

ANNEX 7: PREPARATION OF ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE TRANSMISSION LINES PPP PROJECTS

1.1 ESIA Objectives

The objectives of the ESIA and ESMP are to ensure that all environmental and social consequences due to the development of the proposed transmission lines, are evaluated and addressed as part of the mitigation measures incorporated into the transmission lines final design. Further, the impacts of possible stand alone or supplementary technical solutions, if these are selected shall be assessed. The ESIA will initially be based on the preliminary transmission line design, then proposed mitigation measures shall be incorporated into the final design.

The ToRs are for a bidding stage ESIA. The ESIA (and ESMP) will be bidding stage documents. The ESIA so prepared shall be submitted to NEMA for review and approval after clearance by GOK {KETRACO & PPP Directorate} and subsequently lead to an issuance of licence to KETRACO for the project. The responsibility for carrying out the ESIA based on the final design and seeking either re- approval by NEMA or transfer of the license from KETRACO to the Project Company/Concessionaire will rest with the Project Company who in their full/comprehensive ESIA will provide a reassessment of impacts based on the final design.

The ESIA will seek to comply with the Environmental Impact Assessment and Audit Regulations 2003 established under the Environmental Management and Coordination Act (EMCA), Cap 387 amendment 2015 of Kenya.

The bidding stage ESIA and ESMP will provide a starting point and define criteria for the bidders to indicate in their bids how they will address environmental and social risks and impacts in the full ESIA and Concessionaire ESMP (C-ESMP) that the winning bidder (Concessionaire) will prepare. The contracting authority will then submit the full ESIA and C-ESMP to NEMA, and to the eventual lenders for prior review, before the start of works. The ESIA will clearly define responsibilities for the mitigation of social risks and impacts, and, the proposed social risks and impacts mitigation measures that are the responsibility of the concessionaire will be included in the ESMP.

Specific standards to be considered at a minimum are “transmission line route selection criteria, project design guidelines, noise standards and occupational health and safety requirements.”

The Specific objectives are as follows:

- a) Identify significant and secondary environmental and social issues associated with project design, construction and operation;
- b) Identify measures needed to ensure compliance with above-mentioned standards and benchmarks;
- c) Identify relevant stakeholders and describing requirements for the integration of stakeholder engagement (public participation) during the ESIA process, with special consideration of local conditions and transboundary issues.
- d) Provide guidance on Stakeholder Mapping including the development of an outline for Stakeholder Engagement Management Plan (SEMP) and Grievance Redress Mechanism (GRM);
- e) Identify the range of project siting, design and operational alternatives that need to be considered;
- f) Identify the environmental and social impacts and risks pertaining to the Transmission Lines;
- g) Identify the social risks related to labour influx and labour conditions including child labour and labour-induced-risks

- h) Identify and describe an institutional framework relevant to project implementation;
- i) Define the environmental and social baseline needed to better assess the magnitude, significance and temporality of the potential impacts and risks;
- j) Identify relevant prevention, mitigation, management and monitoring measures and arrangements that need to be considered;
- k) Provide an indicative outline of the contents of:
 - ☐ a comprehensive ESIA, including the content of each section with a focus on major environmental and social impacts and proposed mitigation measures;
 - ☐ Environmental and Social Management Plan (ESMP)

1.2 Scope of Work

The ESIA and ESMP will be distinct documents that will be undertaken under requirements of EMCA, 1999 (amendment 2015) schedule II as stipulated by the National Environment Management Authority (NEMA) that requires all development projects to undergo ESIA in order to avert the potential adverse impacts by developing appropriate mitigation measures.

The ESIA shall evaluate the project activities, predict impacts and device appropriate mitigation measures during the projects design, construction, operation and decommissioning phases.

The ESIA and ESMP studies will have two main objectives:

- ☐ Ensuring sustainable development and good environmental and social practice by wise use of natural resources to ensure inter- and intra-generational equity.
- ☐ Identification, prevention, mitigation, avoidance or offset any negative impacts that may result from the project thus preventing losses or any disadvantages to any stakeholders.

The ESIA and ESMP shall be prepared in a manner that will:

- (i) Comply with the Environmental Impact Assessment and Audit Regulations 2003 established under the Environmental Management and Coordination Act (EMCA), 1999 (amendment) 2015 of Kenya.
- (ii) Provide sufficient detail to clearly identify the Environmental and Social Management Programs to be implemented by KETRACO and the Concessionaire.

The Project ESIA and the Environment and Social Management Programs, including the identification of any risk management measures (supplementary studies, plans, policies, actions, mechanisms, and tools) to be developed and implemented during pre-construction, construction, and operation phases, should be organized to reflect the roles and responsibilities of two key actors:

- (i) GOK, and in particular KETRACO, the implementing agency, who will manage risks and impacts under its control (unless some of such risks and impacts are clearly made a contractual responsibility of the Concessionaire and can be effectively managed by them) as well as oversee the performance of the Concessionaire;
- (ii) the Concessionaire who will design, build and operate the landfill, and must thus prepare and carry out actions necessary to comply with the environmental and social requirements included in its contractual obligations, including the preparation of further studies or risk management plans once the road design has been finalized.

The scope of the ESIA should include the following:

- ☐ Predict and analyze the anticipated environmental and social impacts.
- ☐ Analyze the alternatives to the proposed projects

- ☐ Recommend feasible and cost-effective measures to prevent, reduce or mitigate negative impacts and enhance positive impacts of the project.
- ☐ Estimate the impacts and costs of mitigating those measures, and of the institutional and training requirements to implement them.
- ☐ Prepare an environmental and social impact assessment report to include an Environmental and Social Management Plan (ESMP) including proposed work programs, budget estimates, schedules, staffing and training requirements, and other necessary support services to implement the monitoring and mitigation measures.

The ESIA report should be informed by the opinions collected during Public Consultations. Such public consultations should be conducted twice – at the project report stage of the ESIA and during the full ESIA stage where the findings will be shared with project stakeholders.

The purpose of the consultancy is to produce an ESIA report consisting of sections (tasks) below. Safe for Tasks 10 and 11 designated sections of the ESIA, the different sections of the ESIA and ESMP are linked and must form a coherent narrative.

Task 1. Executive Summary

This section should concisely summarize key findings and recommended actions.

Task 2. Description of the Proposed Projects

The ESIA and ESMP studies shall relate to the listed project. The projects will be subjected to ESIA and ESMP to ensure that all environmental and social consequences due to the development of the proposed projects, are evaluated and addressed as part of the mitigation measures incorporated into the transmission lines final design. It is estimated that the effort per line will require not more than 15 man-months, the final reports for each line is expected 12 weeks after contract award.

The ESIA and ESMP studies will give an indication if a Resettlement Action Plan (RAP) and Vulnerable and Marginalized Group Plan (VMGP) will be prepared.

The section should:

- Define the study area for both projects
- Include essential maps describing the following:
 - 1:10,000 (printed) alignment sheets
 - 1:50,000 (when printed) for the area of influence of each line, including associated facilities such as quarries and waste disposal sites
 - 1:1,000,000 (when printed) map showing the overall location, the areas of traverse, the interconnections of the transmission lines, as well as major cities. ☐ Include essential maps showing the transmission line route and areas of influence
- Summarize the history, purpose, context and expected economic benefits (local and national) of the proposed Project, including any proposed or ongoing development that might have a cumulative impact
- Describe the location and design and technologies (pylons, substation and related equipment, conductors, etc.).
- Provide layouts, cross-sections, and construction details for the transmission line and substations, tower configurations, conductors and other substation equipment; ☐ Describe construction and operation schedules, including scheduling of site (transmission line corridor and substation) preparation.
- Describe of the responsible parties, including organization structure and staffing for the transmission line development;

- Describe expected activities during pre-construction, construction, and operation (to the extent known).
- Include an indicative schedule for pre-construction and construction (to the extent known).
- Indicate the number of construction workers are likely to be involved at each location.
- Offsite facilities that may be required (access roads, quarries, worker camps, and raw material or product storage facilities)

Task 3: Review of Relevant Institution and Legal Framework

The section will:

- Present the laws and regulations of the Government of Kenya that are relevant to the project, most particularly the requirements and procedures of the National Environmental Management Agency, including reporting requirements
- Summarize the requirements and features of World Bank Safeguard Policies
- Summarize the specifications of the World Bank Group Environment, Health and Safety (EHS) Guidelines, particularly:
 - o Environmental, Health, and Safety General Guidelines (2007)
 - o Environmental, Health, and Safety Guidelines for Electric Power Transmission and Distribution
- Present the environmental and social requirements of potential financiers of the Concessionaire, if known at the time of ESIA completion.
- Review the environmental, social and safety procedures of KETRACO

Task 4. Description of the Environment and Social Baseline

The Consultant will collect, collate and present baseline information on the existing environmental and socioeconomic characteristics of, within and around the subproject sites/area of influence, that is directly relevant to understand the Project design and operation, and to assess its risks and impacts, and to define mitigation measures

The environmental and social description should be concise and focused on the potential impacts of the Project, clearly defining the area of influence. Detailed baseline data shall be presented when it is relevant to corresponding mitigation measures. When extensive background information is required for documentation purposes, and/or for project files, this information should be provided in appendices. In addition, the consultant will carry out any field surveys, interviews, and consultations needed to fill information gaps critical to the potential impacts and to development of mitigation measures. Such information should be assimilated in illustrative maps at an appropriate scale. The baseline should provide data required to assess potential impacts, design appropriate and sufficient mitigation measures, and monitor actual impacts during construction and operation.

More specifically, the section should:

- Identify and describe the project area of influence.
- Illustrate baseline data with maps according to the two scales mentioned above.
- Include essential photos, plans, diagrams and maps at two scales showing:
 - o biophysical and socio-economic features along the transmission line route
 - o sensitive ecosystems (wetlands, forests, wildlife sanctuaries, any other areas of ecological sensitivity)
- Provide baseline for ecological/environmental sensitivities- Provide information on Environment, Health, and Safety (both occupational and community) performance in the building construction sector and identify potential challenges and weaknesses.

- Present data directly relevant to decisions about project location, design, operation, or mitigatory measures, including physical aspects (such as topography, landforms, rivers and lakes, geology, soils, climate, air quality, noise, odour, seismic condition and hydrology / hydrogeology), biological aspects (including biodiversity, fauna, flora, animal migration, endangered species, critical natural habitats, forests, protected and sensitive areas), and socio-economic conditions (such as demography, settlements, community structures, sensitive locations, vulnerable and marginalized groups, sources and distribution of income, employment and labour markets, land use, and cultural heritage).
- Identify any changes anticipated before the project commences, taking into account ongoing trends, as well as current and proposed development activities within the area but not directly connected to the project.
- Include data directly provided and confirmed by relevant data sources, such as Kenya Wildlife Service (KWS), Kenya Forest Service (KFS), Kenya Civil Aviation Authority (KCAA), National Museums of Kenya (NMK) county authorities, and international organizations.
- Review and summarize relevant studies and available data, identify gaps and areas not covered by appropriate studies, and if necessary, collect original data to fill these gaps; if not possible specify topics that require further attention, including costs and time estimates.
- Assess the extent, quality, accuracy and reliability of available data, and uncertainties due to data gaps.
- Confirm the accuracy of available data by “walking the site”, including photographic illustration of all key points/ findings.

More specifically the baseline should cover the following components of the environment:

Physical Environment

- Rock types, regional tectonic setting (reported fractures/faulting, folding, warping), and history of any volcanic activity, seismicity and associated hazards; geology and geomorphology, information on quarry yields, strength of rock, should be provided.
- Description of the existing topography and the proposed and areas which will be affected by any aesthetic impact;
- Soil type, classification, characteristics, soil properties, landfill soil cover, field permeability tests, geotechnical surveys etc. are important engineering considerations for design of structures.
- Noise pollution up to 1 km or nearest residential areas, as per the NEMA regulations.
- Ground water characteristics and aquifers that would be potentially polluted by project activities especially where campsites (if any) will be built

Biological Environment

- Aquatic flora and fauna in the area, including marshes / wetlands and other vegetation
- Confirmation of secondary data on flora and fauna in the area, as well as that within area of influence, should be carried, and should include a statement specifying whether the study area is part of an ecologically sensitive area or migratory corridor of any endangered fauna, and the extent of habitat fragmentation by the project.
- A description of pathways or migratory routes for birds at risk of electrocution and their status according to IUCN rating

Socio-Economic and Occupational Health Environments

- Briefly describe the social and economic aspects of the service area (number of inhabitants, residential areas including the type of structures involved, land use, including previous use

over the last 20-50 years, industrial areas, transfer stations, current land-based livelihood strategies if any);

- Demographic data, particularly on human settlements; health status of the communities; existing infrastructure and service facilities in the area; livelihoods, employment and education
- Determine and describe the demographic setting of the project's location;
- Describe the surrounding topography and land use characteristics and proximity to residential neighbourhoods from the proposed transmission lines, including current and past land use patterns, whether agriculture, forestry etc.;
- Identify sensitive receptors and institutions such as schools and places of learning, dispensaries, hospitals, libraries, places of worships, etc.;
- Describe past and present use of the location and surrounding land and any historical, religious or cultural significance of the area;
- Determine the demographic character of the surrounding neighbourhoods, the sensitivity of the public to the proposed transmission lines, including perception to increased traffic, noise, dust, and aesthetic appearance, and potential mitigation measures for such concerns;
- Describe the gender dimensions of the project including any underlying Gender Based Violence (GBV) risks as a direct result of the project;
- Other planned development activities on the location and in the nearby surroundings;
- Describe traffic conditions along the major access routes to transmission lines at present and after implementation of the proposed projects. The existing traffic conditions must be based on field survey; and proposed traffic patterns should be examined as well;
- Provide information on waste disposal sites and quarries that might be used by the Project during construction, on the roads where traffic and safety might be affected by construction activities, as well as information on potential sources of workers during construction of the two transmission lines.

Public Utilities

- Existing public utility infrastructure shall be ascertained and reported to assess the impacts of the project on these public utilities in order to incorporate desired methods in the ESMP and the same shall be monitored during the construction as well as operational phases of the project.

Task 5. Determination of Potential Risks and Impacts of the Proposed Project

This section should:

- Assess the potential positive and negative, direct and indirect, permanent and temporary environmental and social impacts of the Project, as measured in comparison with baseline conditions, during construction and operation of the transmission lines and associated facilities. These should include socio-economic impacts on people who may currently be depending on the project area for their livelihood's strategies
- Assess the risks and impacts that are the direct responsibility of contractors, such as all aspects of construction site management
- Assess the risks that are out of the control of contractors and are instead the responsibility of public authorities, such as the Project's design, the granting of permits, and monitoring of the environmental and social performance of contractors
- Assess any potential for physical and/or economic displacement of households or individuals and state whether the displacement will be temporary or permanent
- Identify significant and secondary social risks, concerns, perceptions and impacts associated with the design, construction and operation of the project

- Assess project impacts that might be cumulative to ongoing or planned activities, and indicate if any tipping points might be reached
- Identify the receptors that may be affected, indicating their sensitivity and significance
- Describe how impacts should be assessed, such as model studies, empirical observation, reference to similar situations, or reference to existing studies
- Quantify impacts to the extent possible, in terms of their magnitude, duration and consequences, including in terms of environmental costs and benefits
- Distinguish impacts of pre-construction, construction and operation
- During construction phase; Identify and determine the efficacy of the construction site management plan including air quality, management of hazardous and toxic waste (if any), borrow pits and quarries, lavatories and showers, emergency preparedness, first aid, chance find procedures, among others.
- Determine if the potential impacts are: (i) avoidable; (ii) temporary and reversible; (iii) permanent and irreversible; (iv) short-term or long-term, and; (vi) large scale or local □ Highlight when the consequence of impacts cannot be determined.
- Assess the health, safety and security of the workers
- Distinguish the risks and impacts for construction workers (occupational health and safety), from the risk and impacts for other neighboring communities (community health and safety).
- Analyze potential for cumulative impacts that result from the incremental impact, on areas or resources used or directly impacted by the project, from other existing, planned or reasonably defined developments at the time the risks and impacts identification process is conducted.

Identify and describe all potential major social and environmental risks and impacts from the transmission lines development which will be significant over the long-term. Describe as a minimum, the environmental and social consequences from:

- Impacts affecting air quality by dust emissions of construction Works
- Noise impacts
- Impacts affecting air quality by equipment and vehicles exhaust
- Impacts of construction waste other than excavated soil
- Risk of damaging Chance-Find antiquity objects
- Impact on neighborhoods including sensitive receptors along direct haul routes from increased traffic (primarily accidents and road safety, noise, dust, litter, odor, and vibrations), and including economic development due to improvements in roadways and trade from refuse haulage personnel;
- Analyze and describe potential sources of conflict, disputes or grievances during construction and operation of the transmission lines
- Analyze the potential for labor influx as a direct result of the project; □ Impacts from operation

Task 6. Analysis of Alternatives to the Proposed Project

This section will:

- Analyze alternatives to the proposed transmission lines and associated substations, including the “without project” alternative, in terms of their potential environmental and social impacts, feasibility of mitigating these impacts, and their capital and recurrent costs. The “without project” alternative does not mean that there will be no action, but rather that other means of funding the transport of electricity would be found, for example through public funding.
- For each of the alternatives, quantify the environmental and social impacts to the extent possible, and estimate economic benefits where feasible, including the estimated costs of mitigating measures
- Describe alternatives that were examined in the course of screening sites and conducting preliminary design and assessment of the proposed transmission lines.

- Describe alternative designs for construction and operation which were examined, including tower and substation design technologies, construction processes and technologies
- Discuss potential for waste minimization.
- Compare the alternatives in terms of potential environmental and social impacts (which are irreversible, unavoidable and which can be mitigated); capital and operation costs; sustainability under local conditions; and institutional, training and monitoring requirements.
- To the extent possible, quantify costs and benefits of each alternative.
- Summarize all interconnection alternatives considered and explain why the selected option is least-cost and most efficient.

Task 7. Development of Environmental and Social Management Plan (ESMP)

The consultant shall develop a separate (standalone) report that shall include the following sections:

- Mitigation plan, including Contractor Clauses
- Monitoring Plan
- Institutional Arrangements
- Stakeholder Engagement Plan, including a Grievance Redress Mechanism
- Implementation Schedule and Cost Estimates

The ESMP shall include recommended feasible and cost-effective measures to prevent, reduce or mitigate significant negative impacts. Indicate the impacts and costs of those measures, and of the institutional and training requirements to implement them. This section will include a budget estimate, staffing requirements and other necessary support, such as training, to implement the mitigation measures.

☐ In addition, there will be sub plans addressing a list of issues. Specifically, the sub plans should include:

- Construction management, including contractors, sub-contractors and primary supply chains
- Traffic and access to construction site
- Labour camps
- Labour influx and labour rights
- Occupational Health and Safety, including accidents and the prevention and management of infectious diseases such as STDs and HIV, and Covid-19
- Storage and disposal of nonhazardous waste, including construction debris ☐ Soil contamination
- Surface and ground water contamination
- Spill response
- Blasting
- Potential for fire and emergency response
- Air emissions
- Noise from equipment, operations (blasting and drilling), and traffic
- Landslide prevention and slope stabilization
- Clean and contaminated storm water management
- Emergency Response Plan, particularly during operations
- Gender equity and sexual harassment
- Biodiversity protection and conservation
- Cultural heritage
- Management of scavengers and recyclers
- Traffic management and road safety
- Site closure and restoration

- Include the following mitigation measures
 - Develop alternative livelihood strategies for the affected individuals and communities and indicate the type of livelihood restoration measures that may be required. These should be proportional to the impacts, but designed as sustainable strategies that would improve the livelihoods of the affected groups or individuals;
 - Identify and summarize all anticipated significant adverse environmental impacts (including those involving indigenous people or involuntary resettlement) and define both generic and site specific environmental and social mitigation measures during construction and operation.
 - Include measures to minimize migratory bird collisions with transmission lines.
 - Include emergency/disaster preparedness plans.
 - Describe with details other plans that will be required during the construction and operation phases (e.g. Contractor ESMP, Occupational Health and Safety plans and labour influx plan).
 - Estimate any potential environmental impacts of these measures.
 - Provide linkage with any other mitigation plans (e.g., for involuntary resettlement, indigenous peoples, or cultural property) required for the subproject.
 - Identify additional data collection required to fill identified data gaps.
 - The mitigation measures for which contractors will be directly responsible will be managed through a set of Environmental and Social Clauses, including a Code of Conduct, worker Grievance Redress Mechanisms, and monitoring requirements.
 - The Consultant shall take into account that Bidders should submit a Preliminary Plan as part of their tenders, outlining the principles and the methodology that they will use to address environmental, social, health and safety issues under the contract, and should also include all related costs in their tenders. The selected contractors should each prepare a Contractor-ESMP before the start of works, detailing how the Minimum Environmental and Social Criteria will be operationalized, including procedures and staffing. KETRACO and the Concessionaire will monitor the environmental and social performance of contractors against the commitments made in their respective Contractor-ESMP.
- The transmission component of the project will have ancillary facilities like worker camps and waste disposal pits during construction. The findings of the ESIA report will be summarized in the ESMP describing the mitigation measures of the impacts from ancillary facilities
- The ESMP will also contain environmental and social clauses for contractors, including a Code of Conduct.
- The ESIA study will advise on the need for a full RAP study or an abbreviated RAP study □ The study will screen for VMGs in the project area and advise on the need for a VMGP

Task 8. Stakeholder Engagement

- The TA shall carry out a verification of social due diligence measures, which involves describing the social, economic and cultural status of the project area.
- Identify and map relevant stakeholders and describe requirements for the integration of stakeholder engagement and consultations (public participation) during the ESIA, RAP, SA and VMGP processes¹ and during project implementation, with special consideration of local conditions, including preparation of a stakeholder engagement and communication plan, and a schedule of consultations, and a disclosure plan. Activities under this task include:
 - o Identify and map relevant stakeholders and describe requirements for the integration of stakeholder engagement and consultations (public participation) during the ESIA process, with special consideration of local conditions;

¹ The RAP will be updated during the procurement stage of phase 2 and implemented just after commercial close.

- o Based on the identification and mapping of stakeholders, provide an outline for the development of a Stakeholder Engagement Management Plan (SEP) and Grievance Mechanism (GM) to be put in place that is accessible to project stakeholders, especially the PAPs.
- Undertake public and stakeholder consultations as described in Part II section 17 of the Environmental (Impact assessment and Audit) Regulations, 2003 and the World Bank Safeguards Policies. Stakeholder and public consultations should be transparent, accessible to stakeholders involved and conducted in consideration of socially acceptable means in relation to the project area. Similarly, a comprehensive and participatory stakeholder engagement will be undertaken as part of the RAP update in accordance with the provisions of OP 4.12.
- The TA to organize forums for public participation to enable interested & affected parties to present their concerns and opinions regarding the proposed project, the stakeholders should include County officials, relevant Government agencies, community groups, and NGOs. The views of the public will be solicited and incorporated in the ESIA report. A record of public consultations and other records that will indicate participation of interested and affected parties throughout the ESIA study process, including: surveys used to seek views of affected stakeholders; date and location of consultation meetings; a list of attendees, their affiliation, contact addresses and a summary. This section needs to present an approach to ongoing stakeholder engagement. In addition, a grievance redress mechanism should be described in this section.
- The TA should keep a record of consultation meetings, including consultations for RAP update, including date and location, a list of attendees, their affiliation and contact addresses, voiced concerns or opinions, and how these concerns were incorporated into the RAP, ESIA and the design of the project. The record should also indicate any surveys used to seek views of affected stakeholders. A record of information disclosure, including disclosure of entitlements to the PAPs as outlined in OP 4.12, public consultations and surveys should be summarized in the ESIA/RAP and the records preserved to indicate participation of interested and affected parties throughout the ESIA study process. Such records may include: surveys used to seek views of affected stakeholders; date and location of consultation meetings; a list of attendees, their affiliation, contact addresses and summaries of the outcome of the meetings. This section needs to present an approach to ongoing stakeholder engagement. In addition, a grievance redress mechanism should be described in this section.
- The TA will ensure that IPs/VMGs are informed, consulted, and mobilized to participate in the relevant projects. The TA will conduct Free Prior and Informed Consent (FPIC)) with any likely impacted IPs/VMGs and those who work with and/or are knowledgeable of IPs/VMGs development issues and concerns. To facilitate effective participation, the VMGPs developed for the projects will propose a timetable to be followed to consult IPs/VMGs at different stages of the project cycle, especially during preparation of the civil works program. A grievance redress mechanism will be developed specific to the IP/VMGs.

Task 9: Public Consultations and Disclosure

- The consultant is expected undertake minimum of two public consultations for each hospital site, during the preparation and finalization of the ToRs and when the draft ESIA reports is ready.
- The public consultations should be documented, including both the positive and negative concerns of the Project Affected Persons (PAPs) and how their views are incorporated into the design of the project.
- Disclosure of the report shall be done in a manner, form and language that are understandable, accessible which enable the public full participation.

Task 10. Identification of Institutional Needs to Implement ESMP

- Review the institutional capacity to implement, manage and monitor (in the short term as well as in the long-term) the proposed transmission lines.
- Recommend, if necessary, institutional strengthening at all levels.
- Assess KETRACO's current systems and its capacity to meet the requirements of World Bank Safeguard Policies.
- The capacity of KETRACO to manage the Concession should be assessed in detail with a view to recommend measures to close the gaps.
- Detail measures required to ensure that KETRACO has the capacity to meet the requirements of the EMCA Act and World Bank Safeguards Policies. These measures will be summarized in an action plan, including a timeline and itemized costs for capacity strengthening measures.
- Describe institutional arrangements, responsibilities and procedures within the PPP Directorate, the implementing partner, and the concessionaire and its contractors to carry out each of the mitigatory and monitoring measures (e.g., for operation, supervision, enforcement, monitoring of implementation, remedial action, financing, reporting, and staff training).
- Include training of contractors regarding the E&S clauses that apply to them.
- Estimate the resources required by the concessionaire to implement and monitor the ESMP, such as level of effort (LOE), and equipment.
- As necessary, proposes capacity building, additional technical support or organizational changes, to ensure the timely and effective implementation of the ESMP.

Task 10. Development of Monitoring Plans

Set up a single monitoring plan for the construction, operation and decommissioning of the landfill.

The monitoring plan shall:

- Clearly define responsibilities for RAP implementation between the KETRACO and the concessionaire,
- Detail NC's procedures to monitor the implementation of the E&S risk management measures under its control and responsibility, as identified in the Environmental and Social Management Programs,
- Detail KETRACO's procedures to monitor the performance of the Concessionaire
- Define a set of indicators that will be used by KETRACO to report on the implementation of risk mitigation measures to GOK and will also be used by the Concessionaire to report to KETRACO
- Detail how the Concessionaire will report to KETRACO regarding E&S issues
- Specify parameters to be measured, methods to be used, sampling locations, frequency of measurements, detection limits (where appropriate), and thresholds that will signal the need for corrective actions
- Define the types of reports, roles and accountability (who reports - who gets the reports), when and how frequently reports are prepared
- Provide an outline of the report on implementation of E&S risk mitigation measures by KETRACO (as relevant) and the Concessionaire that KETRACO will prepare ahead of regular World Bank implementation support missions
- Define procedures to trigger change management and the management of corrective actions
- List mandatory government clearance requirements, most particularly NEMA's certification of compliance and annual environmental audits during operation □ Furnish information on the progress and results of mitigation.

Task 11. Implementation Schedule and Cost Estimates

This section will:

- Provide a clear statement of financial responsibilities

- Identify summary of costs for implementation of the proposed mitigation measures
- Provide detailed estimated budget for all phases of the project including planning, implementation, monitoring and evaluation, with contingencies
- Include an implementation schedule for mitigation measures that must be carried out as part of the project, showing phasing and coordination with overall project implementation plans;
- Estimate the capital and recurrent cost estimates and sources of funds for implementing the Environmental and Social Management Programs

Appendices

- List of Environmental Assessment Parameters
- Preliminary Design Report
- Records of Inter-Agency and public/NGO Consultations and meetings, including consultations for obtaining the informed views of affected people, disaggregated by gender, age and if possible social status
- List of ESIA team--individuals and organizations.
- Terms of Reference
- References. Document all sources of written information, both published and unpublished, used in the ESIA.
- Records of public participation and consultations for obtaining the informed views of the affected and interested parties, as well as local NGOs, on the positive and negative impacts of the proposed subproject. The records will summarize concerns and opinions presented during the consultations. The record will also specify any means other than consultations (e.g., surveys) used to obtain the views of affected groups and local NGOs.
- Records of interagency consultation meetings with institutional stakeholders such as: Kenya Wildlife Service (KWS), National Museums of Kenya (NMK), Kenya Forest Service (KFS), Kenya Civil Aviation Authority (KCAA; for civil aviation security), Department of Physical Planning, and local/impacted communities.
- Tables presenting the relevant data referred to or summarized in the main text.
- List of associated reports (e.g., resettlement plan or indigenous peoples' development plan).