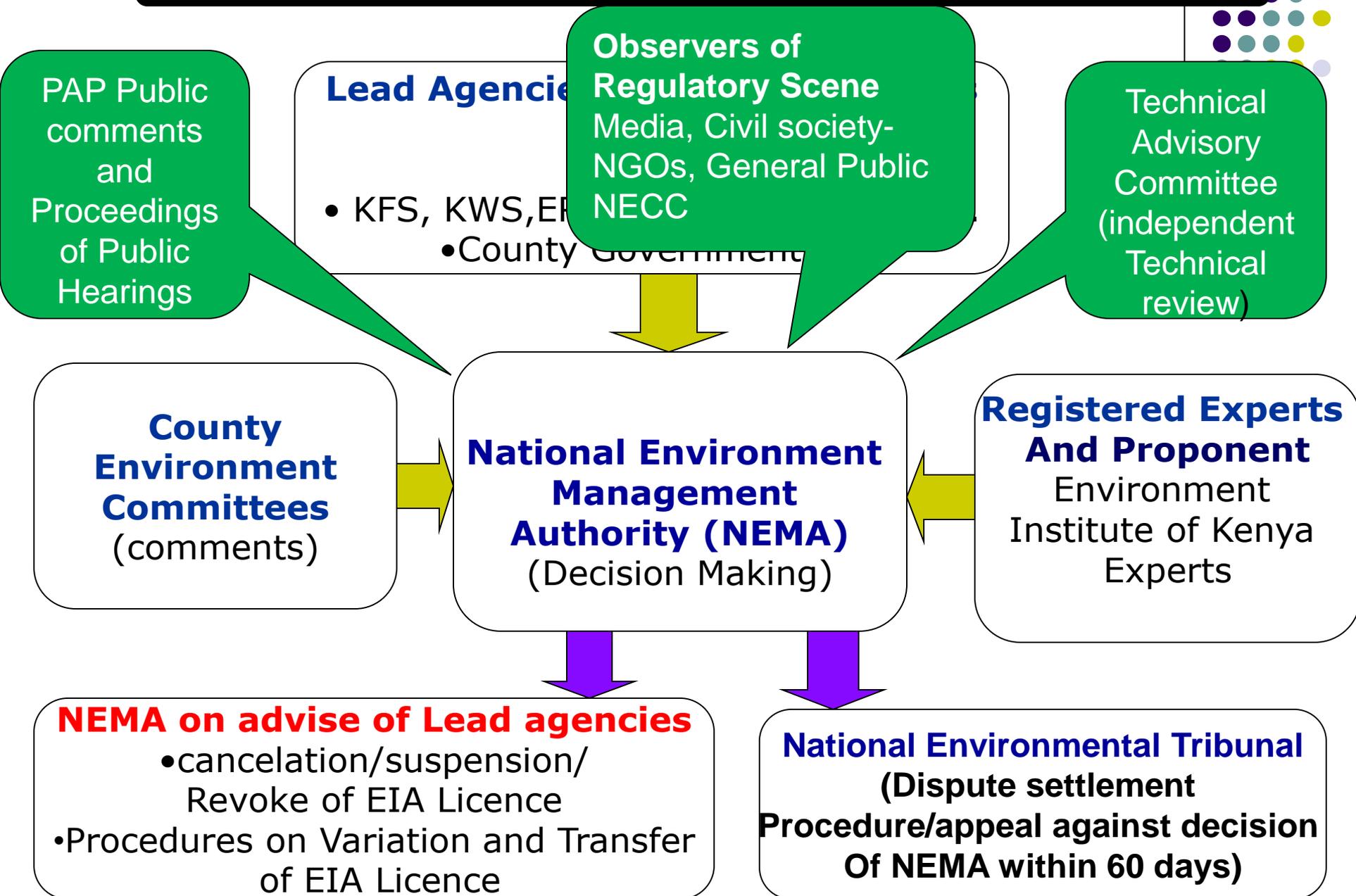


- **Environmental & Social Planning Tools**
- **EIA Process**
- **Why Review of EIA/EA Regulations**
- **Methodology-Terms Of Reference**
- **Methodology-Activities**
- **Thematic Areas**

ENVIRONMENTAL & SOCIAL MANAGEMENT TOOLS



EIA Process-Institutional Framework



Why Review of the Regulations



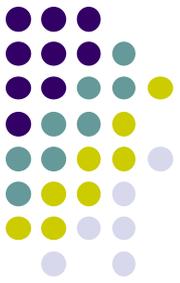
- Aligns Regulations to EMCA, Cap 387 and the provisions of the Constitution, 2010.
- Mainstream ESIA to Integrated Environmental Impact Assessment to capture HIA, HRBA, RA, HA/AA , Climate Change among others
- **Incorporation of Strategic Environmental Assessment (Section 42) -the necessity for SEA up-streaming to improve strategic planning.**
- Improve on the desired outcomes of Decision making i.e. sustainability

Why Review of the Regulations



- **Improve Environmental Governance**-Review aims to strengthen environmental, gender, human rights and rule-of-law aspects of public administration in Project Development.
- To Strengthen public and stakeholder ownership, foster greater civil society participation and therefore improve governance and legitimacy, Minimize Social Risks & conflicts
- strengthens in-country institutional cooperation & capacity to address core safeguards considerations (**Environmental, Social, cultural, Planning, financial, Legal & Economic Safeguards**)
- Ease of Doing Business- improve development impact due to optimized and timely implementation

Methodology-Taskforce



- NEMA constituted a **Taskforce** as follows:
 - a. Mr. Zephaniah Ouma-Chairman, NEMA
 - b. Major (Rtd) William Kamunge-KEPSA
 - c. Ms. Joyce Macharia-EIK
 - d. Mr. Jackson Kiplagat-WWF
 - e. Mr. Justus Nyakego-DOSH
 - f. Mr. Bonface Mamboleo-NEMA (EIA office)
 - g. Ms. Judith Kithinji-NEMA (Legal)
 - h. Ms. Ann Macharia-NEMA (Environmental Audit)
 - i. Mr. Gideon Rotich-NEMA (EIA-Secretariat)
 - j. Ms. Virginia Muthui -(NEMA (secretariat)

Methodology-ToR



- **Terms of Reference** for the Taskforce:
 - a. Draft Regulatory Impact Statement
 - b. Prepare the Draft Regulations to guide stakeholders participation
 - c. Ensure Public, institutional and Technical recognition in line with Statutory instrument Act
 - d. Draft a Legal Notice and accompanying gazette notice
 - e. Draft Explanatory Memorandum

Methodology-Activities

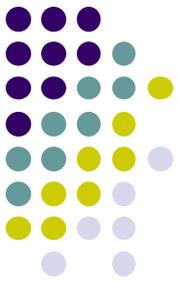


- **Taskforce Activities:**
 - a. Literature review and Desk top bench-marking
 - b. Drafting Sessions and engagement with NEMA management
 - c. Stakeholders consultations in line with the Statutory Instrument Act, 2013 (Nairobi, Coast, Rift Valley and Western, Central and Eastern/North Eastern Regions)
 - d. National Validation Workshop
 - e. Incorporation of comments and final drafting session

The 10 Thematic areas



- Public consultation process and methodology
- Scope, detail and quality of Reporting
- Conduct of Environmental Experts
- Timing and Cost of the EIA process
- Promoting Strategic Environmental Assessment
- Role of EIK
- Role of Lead Agencies
- Governance issues
- Decentralization of the Environmental Assessment process
- Administration of compliance & Enforcement



**THANK YOU FOR YOUR
ATTENTION**

**ANY COMMENTS AND
QUESTIONS?**