

GOVERNMENT OF NAIROBI CITY COUNTY



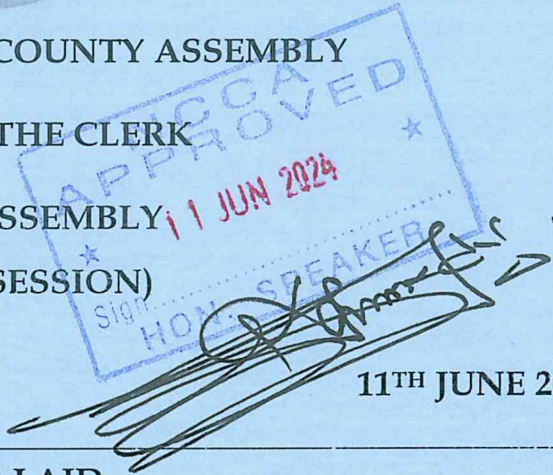
Paperts Laid by
Hon. Cyrus Mugo
on 11th June 2024
Mugo

THE NAIROBI CITY COUNTY ASSEMBLY

OFFICE OF THE CLERK

THIRD ASSEMBLY

(THIRD SESSION)



NCCA/TJ/PL/2024(30)

11TH JUNE 2024

PAPER LAID

SUBJECT: REPORT OF COMMITTEE

Pursuant to Standing Order 196, I beg to lay the following Paper on the Table of this Assembly, today Tuesday 11th June 2024:

— THE REPORT OF SECTORAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES ON THE WORKSHOP HELD FROM 18TH TO 21ST APRIL AT LAKE NAIVASHA RESORT, NAKURU COUNTY.

(Chairperson, Sectoral Committee on Environment and Natural Resources)

Copies to:
The Speaker
The Clerk
Hansard Editor
Hansard Reporters
The Press

NAIROBI CITY COUNTY ASSEMBLY



THIRD ASSEMBLY – THIRD SESSION

THE SECTORAL COMMITTEE

ON

ENVIRONMENT AND NATURAL RESOURCES

REPORT

ON THE

THE WORKSHOP FOR THE COMMITTEE HELD BETWEEN 18TH TO 21ST APRIL, 2024
AT LAKE NAIVASHA RESORT, NAKURU COUNTY

Clerk's Chambers,
CITY HALL,
NAIROBI.

JUNE 2024



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REPUBLIC OF KENYA
Nairobi City County Assembly
Clerk's Chambers





1.0 PREFACE

The Committee's mandate pursuant to the provision of Standing Order 209 –Third Schedule is, amongst others, to investigate, inquire into and report on all matters relating to; *“Implementation of specific national government policies on natural resources, environmental conservation, including soil and water conservation and forestry and control of air population, noise population, other public nuisances and refuse removal, refuse dumps and solid waste disposal.”*

The Committee exercises its oversight mandate over the Environment and Natural Resources Sub-Sector in the County Executive.

1.1 Background

The Committee undertook a joint retreat with the Green Nairobi Sector (Environment Sector) to deliberate on implementation reports on the programmes, proposed legislations and work plans for FY 2023–24 of the Sector from Thursday 18th to Sunday 21st April, 2024 in Lake Naivasha Resort, Nakuru County. The participants deliberated on;

1. The sector activity work plans and procurement plans for the financial year 2023-2024 drawn up in Quarters;
2. The status of implementation of projects and programs in the First and Second Quarters of the Financial Year 2023-2024;
3. The sector programmes/projects for Third and Fourth Quarters of the Financial Year 2023-2024 and the modalities put in place to ensure projects are initiated on time;
4. The objectives, targets and goals agreed upon in the signed performance contracts and the timelines;
5. The challenges the sector is currently facing in discharging its mandate, including the implementation of existing Laws and statutes within the sector; and
6. Proposals on the way forward for improving service delivery in the sector.

Similarly, the workshop deliberated on the status of air pollution in Nairobi with officers from the United Nations Environment Programme (UNEP) and Stockholm Environment Institute (SEI).

1.2 Committee Members

The Committee on Environment and Natural Resources comprises of the following Members;





1. **Hon. Silas Matara Ongwae, MCA** – Chairman
2. **Hon. Cyrus Mugo, MCA** – Vice-Chairman
3. Hon. Kennedy Odhiambo, MCA
4. Hon. Paul Kados, MCA
5. Hon. Catherine Apiyo Okoth, MCA
6. Hon. Nyantika Ricardo, MCA
7. Hon. Fatuma Abduwahid Abey, MCA
8. Hon. Nasra Nanda, MCA
9. Hon. Fuad Hussein, MCA
10. Hon. Dan Oria, MCA
11. Hon. Peter Imwatok, MCA
12. Hon. Joel Munuve, MCA
13. Hon. Agnes Wambui, MCA
14. Hon. Susan Makungu, MCA
15. Hon. Allan Maina, MCA
16. Hon. Simon Mugo Maina, MCA
17. Hon. Joseph Ndungu Karanja, MCA
18. Hon. Agnes Njeri, MCA
19. Hon. Jeremiah Themendu, MCA
20. Hon. Joy Muthoni Mwangi, MCA
21. Hon. Farhiya Aden, MCA
22. Hon. Brian Itenya, MCA
23. Hon. Joyce Muthoni Kamau, MCA
24. Hon. Fiu ni Fiu, MCA

Committee Secretariat

- i. Ms. Hellen Mutie –Senior Clerk Assistant.
- ii. Ms. Mercy Riunga – Senior Clerk Assistant.

1.3 Acknowledgement;

Hon. Speaker Sir, I wish to acknowledge with gratitude the offices of the Speaker and the Clerk of the County Assembly for the support extended to it in the execution of its mandate.

I also thank the Secretariat for their input and valuable contribution and advisory where required during the session.




Finally, much thanks to the Members of the Sectoral Committee on Environment and Natural Resources for their dedication, untiring commitment and valuable contributions which has enabled the Committee to effectively accomplish its Legislative, Oversight and Representation role.

Mr. Speaker Sir, it is therefore my pleasant duty and privilege, on behalf of the Committee on Environment and Natural Resources to present the Committee's Report on the workshop held from Thursday 18th to Sunday 21st April, 2024.

Signed 

**Hon. Silas Matara, MCA
(Chairperson)**

Sectoral Committee on Environment & Natural resources

Dated this  day of *JUNE*2024



2.0 OPENING REMARKS BY THE CHAIRPERSON

The Workshop was officially opened by Hon. Silas Matara, Chairperson of the Committee on Environment and Natural Resources. He welcomed and thanked the participants for availing themselves for the workshop and introductions were made. In his remarks, he noted that at the end of the workshop, the Committee would have understood the status of air pollution in the County, effects of climate change and the status of implementation of projects and programs of the Environment Sector

3.0 PRESENTATIONS

3.1 Status of Nairobi's air quality

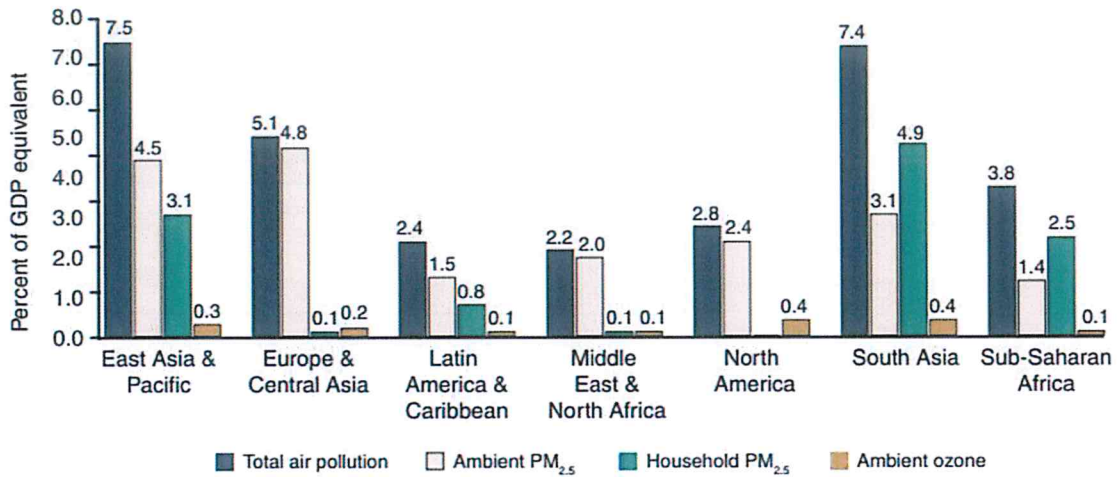
Mr. Danube Ngongang, M.Sc, an officer from Stockholm Environment Institute, informed the Committee that the institution had installed 40 air quality sensors across Nairobi, which provided real-time data crucial for making informed decisions and policy adjustments. The sensors were not randomly placed but thoughtfully located at sites where they could gather the most relevant data to inform the understanding and actions regarding urban air quality. The sensors are placed on the following areas;

1. Residential Areas: Monitoring in these areas aid in ensuring that the health of Nairobians was not compromised by unseen pollutants.
2. Industrial Zones: By installing sensors in these regions, the institution directly assesses the impact of industrial emissions on air quality, thus enforcing environmental regulations and encouraging industries to adopt cleaner technologies.
3. Roadside Locations: The facilitator informed the participants that traffic emissions were among the primary sources of air pollution in urban areas. Sensors placed alongside busy roads help evaluate the effectiveness of traffic management policies and vehicular pollution controls.
4. Dumping Sites: Participants learnt that the sensors were critical for monitoring the release of hazardous pollutants from waste management areas, which could have severe health impacts. This data was essential for developing strategies to manage waste more effectively and reduce its impact on the urban environment.

Dr. Aderiana Mbandi from UNEP highlighted the impact of air pollution in Africa as shown below;



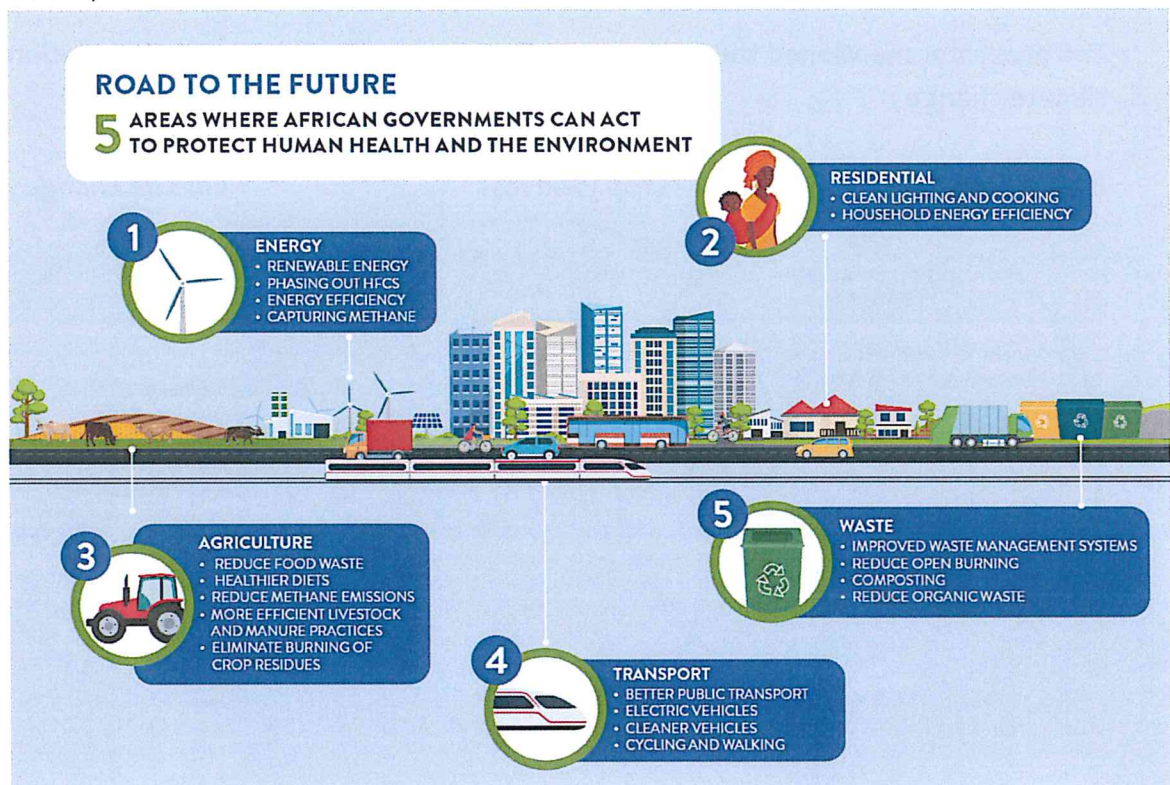
Economic Impact of Air Pollution in Africa



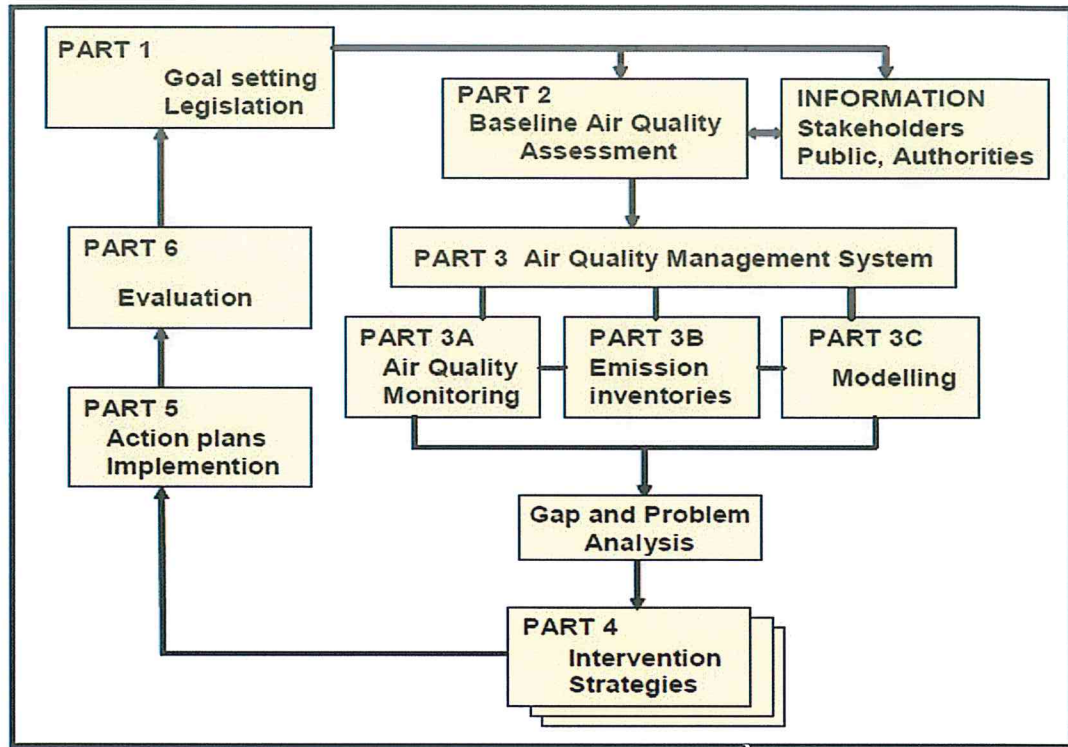
Sources: World Bank and IHME.

Note: Total air pollution damages include ambient PM_{2.5}, household PM_{2.5}, and ozone. GDP = gross domestic product.

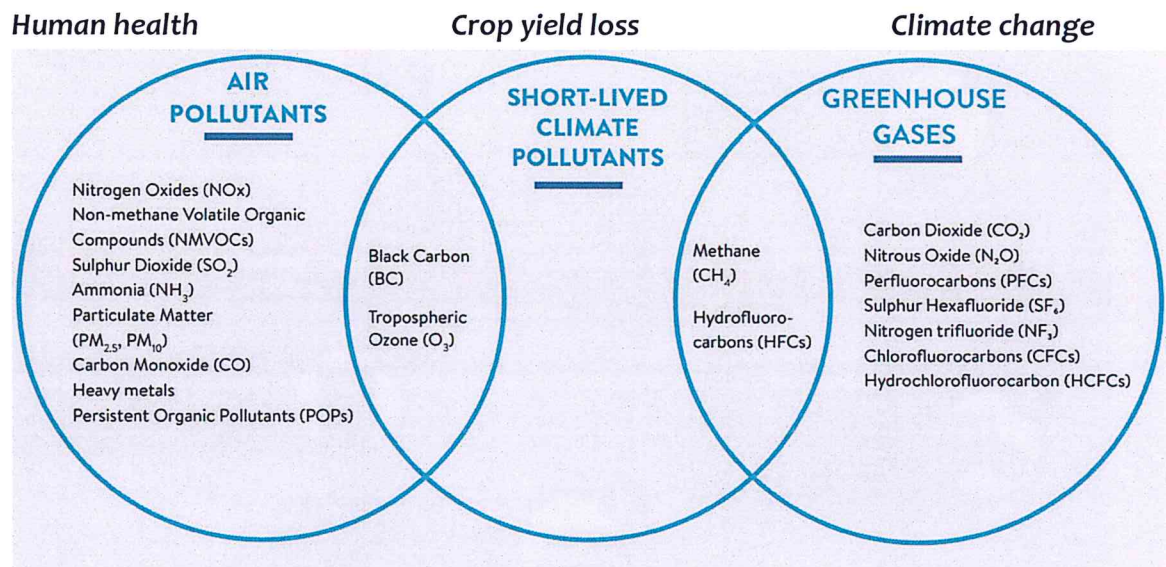
She summarized areas where African governments could tackle air pollution as shown below;



The Air Quality Management Cycle



The presenter mentioned the following as the sources and impacts of air Pollution and climate change ;



3.2 AMENDMENTS TO THE NAIROBI CITY COUNTY CLIMATE CHANGE MANAGEMENT BILL, 2023

On deliberations, the Committee adopted the following amendments to the Nairobi City County Climate Change Management Bill, 2023;

LONG TITLE

THAT the **Long Title** of the Bill be amended by deleting the numerical “2023” and substituting thereof with “2024”.

SHORT TITLE

THAT the **Short Title** of the Bill be amended by deleting the numerical “2023” and substituting thereof with “2024”.

THAT, Clause 10(b) be amended by deleting the word “at least” appearing immediate before the word “half”.

NEW CLAUSES

THAT the **Bill** be amended by inserting the following New Clauses immediately after Clause 11 of the as follows;

11A There is established a planning committee to be known as the County Climate Change Planning Committee that shall be appointed by the County Executive Committee Member for the time being responsible for matters of Environment and Climate Change.

11B The committee shall comprise of—

- a) Chief Officer for the time being responsible for matters of Environment and Climate Change who shall be the Chairperson;
- b) Chief Officer for the time being responsible for matters of the County Treasury who shall be the vice chairperson;
- c) County Director Water;
- d) County Director Agriculture;
- e) County Director Energy;
- f) County Director Health;
- g) County Director Environment;
- h) County Director Natural Resources and Forestry;



- i) County Director Climate Change who shall be the Secretary; and
- j) County Director Planning.

11C (1) The County Climate Change Planning Committee shall: -

- a) Identify county wide climate change needs and vulnerabilities;
- b) Undertake internal and external resource mobilization;
- c) Review, prioritize and sequence projects relevant to Climate Change mitigation based on the set criteria;
- d) Receive, consider and recommend funding proposals and projects and forward to the County Climate Change Steering Committee for approval;
- e) Prepare and submit an annual report on climate change response activities in the County;
- f) Formulate and implement County monitoring, evaluation and reporting framework for climate change response;
- g) sensitization and trainings at ward level and;
- h) Perform any other functions assigned to it by the County Steering Committee.

(2) The County Planning Committee shall be the technical and advisory arm of the County Steering Committee.

11D There is hereby established a secretariat for the county Climate Change Steering and Planning Committees which shall be the Department responsible for County Climate Change.

11E (1) The meetings of the County Climate Change Planning Committee shall be conducted as follows: -

- a) The County Climate Change Planning Committee shall meet at least twice in a quarter in each financial year;
- b) The County Climate Change Planning Committee may choose to rotate the location of its regular meetings to different wards in the County for purposes of engaging directly with communities and familiarizing itself with their climate change-related challenges;
- c) The quorum for meetings of the County Climate Change Planning Committee shall be half of the membership; and
- d) In the absence of the chairperson, the members in attendance shall elect one of them to chair the meeting.

(2) The County Climate Change Planning Committee may invite to its meetings any technical staff of the national or County government which it considers will contribute to its deliberations, and the attendance and participation of such





person shall be recorded in the minutes of the County Climate Change Planning Committee.

3.3 Department Of Environment Natural Resources & Climate Change Presentations

3.3.1 The sector activity work plans and procurement plans for the financial year 2023-2024 drawn up in Quarters
Annexure 1

3.3.2 The status of implementation of projects and programs in the First and Second Quarters of the Financial Year 2023-2024

The Director for Environment, Mr. John Malawi briefed the Committee on the status of implementation of projects and programs in the First and Second Quarters of the Financial Year 2023-2024 as below;

No	Project name	Description	Location	Current status (%)	Remarks/ Status	Allocation for FY 2023/24 (kshs)
1	Dandora Dumpsite Access Roads (Hardcore)	Maintenance of 5No. (4 km) Access roads leading to disposal cells	Dandora	40%	171,040,000 97M (2023/24) Bal for pending bill - 74M (2022/23)	Requisition done on 15/03/2024 for 77M to procure roads construction material (Hardcore) - Delivery Ongoing
2	Construction of Ramp, Weighbridge platform	Calibration of weighbridge and renovation of weighbridge office Renovation of office depot (detail of works)	Dandora - 12M Kaloleni - 13M	95% 5%	25M	The Procurement office received the County Attorney legal advisory on 15/03/24. 95% - Under valuation. Re advertised and opened

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						on 12/04/2024 Evaluation to begin from Monday 22/04/2024
3	Installation of litter bins	Installation of 50No. litter bins within CBD	CBD	5%	10M	Re advertised on 12/04/24. Evaluation to begin from Monday 22/04/2024
	TOTAL				206,040,000	

3.3.3 The Environment and Natural Resources sub sector roll over projects from the FY 2022/2023.

	Project Name	Location	Contract sum Kshs	Remarks
1	Uhuru Park office block/ Muindi Mbingu retrofication (Contractor SILVER Concrete	Uhuru park Muindi Mbingu	19,983,300 8,901,950	15% (Currently setting the foundation) 70% Complete
2	Muratina round about (Contractor YAKYIN International Ltd	Muratina	2,199,810	Awaiting approval from KENHA for Pergolas(seats) & Bollards Meeting with KENHA on approvals done on 29/02/2024 and planning for site visits Site visit meeting held 15/03/2024 and preferred site was identified as below the





				foot bridge next to power station near the Median Deliberations with KENHA underway from hardscape 3installations.
3	Roysambu round about (FRANCA Suppliers & Construction Ltd)	Roysambu	19,628,902	Awaiting approval from KENHA for Pergolas(seats) & Bollards Meeting with KENHA on approvals done on 29/02/2024 and planning for site visits Site visit meeting held 15/03/2024 and preferred site was identified as below the foot bridge next to power station near the Median Deliberations with KENHA underway from hardscape installations.
4	Jevanje Revitalization	Jevanje Revitalization	37,896,320	15% (Provision made in the supplementary)
5	Renovation of 6 public toilets (imperial investment (k) ltd	National Archives Jevanje NairobiWest Old Nation Fig Tree Accra	7,786,278	10% Procurement process Evaluation stage.

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	TOTAL		67,511,310	
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Purchase of Operational Supplies

N o	Project	Implementin g delivery unit	Location	Statu s %	FY 2023/2024	Remarks
1	Purchase of staff uniforms and clothing	Environment new staff	Environmen t	95%	36,445,000	36,445,000 L.P.O Issued on 5/05/2023 Supplied by M/S CYMACEF AGENCIES Payment at IB. Awaits payment
2	Purchase of staff uniforms and clothing	Environment staff	Environmen t	90%	24,081,250	Evaluation process complete, LPO issued and delivery ongoing Cost Kshs 22,337,250
3	Supply and delivery of gumboots	Environment – Natural resources & Climate Change		10%	2,700,000	To be published for advertisement
4	Supply and delivery of office & general supplies	Environment – Natural resources & Climate Change		10%	1,272,190	Advertised and evaluation ongoing
5	Supply and delivery of computers & other it equipment	Environment – Natural resources & Climate Change		10%	6,864,000	Tobe published for advertisement
6	Supply and	Environment		90%	1,269,000	Awarded to





	delivery of sanitary and cleaning materials	- Natural resources & Climate Change				Dornel Enterprises Ltd. Cost Kshs 1,200,000
7	Supply and delivery of office furniture and fittings	Environment - Natural resources & Climate Change		90%	5,870,420	Awarded to Chelsy Investment Ltd - Kshs 2,900,000 Oregon Hill Enterprises - Kshs 2,900,000
8	Supply and delivery of working tools (gloves, soft and hard brooms)	Environment - Natural resources & Climate Change		5%	2,379,000	To be advertised

3.3.4 Sub-sector programs/projects for Third and Fourth Quarters of the Financial Year 2023-2024

The Director summarized the Sub-sector programs/projects for Third and Fourth Quarters of the Financial Year 2023-2024 as shown in the table below;

No	Program/project	Actions	Timelines
1	Climate Change Act & Climate Change Regulations	County Environment Committee Climate Change Bill and County Climate Finance Mechanism Sensitization Workshop. <ul style="list-style-type: none"> • Launch or unveiling of the Act by His Excellency after enactment. • Retreat for the Environment Committee 	Done 30th June 2024 (Tentative Date) Pending date for the retreat (Dependent on Bill enactment date). <ul style="list-style-type: none"> • Draft Bill developed. • 2nd reading already done at the County





		Membership and the Executive.	Assembly. • Bill currently at the amendment stage before 3rd reading
2	Air Quality Regulations	Partner identified (Clean Air Fund – Breathe Cities Programme), to facilitate the process. • Convene Air Quality Working Group	31st December 2024 30th April 2024 • Draft prepared and available. Cabinet tabling then forwarding to the County Assembly.
3	Climate Change Policy	County Executive and Assembly sensitization through partners – to subject the Policy document to Strategic impact assessment	30th June 2024 • Draft undergoing review to incorporate Green City Goals and review by the County Attorney. • To be tabled at the Cabinet and forwarding to the County Assembly.
4	Stakeholder Engagement Plan	Validation of the Stakeholder Engagement Plan. • To be presented to the County Environment Sector Working Group.	29th February, 2024 (Done) Stakeholder Engagement Plan completed 13th – 17th May, 2024
5	Signing of the FLLoCA Programs Participation Agreements	Sector to sign the Program forms after the Climate Change Bill Enactment. • National Treasury to provide documents after Climate Change Bill Enactment	31st July 2024 Reviewing documents
6	Participatory	PCRA report to be reviewed	31st August 2024

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NATIONAL COMMISSION ON ENVIRONMENT & NATURE CONSERVATION





	Climate Risk Assessment (PCRA)	and validated upon County Climate Change Bill Enactment. <ul style="list-style-type: none"> Undertake various Ward Public Participation Events and a County Cross-Sectoral Technical Working Group Workshop to inform and validate the final PCRA report and inform an update of the Current County Climate Change Action Plan. 	(Tentative date Upon Bill Enactment). Draft Environment Sector Participatory Climate Risk Assessment report completed and available.
7	Coordinate Implementation of three action areas in the climate change action plan (CCAP) (Waste, Transport and Energy) Waste Action		31st May 2024 Waste action <ul style="list-style-type: none"> Ongoing Waste to Work Project with Voluntary Services Overseas (VSO). Ongoing Request for Proposal for support to design the pilot stakeholder engagement with markets to segregate waste.
8	Increase air quality monitors from 18 No. to 35 No.	Approved and sent to the Sector Procurement office. <ul style="list-style-type: none"> Specifications done and shared with procurement. Awaiting procurement 	31 st May, 2024 17 Air Quality Monitors
9	Develop 1 Climate Change and Air Quality Information	Approved and sent to the Sector Procurement office	31st May, 2024 1 Climate Change and Air

Nairobi City County Assembly Clerk's Chambers





	Management System	<ul style="list-style-type: none"> • Mobilizing for partners to supplement budget deficits. • TOR developed and shared. • Awaiting procurement. 	Quality Information Management System

4.0 CHALLENGES FACED BY THE SECTOR

The Sector pointed out the following challenges as a hindrance to its performance. This includes;-

4.1 Under solid waste;

- i. Inadequate refuse trucks and frequent breakdown of the same;
- ii. Rampant illegal dumping of solid waste;
- iii. Unsatisfactory state of repairs at Dandora dumpsite;
- iv. Delayed payments to contractors leading frequent withdrawal of trucks and heavy machinery;
- v. Prolonged procurement procedures; and,
- vi. On-going court case challenging franchising system of waste management.

4.2 Under recreation and greening services;

- i. Adverse weather conditions hence tree planting programme is affected;
- ii. Tedious and long procurement procedures in tree seedling purchasing; and,
- iii. Negative attitude in environmental conservation among the public.

4.3 Environmental Monitoring Compliance and Enforcement;

- i. Wide spread noise pollution;
- ii. Lack of sufficient transport;
- iii. Inadequate personnel to carry out patrols on a daily basis;
- iv. Inadequate deterrence in our courts;
- v. Interference in the court systems;
- vi. Inadequate public awareness;
- vii. Delayed procurement processes;
- viii. Court cases on public toilets management contracts; and,
- ix. Court cases on Solid Waste Management contracts.





5.0 OBSERVATIONS

Upon examination and deliberation of the reports and its findings, the Committee made the following observations, THAT;-

5.1 Under solid waste;

- i. Despite the numerous campaigns on solid waste management, illegal dumping remains a major challenge faced by the sector;
- ii. Unsatisfactory state of repairs at Dandora dumpsite;
- iii. Delayed payments to contractors leading frequent withdrawal of trucks and heavy machinery;
- iv. Prolonged procurement procedures; and,
- v. On-going court case challenging franchising system of waste management.

5.2 Under recreation and greening services;

- i. The Sector performed dismally on revenue collections especially in the selling of seedlings;
- ii. Negative attitude in environmental conservation among the public.

5.3 Environmental Monitoring Compliance and Enforcement;

- i. Lack of sufficient transport;
- ii. Inadequate personnel to carry out patrols on a daily basis;
- iii. Inadequate deterrence in our courts;
- iv. Inadequate public awareness;
- v. Delayed procurement processes;
- vi. Court cases on public toilets management contracts; and,
- vii. Court cases on Solid Waste Management contracts.





6.0 RECOMMENDATIONS

On the foregoing, the Committee recommends as following, THAT;-

6.1 On Solid Waste Management;

- i. The County Executive to ensure timely maintenance and repair of refuse trucks by ensuring there is an effective and operational maintenance unit;
- ii. The County Executive to forward Environmental policies and legislative proposals for consideration by the Assembly;
- iii. The County Executive to ensure procurement of equipment's and facilities for the sector's use is done in a timely manner; and
- iv. The Sector to ensure solid waste transportation contractors and other partners are paid in good time to avoid disruptions in normal operations.

6.2 On recreation and greening services;

- i. The Sector to consider upscaling the current nursery plant and decentralizing the same to sub-county level; and,
- ii. The sector to explore ways of embracing modern and cost effective irrigation techniques will minimize excess use and misuse of limited water supply.

6.3 On Environmental Monitoring Compliance and Enforcement;

- i. The sector to ensure full implementation of The NCC Public Nuisance Act, 2021 ; and
- ii. The sector to engage and sensitize the general public on environmental responsibility.

