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ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) REPORT FOR THE PROPOSED HIGH COURT ON PARCEL NO. ISIOLO TOWNSHIP BLOCK 1/356, ISIOLO TOWN, ISIOLO COUNTY.

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PROPOSED	ISIOLO	HIGH	COURT

LEAD EXPERT:

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CLIENT **THE JUDICIARY OF KENYA**

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DECLARATION

I certify that this ESIA project report has been prepared in total adherence to NEMA requirements as provided for in the Environmental Management and Coordination Act (2015) and the Environmental (Impact Assessment and Audit) Regulations (2003). The proponent has in this regard contracted a registered ESIA/ EA Lead Expert for this very purpose.

REPORT TITLE **ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT REPORT FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN; ISIOLO COUNTY**

PROPONENT: **THE JUDICIARY OF KENYA**

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ACRONYMS

JSC	Judicial Service Commission
NEMA	National Environment Management Authority
ESIA	Environmental and Social Impact Assessment
ADR	Alternative Dispute Resolution
WB	World Bank
CIDP	County Integrated Development Plan
KNBS	Kenya National Bureau of Statistics
OHS	Occupational Health and Safety
EMP	Environmental Management Plan
EMCA	Environmental Management and Co-ordination Act
BOD	Biological Oxygen Demand
COD	Chemical Oxygen Demand
EA	Environmental Audit
EAP	Environmental Action Plan
ESIA	Environmental Impact Assessment
SJTF	Sustaining Judicial Transformation Framework
KPLC	Kenya Power and Lighting Company

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EXECUTIVE SUMMARY

This report provides findings of the Environmental and Social Impact Assessment carried out for the proposed ***High Court in Isiolo town.*** The development sits on parcel No. ***ISIOLO TOWNSHIP BLOCK 1/356; Reference Coordinates: 0⁰ 21' 12.91" North & 37⁰ 35' 09.59" East*** and at elevation of ***3635 feet*** above sea Level***.*** The project is being undertaken under judiciary reform program and sustaining judiciary Transformation: a service agenda 2017- 2021. The policy programs are wider plans under the vision 2030 to promote social equity and easy access to justice. They are espoused in the Vision under the social pillar on transformation and improvement in quality service delivery to citizen by all institutions in the country including the judiciary. Construction of new courts and renovation of the existing to improve court infrastructure and provide a conducive working environment for staff to dispense justice while reform programs on automation, digitization prudent management and accountability enhances functional structure of the judiciary. This goes a long way to hasten dispensation of justice and create a just society. Isiolo project falls in the first tier of judicial reforms programs that emphasizes need to expand and transfer high court services to counties. The program focused on all counties with nine being priority area. Similar undertakings have been completed in Malindi, Nyeri and Kisumu. The completion lessens pressure and backlog on courts that used to handle cases from that catchment. It enhance service delivery and in an attempt to achieve the tenets of vision 2030 and social transformation of the judiciary.

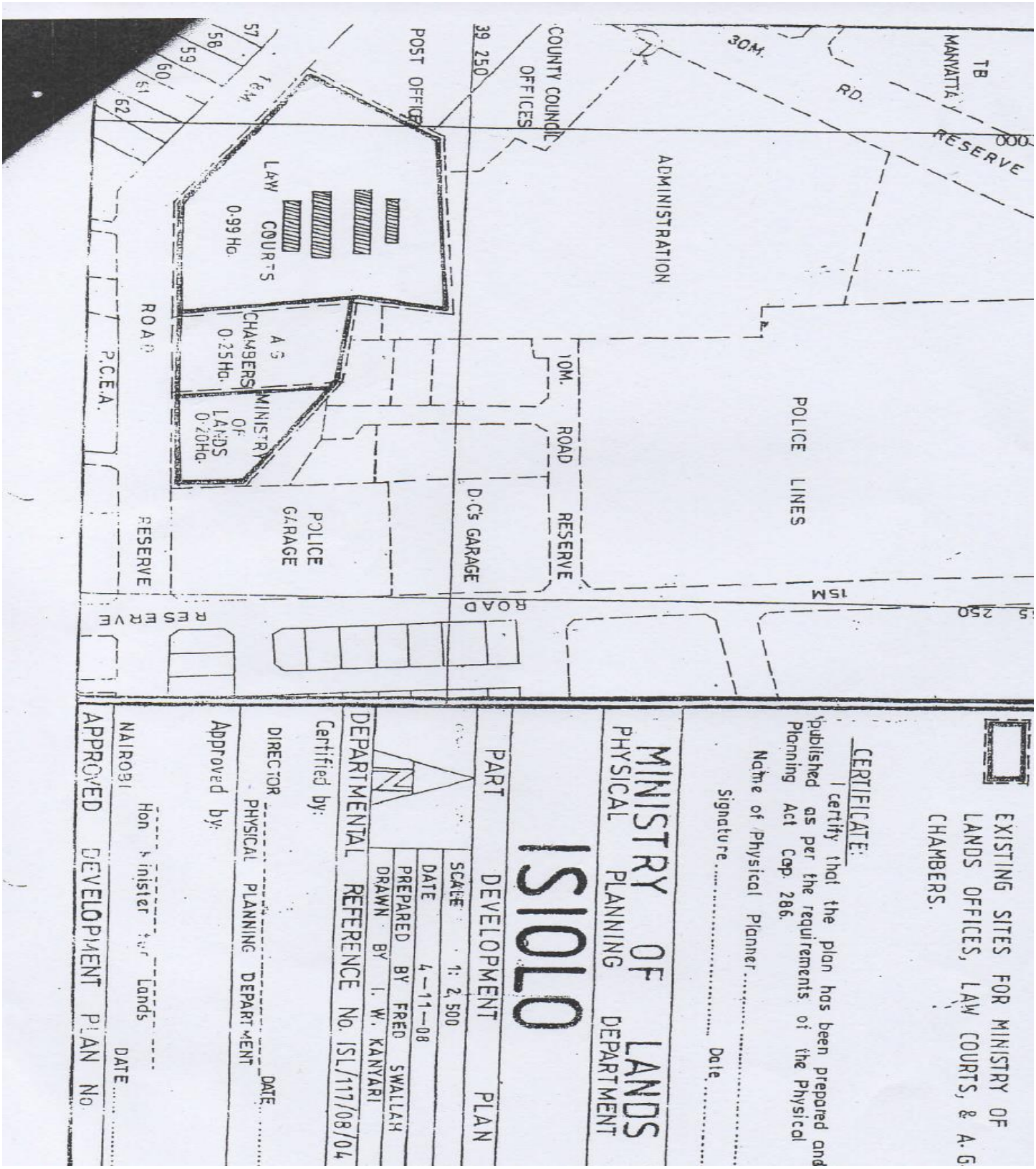
The ESIA study team for the construction of Isiolo High court undertook a review of the area earmarked for construction from 4th December 2016 to 20th January, 2017. Prior to this, thorough scan was done to identify categories of institutions and stakeholder, which would be relevant to court operations and persons that are key to court processes. This would form a critical entry point to the study and review. It became apparent that court operations were not limited to users alone but had social bearing that provided status to the community and people being served. Those that formed critical priority included uniformed government departments (police, prisons), heads of Departments, County Government Officers, residents, business

operatives and organizations working within Isiolo. Various stakeholders meetings were held to ascertain opinion and issues concerning the project.

Figure 1: *Location of the project site (Google Image)*

The team took consideration in critical areas of focus, scale and future operation of the project, time used in accessing justice, county economic and social profile, government policies and perspectives of Isiolo, a review of programs under implementation or review that had a bearing on the future status and economic wellbeing of the town, The catchment population both within and outside the county and the intra linkages with services in the same line and ease of access and use. The aim was to see the project not as a single entity by the Judiciary but a service project designated/ aligned to serve diverse sectors.

Figure 2: Part Development Plan (PDP) for the proposed Project Site



Beyond the county, a review of judicial reform program was also re-evaluated to contextualize the project. As a project within the reform program, it meets specific objectives by the Judiciary to meet core obligation on justice delivery. As a facility in any given community, its existence offers comfort and infinite satisfaction.

The team's finding are not limited to the projects site or construction process but an overall evaluation of administration of judicial service in the region once the court is fully operation. The social dynamism and cultural ramifications on communal coexistence, social structure and economic overviews have been critically examined. For ease of reference the impact gravity has been put in two sets. The first set looks at the construction process and overall transformation in the neighborhood while the second category evaluates operational impacts occasioned by existence of the project. The impacts at construction phase can be summarized as follows:

Change and transformation of the landscape

The ultimate product of the project is a structure or building on site. Translation of the plan/ design to visual object entails a construction process that has a bearing on the landscape and neighbourhood. Implementation process affects the site parameters such as soils, vegetation, ground permeability, water flow, visual and landscape aesthetics hitherto associated with the site. The project shall have three layers (floors) and stands distinct as a key landmark in the area against low rise government offices in the zone.

Construction cumulatively adjusts the landscape, visual perspective and defines site identity. This will magnify the conceived profile and influence the skyline. Site specific impacts for the Isiolo high court project would also include:

Disruption of government operations

The court site is located within built up government quarters. It neighbors the County commissioners' offices, Lands offices (Ardhi House), Post and Telecommunication office (Huduma Centre), behind the court is livestock, Statistics offices and the county Assembly. The offices are fully operational and have no specific time for vocation. Launching of the project shall be executed at a time when the government offices are in serving.

Discharge of sounds by machinery /excavators is a about 55dcl. This output at a close distance of 20m from the nearest office shall cause irritation. Normal operation shall be interrupted when the construction process commences. Key components includes:

- Use of excavators, trenching and loading/ offloading on site materials. Delivery of material may require use of self-loading and off-loading machines that have a critical output in sound. Movement of delivery vehicles equally intensify high sound generation.
- The preparation of the site may necessitate demolition of some structure to create room for construction works. The methods, systems used are likely to generate adverse impacts. The sound generated from execution will make the process unbearable and un-conducive for office operation.
- Dust emissions from both existing structures and emissions from trenching could cause cumulating of fugitive dust in most offices and residential quarters in the neighborhood. Isiolo has high wind velocity. Developments executed in the month of December to march shall exert great dust emissions to the neighbourhood.
- The output, no matter the quantities shall interrupt the tranquillity enjoyed by the government of departments in the neighbourhood.

Interruption of traffic flow along Tullo roba road

Construction involves transfer of material. Movement of tracks and vehicles to and from site increases intensity of use on the road. The road is a 12m road serving a span of 3km in a fairly settled residential neighbourhood.

- The road serves upper Checheles and Tullo Roba Estates. Constant movement to deliver material (sand, quarry stones and ballast) shall interrupt flow of traffic. Lorries and truck disposing lose soils and wastes shall each make 15 to 20 trips from the site. Constant movement subject the poorly constructed earth road to degradation (great wear and tear). This could render it impassable should the state degenerate to disrepair. Construction has a bearing on the quality of road surface that is undeveloped. Heavy load carried by lorries shall undermine the earth road to deplorable state
- The government offices are focal points in the county. People from all areas within the sub-county visit the offices for various reason. Lands ministry in the neighbourhood provides

custody of ownership documents in the entire county. Traffic generated and movement shall intensify with the construction and operation of the court.

Loss of vegetation Cover

Isiolo is an arid county. Trees takes time to grow and mature. The current court site has ample canopy that gives the site sufficient greenery. Clearing and supply of material will lay grounds for construction but greatly interfere with the current tree cover. The Acacia plants take long to mature. The total vegetation loss on site could cumulatively be four tone. The loss translates to bear grounds vulnerable to the scotching sun and traversing winds that shall accelerate erosion. The transformation also through reduction in vegetative cover encourage high transfer of energy from the ground: increasing heat intensity. With temperatures of 28-35 degrees and low humidity, direct sunlight enhances urban heat and discomfort. Profiling of the skyline will change and embrace a new phase. This loss may enhance velocity and wind movement within the immediate neighbourhood; aspects that could lead to damage and destruction of assets

Increased wastes and refuse

Site preparation and excavation generate wastes. Transfer of building materials and putting up of form works increases site wastes. Use of quarry stones may necessitate setting aside of areas for trimming. Poorly managed sites may utilize road space for such an undertaking. Use of timber and props further increases the amount of wastes on site.

Cement, tools and metal bars constitute wastes likely to be generated. Mounts of lose soils on site should be managed to allow for delivery and ease of movements.

Temporary displacement of staff

The site proposed for construction of the court is already in use. Some structures and function require adjustment before commencement of works**.** Re-organization of the site shall cause relocation and adjustments to give room to construction process. This may occasion shifting of staff to cater for diverse interests of construction.

Destruction of the ground and soil structure

Trenching, excavation and compacting interfere with the soil structure on site. The development change the ecological and landscape properties. This may have a direct bearing on ground water seepage and drainage

Historical and social artefacts.

Isiolo town has no archaeological data or museum areas that are of historical significance. Except for the religious institutions that signify coexistence and have significantly promoted the growth of the town, no features remain as historical references. Isiolo is referred to as the last frontier of peace and significantly provide refuge to warring communities in upper eastern. This role shall remain and be strengthened by establishment of the new legal structures. The existence of the town is a general is a source of solace to people in the county and hope for peaceful coexistence. Unlike the hinterland that is clearly marked as traditional community land, the town is a significant melting point with no specific ethnic or religious balkanization. The existing committees that mediate and promote peace may lose their roles and status with the commencement of high court operations. The commencement and operation of the new court signify death of some informal traditional institutions recognized by government to strengthen intercommunity harmony.

Labour Influx and Immigration

Though this problem may not be limited to the project alone, one aspect stands out clear. That Isiolo has been the focus of many government projects. They include: The new Isiolo international Airport, Northern Transport corridor (LAPPSET) project and Isiolo slaughter house. This project attract labour and human movements in search of employment. Contractors are known to transfer people from one region to another especially to regions they perceive have insufficient specialized skills. The workers are mostly men with no families or if they do, their families live far away.

It is envisioned that the process of construction and operational phases will attract different numbers and cadres of workers/employees. As for the construction phase/process, it will include site clearing, trenching, casting, screeding, blinding, walling, concreting, plastering, formworks, electrical and mechanical works, painting, steel fixing, operation of machines, interior design and backfilling among other activities.

For effective operation and performance, the following will be required;

i. *Ample knowledge*
ii. *Proper equipment*
iii. *Supervision skills*
iv. *Site managers and coordinators*
v. *Contractual agreements and terms of delivery*

The county government of Isiolo does not have all requisite competence and skills needed to perform various activities on site thus there may be need to transfer labour from other neighbouring regions/Counties. It is envisaged that the site will have ***60*** workers. Their distribution in each of the sub-sectors is as follows:

No.	***Item***	***Unskilled Labour***	***Semi-Skilled***	***High Skills/ professionals***
i.	Excavation works	*25*	*3*	*2*
ii.	Walling	*16*	*8*	*1*
iii.	Steel fixing	*10*	*3*	*2*
iv.	Concreting/slab	*30*	*5*	
v.	Plastering	*15*	*8*	*1*
vi.	Formworks	*10*	*2*	
vii.	Electrical and Mechanical works	*18*	*2*	*1*
viii.	Machinery operators	*=*	*8*	
ix.	Interior design	*=*	*4*	*1*

It is important to note that the unskilled labour will be interchangeably used various tasks on site and in other phases of the project because they are not fixed to one specific area. Due to limited skilled labour in Isiolo County, it is expected that approximately 50% of it will be sourced from neighbouring counties especially Meru County. This adds to the concerns of labour transfers and human interactions that are likely to enhance transmission of diseases in the area.

In addition, the increased labour pool at both the construction and operational phases of the project will need housing especially permanent staff of the court once it becomes fully operational. This will strain the already stretched housing demand in the town. ***This ESIA report recommends that the JCS works with the National and County Government of Isiolo to ensure provision of adequate, decent and affordable housing to enable effective service delivery.***

The growing rate of construction collectively makes it a key focal point for HIV and AIDS transmission. Factors attributed to this element include: Low daily wages that confine workers close to site, majority of workers are unskilled and ignorant: making them vulnerable, contractual companies whether high scale or low do not have a HIV awareness program in their working schedule or even providing protective gear and lastly lack of limited or insufficient contractual terms that allow leave and break for casual workers. The working environment is quite restrictive and confines workers to limited available life options.

Construction itself is widely perceived as a risky job. Risks of injuries, disability, dismemberment or loss of vital body organs are high especially in companies that have poor records on welfare. Workers on site perceive Aids and social interaction as very remote risk: Making it easy to spread and contract HIV. Majority of workers come from rural communities where masculinity is respected. With the collapse of values and norms in new social environments it becomes easy for majority of male workers to engage in unprotected sex. The awareness campaign that should be provided by the companies lack in their implementation structure thus exposing workers to danger of contracting diseases. This increases transmission and infection of both STIs and communicable diseases. The project is therefore seen as an entry point to increasing human movement and contributor to HIV prevalence in the town.

Urban Gender Imbalance

Migration to towns and construction sites attract men. Construction is seen as a male dominated sector employing mostly men to do trenching, loading and masonry works. Women are perceived to be weak and are rarely employed by contractual companies. The long and odd hours of executing duties to meet set deadlines make it difficult to engage ladies. Majority of immigrant worker to construction sites are mostly male/men.

In the past, training in major field of construction: Engineers, Architects and site managers favoured men- making it a male dominated sector. The conditions though slowly transforming have not changed much. The subjective conditions reduce women representation and participation in the overall process. In areas perceived to be insecure, female professional refuse to take up duties.

Isiolo though close to Meru is perceived to be in the northern frontier where inter community competition for scarce resources result into conflicts. This may limit female worker/professionals willing to take up contractual duties in Isiolo. Natural conditions like pregnancy are seen as losses to the firm and significantly reduce contractual numbers of women.

The commencement of works on site may provide grounds for gender discrimination. Of the 150 workers expected to work on the project, less than Ten percent will be female.

They will be involved in excavation works, casting, steel works, plaster, finishes and roofing. The practice shall promote gender discrimination that the constitution 2010 has strived to bridge

Mitigation of primary impacts

The impacts identified at this level are not unique to the project. They constitute primary outcomes common to construction processes. They are short lived and manageable. Physiographic changes and transformation shall be managed through a site rehabilitation. This entails, backfilling levelling and compacting of the ground. Comprehensive landscaping and site imaging through a preferred design by the landscape architect shall exhaustively manage the site physiographic impacts

Noise and disturbance from masonry works shall be addressed through mechanical processes. All machines undertaking excavation works shall be fitted with mufflers with capacity to gag sound emitted. Supply and ferrying of building material shall be managed in a time schedule and delivered preferable during off pick hours. This shall lessen congestion and inconveniences prudence in site supervision shall be exercised to minimize call ups. Site operation rules shall be provided.

The site shall be sprinkled with water to minimize dust emission. This shall be extended to the road serving the site to cushion the neighborhood from fugitive dust. A pre- improvement of the

road should be undertaken before commencement of works to minimize extreme depression occasioned by movement of construction machinery. As a part of intra government relations, the judiciary could improve the 200m stretch of the road to motorable standards. On the overall, destruction occasioned by construction process shall be managed through a comprehensive site improvement program upon completion of the project.

Proper disposal of un-used material, wastes, debris and scuff holds shall be executed. The contractor shall be charged with management of labour and expenses on contractual labour.

Contractual agreement shall set a threshold for gender inclusivity to ensure equity is achieved. Focus will be local people with requisite skill. This will minimize transfer and movement of people. The contractor will be required to demonstrate HIV management strategy in their work program through routine visits to the work place (site) and setting aside time for the same.

Impacts at the Operation Phase of the Project

The final completion of the high court project in Isiolo possess diverse impacts; the impacts unlike those at construction phase have a great bearing on the social and economic status of the community

At a community level increased access to justice may deal a blow to traditional dispute resolution mechanisms. Cases of Murder and marriage related that are referral cases are handled under traditional justice systems. Availability of better adjudication in a more satisfactory way may provide new avenues hitherto unavailable to the local community. The new option may render the traditional institutions obsolete and unsuitable. Other institutions that may suffer similar fate are **peace and reconciliation committees** and other dispute settlement committees. Their ***existence thrive in systems where institutions are lacking or are weak. Creation of the High court shall slowly erode their roles and lead to total collapse***

As a project in the neighbourhood, it will be a major foci of activities. This will occasion ***traffic congestion, interruption and snail up at the court entrance along Tullo Roba road***. Increased movement and lack of sufficient space may occasion parking along the road. Constant use may hasten the wear and tear passing costs to the county Government of Isiolo. Poorly maintained and dilapidated road due to recurrent use shall impact negatively motorized.

The status may ***undermine/ reduce the symbiotic coexistence of Isiolo and Meru counties*** that had hitherto shared the same court facility. Reduced interdependence demeans inter community interaction and sharing. As a utility it will exert pressure on the infrastructure services available. Water and power shall be in demand for effective operation. It is estimated that the court shall use over 10,000 litres of water per day. On the overall the operation and creation of a high court in Isiolo will have diverse cumulative positive impacts on residents of the county and the neighboring region.

Isiolo has a resident population of 153,000 people. The county has a span of 25,000 sq km. Travelling from one section of the county to Meru takes one more than two days. Most of the roads are earth road with limited mobility during with limited mobility during wet season. The construction of a new high court shall ***reduce the costs of accessing justice by lessening time wasted and money spent.***

Meru and Tharaka have a population of 1.67 million people. The cases handled in the High court in Meru are over 2000 cases. The process of dispensing justice becomes slow and burdensome where staff and officers are overloaded. Isiolo operations offer Meru county High courts a big relief. ***It lessens the burden exerted by work load from outside the county***. At a sub-regional level, Isiolo shall serve the Eastern part of Meru (Tigania East and west) which is closer to Isiolo town and parts of eastern Laikipia and Samburu counties.

The national government has grand plans for Isiolo Town. Plans are underway to make it a resort city with great international facilities. This is likely to bring in more visitors and higher level investments. As a stopover to the LAPSET corridor Isolo shall host key Industrial parks and repackaging plants for the entire region. Currently is a transit city to the upper north eastern region. It has an international airport likely to serve the neighbouring states. High economic growth is also expected to take off once the airport is fully operational. These government programs require high level government services to cater for emergence justice and legal services. ***This will raise the profile and ranking of the city in terms of levels of government services offered. The High court project goes into complementing the entire national government effort in elevating Isiolo.***

Legal institutions particularly private firms are likely to grow and expand with the completion of the project. Existence of courts and with this reference the high court will necessitate relocation and establishment of more legal services. The high court is a work place for lawyers. The institution require several other professionals. It will therefore increase employment opportunities for lawyers and related professions.

POSITIVE IMPACTS

The project is a landmark project in the county. Besides promoting quick access to justice and lessening costs, the court is projected to increase employment opportunities. Demand for legal services, operational of the court, security to the facility, cleanliness and maintenance operations are areas of service that will offer employment opportunities. The operations in court require drivers, records officers, research and secretarial services. The jobs created shall directly benefit residents of Isiolo.

The status of the county shall be raised. As city with the high court national ranking will secure higher indices and help enlist government support and grants to improve other services within the town. As a destination in the upper Eastern, the town will be least dependant on higher level court services from other counties. This generates a great filing of self-sufficiency and a sense of fulfilment in delivery of justice.

Police and security personnel pointed to a number of risks encountered in transportation of Prisoners to attend court proceeding in Meru. Construction of a high court will lessen the costs and risks the uniformed officers encounter.

Mitigation Measures

Impacts occasioned by court operations are purely managerial. They can be lessened, reduced or totally avoided through prudent management to make the project suitable and viable on site. In view of the major impacts identified the complementary mitigations can be summarized as follows:

The judiciary shall provide ample parking within the compound to minimize road side and parking along the road. Since the court is within town. Court users shall be encouraged to use parking provided by the county government. Regulation to govern use of parking space shall be provided stickers, parking cards shall be granted to distinct persons and groups to minimize conflicts. Utility services shall be effectively determined and formal requests made to service providers. Isiolo water and sewerage service providers will be notified and designs presented to them to ensure the project does not cause shortages or strain. The court shall also initiate water harvesting from the roof top to be utilized whenever there are shortages.

Table 1: Summary of preliminary impacts and proposed mitigation measures

Type of Impact (s)	Proposed Mitigation Measures
Loss of vegetation	• *Designing and implementation of a landscaping programme to help re-vegetate the site after construction activities are completed* • *Ensure proper demarcation of the project site for various activities so as to prevent unnecessary destruction of the environment* • *Introduction of vegetation (trees, shrubs, grasses) in open spaces and around the project site with proper maintenance*
Increased surface run-off and soil erosion	• *Construction works to halt and or be managed during rainy season* • *Installation of drainage structures properly and proper management of excavation activities* • *A storm water management plan that minimizes impervious area infiltration by use of recharge areas and use of detention and/or retention with graduated outlet control structures will be designed.* • *Surface run-off and roof water to be harvested and stored in underground water reservoirs for use in general site cleaning and in the lavatories.*
Piling of loose soil and other debris on site	• *Enclose the site to prevent these waste soils and other debris from spilling over to neighbouring properties, the road reserve and storm water drainage channels* • *All dug up soil not needed on-site to be removed promptly and disposed of to appropriate areas approved by the Isiolo County Government and NEMA* • *Re-use the soil in backfilling and landscaping* • *Construction materials to be supplied on demand and right quantities for use in time*

Destruction of soil structure	• *Use of well-maintained and appropriate machinery and tools for site clearing and excavation works* • *Compacting of loose soil in excavated areas* • *Heavy machinery and trucks must be kept off-site in the Contractor's yard* • *Ensure that new landforms are compatible with neighbourhood development character* • *Ensure management of excavation activities especially during rainy conditions* • *Provide soil erosion control structures to help in management of surface run-offs during construction phase.* • *Installation of drainage structures properly* • *Proper Landscaping of the site to be done after completion of construction works* • *Use of dug up loose soil for backfilling* • *Proper planning of construction activities to ensure to ensure that site demarcation affects only designated sections*
Fire Risk	• *Workers and Court users and or staff to be trained on fire preparedness and response* • *Construction materials and finishes must be fireproof* • *One 9kg Co2 fire extinguisher shall be stationed at each pumping/dispensing area.* • *A fire extinguisher shall be placed at the service bay and in the office building.* • *Water hydrants should be installed.* • *All the electrical connections shall be connected to one central emergency stop switch; in addition, they shall be designed by a registered engineer*

	• *An elaborate fire risk policy to be adopted by the proponent*
Increased vehicular traffic generation and nuisance	• *Formulation of a proper **traffic management plan** for use by the contractor during construction phase* • *Supply of construction materials to be done during off peak time and on demand only* • *Use of acceleration and deceleration lanes for entry and exit along **Tullo Roba road*** • *Vehicles shall not idle on site but rather in the contractors yard* • *Truck drivers to be instructed not to hoot recklessly and observe convectional traffic rules*
Increased Waste water (sewage) generation	• ***A Sewer systems** to be used for management of all waste waters generated by the various activities on site* • *All drain pipes passing under the building, driveway or parking should be of heavy duty PVC pipe tube encase in 150mm concrete surround.* • *All manholes on drive ways and parking areas should have heavy duty covers set and sealed airtight as approved by specialists.* • *All waste pipes should have cleaning rodding accessible from outside and free to every part of the system for inspection, cleaning and repair.* • *Sanitary facilities should be kept clean always through regular cleaning.* • *Ensuring the sewerage treatment plant is not overloaded to increase efficiency and minimise or eliminate incidences of untreated sewer spills to the environment* • *Install a "pollution solution" system., which is a compact oil separator which separates oils from wash down water collected from the roof in two different tanks, and allows the wastewater to be discharged to sewer, while separating the solid material and/or contaminants in a separate tank for collection.*

	• *All liquid wastes to be effectively channelled into the 3-chamber Sewer systems for treatment*
	• *Regularly monitor effluent quality to ensure that the stipulated discharge rules and standards are not desecrated* • *Special attention shall be paid to the sanitary facilities on site to be used by construction workers to ensure no spillages and or leakages* • *The channels leading to Sewer systems to be constructed of high quality materials and with proper fittings to avoid leakages of waste waters.* • *The tanks to be constructed of reinforced and water-proof concrete walls* • *Conduct regular checks for any blockages*
Solid Wastes generation	• *Ensure that all the solid waste management systems during construction and operational phases of the project do comply to the Environmental Management and Coordination(Waste management) regulations of 2006*
	• *Use of an integrated solid waste management system i.e. through a hierarchy of options: reduction, sorting, re-use, recycling (where applicable) and proper disposal*
	• *Incorporate suitable facilities for collection, segregation and safe disposal of solid wastes.*
	• *Provide bins for solid waste disposal in every household*
	• *Ensure a continuous review of waste management procedures with changing technology and regulatory changes.*
	• *Use of construction materials that need minimal packaging to reduce packaging wastes on site*
	• *Through accurate estimation of the sizes and quantities of materials required, order materials in the sizes and quantities they will be needed, rather than cutting them to size, or having large quantities of residual materials.*
	• *Contracting a licensed waste collection and disposal company during the operation phase*

	• *Regular removal and transportation of excavated soil and other solid wastes to the County dumpsite*
	• *Creation of awareness on proper solid waste disposal methods among the construction staff.*
Noise pollution and vibrations	• *Comply with the maximum permissible noise levels for construction sites as provided for in the second schedule of the Environmental and coordination (Noise and excessive vibration pollution) control regulations of 2009.*
	• *Location of all stationary noise sources from high sensitive primary receptors as far as possible*
	• *Ensure that construction machinery are well maintained thus kept in good condition to reduce noise generation*
	• *Sensitize construction drivers to avoid unnecessary hooting especially when passing through sensitive areas such as learning institutions, residential areas and health facilities.*
	• *Sensitize construction vehicle drivers and machinery operators to switch off engines of vehicles or machinery not being used.*
	• *Ensure that all generators and heavy-duty equipment are insulated or placed in enclosures to minimize ambient noise levels.*
	• *Portable barriers and trees around and within the site will provide some buffer against noise propagation.*
	• *The noisy construction works will entirely be planned to be during day time (0800hrs-1700hrs) when most of the neighbours will be away at work.*
	• *Workers in the vicinity to wear safety and protective gear.*
Air pollution	• *The site should be enclosed with dust-proof net for dust screening where necessary during construction*
	• *If possible, use of electrically operated machines to reduce exhausts fumes*

	thus avoids externalities produced by diesel engines.
	• *Sprinkle water on site and all material that emit dust when being used*
	• *Workers on site to use nose-muffs during construction works*
	• *Sprinkle water along the road near the site during construction phase*
	• *Cover all trucks hauling soil, sand, cement and other loose materials to and from the site. Besides all these trucks must maintain at least two feet of free board.*
	• *Pave and or apply water if necessary, or non-toxic soil stabilizers on all unpaved access roads, parking and staging areas on site.*
Occupational Health and Safety risks	• *Label all risk facilities on site to enhance public and general awareness* • *Unattended public access to the construction site to be highly restricted*
	• *Ensure that provisions for reporting incidents, accidents and dangerous occurrences during construction using prescribed forms obtainable from the local Occupational Health and Safety Office (OHSO) are in place.*
	• *All workers and visitors should be provided with appropriate safety/ protective equipment and gear while on site.* • *Carrying out annual environmental and safety audits for the Isiolo High Court.* • *Safety kits and emergency facilities should be provided in-case of any accidents and incidents common to projects of such a nature. These should be placed in strategic locations on site.* • *Standards and legal requirements should be adhered to. These include: Building codes, Occupational Safety & Health Act, the Public Health Act, as well as other recognized best practices and procedures.* • *The project proponent and contractor should take appropriate insurance cover for the various project activities and personnel*
	• *Regular inspection and servicing of the equipment must be undertaken by a*

	reputable service provider and records of such inspections maintained
	• *Ensure general safety and security at all times by providing day and night security guards and adequate lighting within and around the construction site.*
	• *Establish liaison with the County Government of Isiolo's fire department and other emergency service providers such as Hospitals and the police.*
	• *Fire-fighting equipment such as fire extinguishers and hydrant systems should be provided at strategic locations such as stores and construction areas.*
Increased demand for infrastructure utilities and services (Power, water, etc.)	
	• *Implement a programme of energy saving in the building design besides carrying out of energy use audit including repairs to check energy loss*
	• *Use of alternative energy sources such as Solar panels*
	• *Installation of 'delayed release water taps' to help reduce unnecessary water wastage*
	• *Discourage activities that need excessive water usage*
	• *Installation of energy saving fluorescent tubes and bulbs at all lighting points.*
	• *Creation of awareness on energy and water conservation and economical use*
	• *Quick fixing of all broken and or leaking taps, pipes, toilet cisterns and tanks*
	• *Provision of adequate storage for the water for use during shortage*
	• *Use of alternatives such as tank water on-site to ensure that there will be no water supply shortage to the Court users and or staff.* • *Recycle materials that are useful on site (where applicable)*
	• *Ensure proper quantity of supply of material to minimize wastage.*

	• *Re-sale of re-usable waste materials as a cost cutting measure as the money accrued can be used for other activities and or services*
	• *Ensure accurate budgeting and estimation of actual construction material requirements to ensure that only the required amount of material necessary is ordered, minimizing damage or loss of materials*
	• *Engage a competent site and materials manager to monitor and advise on use*
Socio-Economic Impacts	• *Awareness creation and training on such issues as diseases especially STDs such as HIV & AIDS* • *The project must be completed within the stipulated time frame to reduce nuisance to the neighbourhood*
	• *The local community shall provide casual labour force on the construction site*
	• *A concrete perimeter wall around the site to minimize intrusion and promote good neighbourliness, including respect for neighbours' privacy*
	• *Develop a grievance mechanism, which should outline how agents/managers of the residence will address any complaints or grievances raised by the neighbours or by their Court users and or staff*
	• *Women to be given serious consideration in employment of both casual workers and court staff*
Labour influx & Increased Housing Demand	• *Draw casual labour from the local community to reduce need for new housing provision* • *Use of local materials and suppliers where applicable* • *JSC, County and National Government to consider staff housing*
Decommissioning of the project	• *Issuance of a three months' notice to all Court users and or staff on the premises to relocate or look for alternative places for their businesses.* • *This report recommends that an elaborate ESIA must be carried out for the decommissioning activities so as to effectively address the negative impacts*

	that may result from the same.
	• *Assisting those who will still be either employed or still resident on site to search for alternative employment elsewhere*
	• *Contracting of qualified persons to carry out the demolition works*
	• *Proper collection, sorting and disposal of all types of resultant wastes*
	• *Ensuring that materials that can be re-used are well stored and or transported elsewhere.*
	• *Ensuring that any hazardous wastes are carefully removed, sorted and properly disposed of if any* • *Elaborate soil tests must be carried out to identify any hazardous and or radioactive materials on site*

Conclusion

From this preliminary analysis, this ESIA project report has established that the proposed development project is a ***low risk*** project whose impacts can be effectively mitigated with obstinate compliance with the proposed mitigation measures as stated in Chapter Seven of this report by all parties involved in its execution. This is besides strict adherence to any other law intended to protect the sanctity of the environment for all such developments in Kenya. Moreover, there is provided an elaborate and detailed ***Environmental Management Plan*** to guide all parties involved in executing the project so as to preclude any potential negative environmental impacts posed by the different project activities in all phases of this development from commissioning to decommissioning.

In this regard therefore, this project is hereby recommended for approval and licensing by the National Environment Management Authority to enable the proponent commence construction works on site.

CHAPTER ONE: INTRODUCTION

1.1 Preamble

This ESIA report has been prepared in fulfilment of the requirements of NEMA as provided for in the Environmental Management and Coordination Act (2015) and Environmental (Impact Assessment and Audit) Regulations (2003) and the Physical Planning Act Cap 286, ***Section 36*** for the proposed *Isiolo High Court* on plot ***L.R NO. ISIOLO TOWNSHIP BLOCK 1/356*** in Isiolo Town. Under Section 58 of EMCA, this scale of development needs to undergo Environmental Impact Assessment to evaluate potential negative impacts the development may have on the natural environment and consider mitigation measures to avert the negative impacts the environment may suffer in the process of its execution. A registered NEMA Lead Expert has therefore been contracted to carry out the investigation in order to identify, predict, describe and propose mitigation measures for all envisaged negative impacts. The approach adopted will be two dimensional in that it will endeavour to strengthen the positive impacts while reducing of not doing away with any negative impact posed by this project.

1.2 Objectives

The main objective of this ESIA project report is to *identify, predict and describe* all potential environmental impacts occasioned by implementation of the project and provide elaborate *mitigation measures* to address all negative impacts to ensure that the environment is protected at all stages and phases of the implementation process. In this regard, all institutions responsible for environmental protection will be able to make the right decision during review and approval of this project.

1.3 Scope

The scope of the study covers the entire project site and the immediate *neighbourhood* within which it is situated; and the project cycle from commissioning, operation and up to decommissioning stage. This is based on ardent analysis of baseline conditions of the proposed project site, impacts to the neighbourhood, evaluation of the construction activities and processes and projection of all envisaged impacts. This will therefore provide Environmental Management Plan for the proponent , Contractor and any other interested party who will be involved on how best to execute the project without compromising environmental quality at all phases.

1.4 Terms of Reference

For purposes of achieving the all objectives, the following areas shall be our points of *consideration*:

- **i.** Identify and assess all the potential negative impacts of the project on the surrounding area and the natural environment, particularly as it relates to the cumulative impacts of this project on any of the existing developments.
- **ii.** Describe the development in terms of its size, location, proponent, land ownership and the different components of it.
- **iii.** Evaluate waste management on site for both solid and liquid wastes through all the phases of execution of this development project.
- **iv.** Conduct a socio-economic and cultural evaluation of the proposed development area and its surroundings.
- **v.** Address all potential impacts of increased surface run-off and sediment loading will also be addressed.
- **vi.** Describe the mitigation measures to be employed during the proposed works.
- **vii.** Outline proper disposal of solid and hazardous waste during the construction and operational phases.
- **viii.** Provide the timelines for individual tasks to be undertaken and respective actors.
- **ix.** Present a detailed Environmental Monitoring and Management Plan for the project.

1.5 Methodology

The methodology used in executing the impact assessment study has a strong reference to the terms of reference and the conventional procedures permissible for the undertaking. It ensured *public participation* through general awareness, administration of questionnaires and conducting of Focus Group Discussions. The main purpose was to ensure that all stakeholders are actively involved and generally aware of the project and that all their concerns are taken care of and or addressed accordingly. In working to realize the ESIA report objectives as required by NEMA, several methods as stipulated in EMCA and accompanying regulations were employed. These included the following;

Public participation and stakeholder's engagement

Public participation and engagement is key to securing the feel and opinion of people on a given undertaking**.** In order to enlist community input, information collection tools were prepared. A list of prominent court users and operators was developed by the team. A selection and sampling procedures was prepared to ensure effective representation and coverage. This formed the basis of engaging the community. Among the personalities interviewed were prison officers, county police commander, Lawyers and Law firms and county government officials.

Questionnaires were also used to secure more details on opinions and feelings about the project. Details of copies and contents are appended in the annex. Interactive and constructive engagement was also undertaken to secure opinion of the majority collectively. Two consultative forums were held at Transit Hotel to enlist opinion from vulnerable groups. Vulnerable here meant people who have been considered marginalized in society women and youth. The consultation gave great input that touched on

- Position of women and youth in the community
- Culture and prohibition
- Justice and access to justice among vulnerable groups

Prominent and key Government heads of departments were interviewed. Among them, were county commissioner, Regional police commander, and statistical officer, county executive in charge of Lands and records officers in the court registry. This approach enabled the team to secure information on population record. Cases handled and the likely implication of the project on the capacity of operational court facilities.

Environment Screening in which the project was identified as among those requiring ESIA under the provisions of the 2nd schedule of EMCA, 2015,

Environmental Scoping was done that highlighted the key environmental issues of concern under this study and that need mitigation,

Literature Review: Desktop studies were very crucial in providing preliminary information on the project itself and its location and the wider geographical area it is situated. *A review process involved securing record on relevant information related to the project including World Bank safeguard policies,*

Kenya Vision 2030, Judiciary strategic plan 2014-2018 and Judiciary Transformation 2017-2021 documents. Records on land matters and ownership documents had to be verified to ascertain the status of land. All the maps and data related to the project was obtained on Isiolo ministry of lands. Statistical data on population, poverty levels, education levels and human resource in the county was obtained from the records availed.

Transect Surveys*:* Quick transect surveys around town and its environs was undertaken. This established linkage, scope and levels of developments in towns, infrastructure and services available, settlement patterns and economic activities/livelihoods in town

Data Analysis and compiling of the information and writing of this project report

Presentation of this report NEMA and circulation to other statutory government agencies for consideration and consequent approval through issuance of a NEMA License.

CHAPTER TWO: BASELINE INFORMATION

2.1 Location

The project site is located in Isiolo Town, along the main Tullow Roba road. It sits on plot No. ***ISIOLO TOWNSHIP BLOCK 1/356 (****See location plan attached to architectural drawings*).

Figure 3: Proposed project site

2.2 Land Tenure

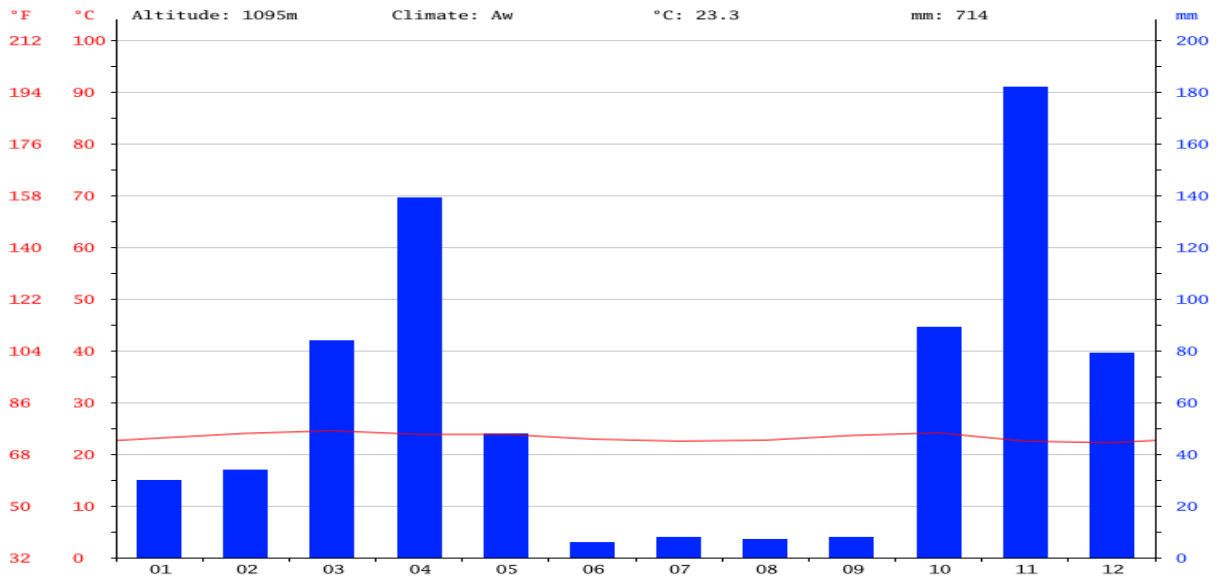
The consultant established that the proposed project site is owned on leasehold basis and the proponent has an *allotment letter* as proof of ownership *(See copy of allotment letter attached in the Appendix hereto).*

2.3 Physical Environment

2.3.1 Climate

Isiolo has a tropical climate and is semi-Arid receives less than 150 mm annually. In winter, there is much less rainfall than in summer. Generally, the county receives low rainfall of between 300-500 mm per year, and experiences temperatures ranging from 12°C to 28°C. The common vegetation is shrubs and acacia trees which thrive well in arid areas. The average annual temperature in **Isiolo** is 23.3^{0}c .

Figure 4: Isiolo Climate graph



2.3.2 Geology and Drainage

This area is characterised by sandy and saline soils with block cotton patches in few sections with its base rocks at an approximate depth of less than a metre in some sections. These kinds of soils are ideal for urban developments.

2.3.3 Flora and Fauna

a) Fauna

Due to the fact that the plot is located in an occupied neighbourhood, human settlements have made it that there are currently no animals on site. Therefore there is no endangered species of *fauna* threatened by execution of the proposed project.

Flora

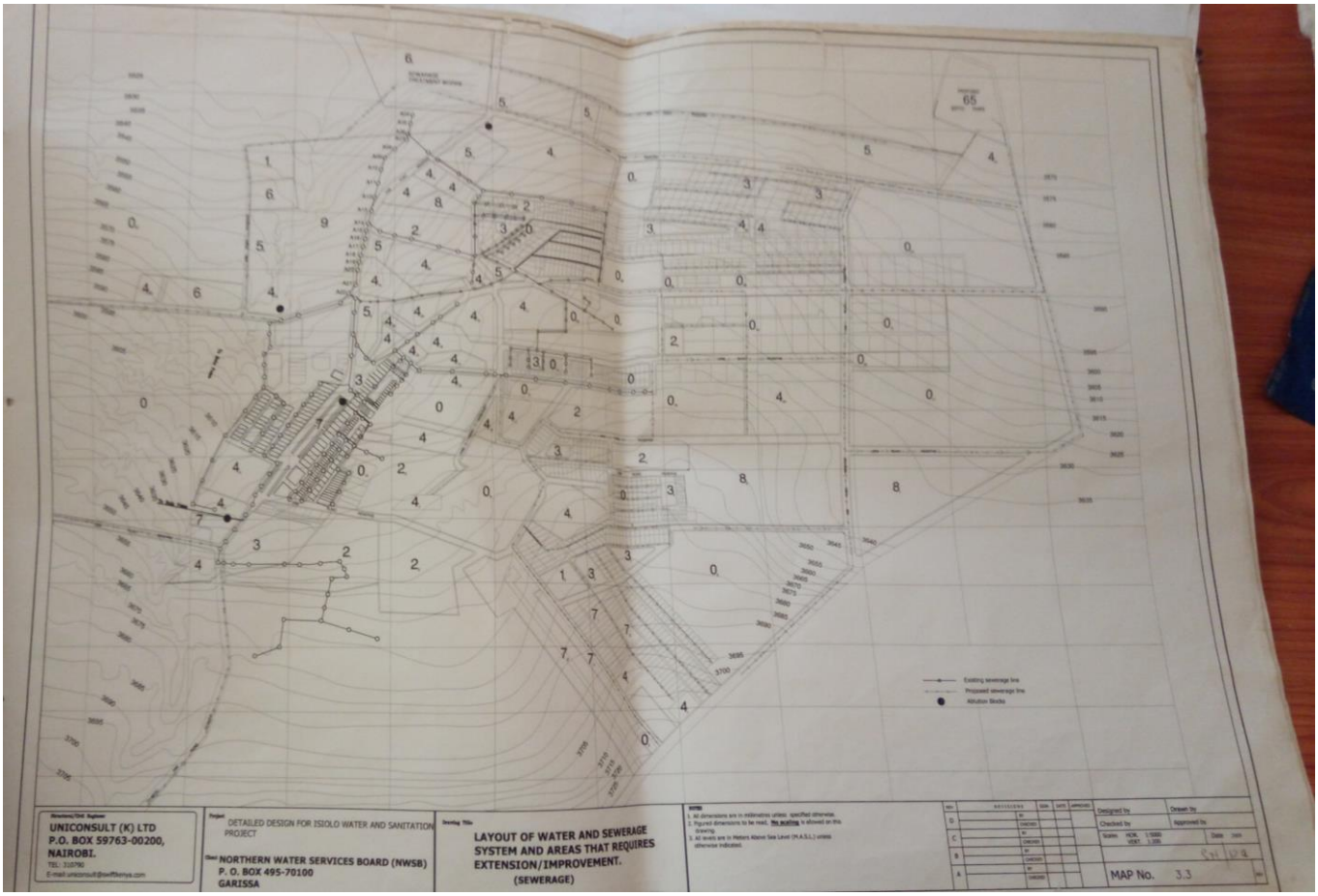
The wider project area has undergone transformation with the construction of residential and commercial buildings that have greatly reduced vegetation cover. The project site has little natural vegetation that mainly includes short grass and acacia trees. Most of these will be cleared to pave way for the construction works. The site will however, be planted with vegetation in all un-built up sections and the wider project site after construction activities are completed.

2.4 Infrastructure and Services

2.4.1 Water Supply

The project site is served by pipe from the *Isiolo Water and Sewerage Company* line traversing the project site. Information gathered from the Company Headquarters in Isiolo town established that the supply is adequate to meet both current and future water demand when the project is operational. *However, there will be increased demand for water during the construction phase. This will be met by tank water supply that the proponent will have to contract for this very purpose.*

Figure 5: Isiolo town water supply network



2.4.2 Roads

The project site is served by the main Earth Tullow Roba road. This has ensured highest level of accessibility to the project site.

Figure 6: *Main Earth Road to the Project site*

2.4.3 Sewer

There is trunk sewer connection to the project site as the case is in the wider Isiolo Town. In this regard therefore, the proponent will make sure that it is connected to main sewer line for collection and management of all waste waters generated on site.

Figure 7: *Isiolo Town Sewage treatment Works*

2.4.4 Energy

The project site is located in a neighbourhood already connected to the main KPLC power supply. Information sought from KPLC Isiolo office confirmed that the capacity of the transcending line is able to meet the anticipated energy demand.

Figure 8: KPLC Power supply

2.5 Development Trends

The wider immediate neighbourhood where the site is located is undergoing rapid transformation with commercial, residential, institutional/educational and mixed use developments coming up. In general, the area is a mixed user zone.

Figure 9: Development trends in the immediate neighbourhood

Existing Lower Court above

National Bank
Isiolo Branch
AutoCash 24 Hours

ISIOLO INTERNATIONAL AIRPORT

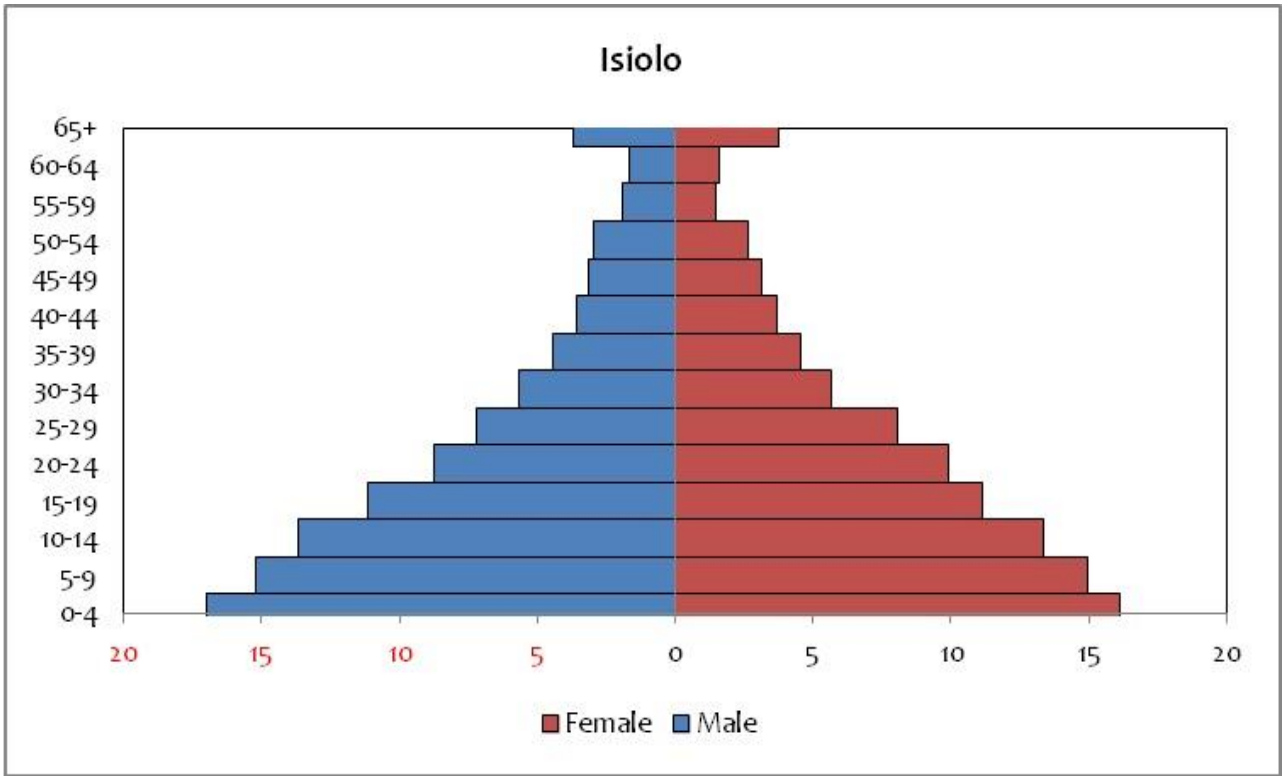
2.6 Population Dynamics

The county's population stood at 143,294 as per the 2009 Population Census comprising of 73,694 males and 69,600 females. The population was projected to rise to 159,797 by the end of 2012 and 191,627 by 2017. The population consists largely of Cushites communities (Oromo-speaking Boran and Sakuye) and Turkana, Samburu, Meru, Somali and other immigrant communities from other parts of the country. The planned massive capital investments under development of the LAPSSET Corridor including International Airport, Resort City, and oil storage facilities are expected to boost rapid population growth in the county.

Population Projections by Urban Centres

Acording to the 2009 population census, The County's urban centres had a total population of 59,327. Isiolo town had the largest population accounting for over 74 percent of the total urban population. The least populated was Garbatulla urban centre which accounted for only six percent of urban population. Table 6 below shows that urban population is project to increase by 22 percent by the year 2015 and 30 percent by 2017. Isiolo town is expected to experience a very high urban population growth given its upgrade to a resort city, an international airport expected to be fully operational by 2015, and implementation of other projects under the LAPSSET transport corridor.

Figure 10: *Isiolo County Population Pyramid*



Source: KNBS 2009

Table 2: *Population Projections by Urban Centres in Isiolo County*

Urban Areas	2009(Census)			2012 (Projections)			2015(Projections)			2017(Projections)		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
Isiolo	21,883	22,289	44,154	24,403	24,856	49,239	27,213	27,718	54,909	29,264	29,807	59,047
Garbatulla	1,931	1,843	3,774	2,153	2,055	4,209	2,401	2,292	4,693	2,582	2,465	5,047
Merti	3,103	3,429	6,532	3,460	3,824	7,284	3,859	4,264	8,123	4,150	4,586	8,735
Kinna	2,424	2,440	4,837	2,703	2,721	5,394	3,014	3,034	6,015	3,242	3,263	6,469
Total	29,326	30,001	59,327	32,703	33,456	66,159	36,469	37,309	73,778	39,218	40,120	79,338

Table 3: Population projection by age groups

Age group	2009 (Census)			2012(projections)			2015(projections)			2017(projections)		
	M	F	**Total**	M	F	Total	M	F	Total	M	F	Total
Under 1	2328	2211	**4539**	2596	2466	**5062**	2895	2750	**5645**	3113	2957	**6070**
Under 5	12075	11228	**23303**	13466	12521	**25987**	15016	13963	**28979**	16148	15015	**31163**
6-13 (primary)	16498	16197	**32695**	18398	18062	**36460**	20517	20142	**40659**	22063	21660	**43723**
14-17 (secondary)	6757	6388	**13145**	7535	7124	**14659**	8403	7944	**16347**	9036	8543	**17579**
15-29 (youth)	20526	20320	**40846**	22890	22660	**45550**	25526	25269	**50795**	27449	27174	**54624**
15-49 (female reproductive)		32141			35842			39970			42982	
15-64 (labor force)	38288	36137	**74425**	42697	40298	**82996**	47614	44939	**92553**	51203	48326	**99529**
Above 65 years	2607	2621	**5228**	2907	2923	**5830**	3242	3259	**6501**	3486	3505	**6991**

Source: Isiolo County Development Planning Office/KNBS 2013

CHAPTER THREE: POLICY AND LEGAL FRAMEWORK FOR ESIA IN KENYA

3.1 Preamble

This chapter outlines the legal and policy framework within which Environmental Impact Assessment is carried out in Kenya. This involves analysis of the provisions of various Acts of Parliament and policy documents aimed at enhancing environmental protection and management. The purpose is to ensure that development ventures meet the expected construction and land use development standards on such aspects as zoning requirements, safety, health, convenience and environmental protection. These laws have comprehensive provisions that cover both the structure and activities undertaken therein.

The major regulations include the constitution of Kenya, the Environment Management and Coordination Act (2015), Environmental Audit regulations (2003), The Public Health Act Cap.242, The Physical Planning Act Cap.286, The Factories Act Cap.514, The County Governments Act (2012), The Building Code (Adoptive by laws) 1968, Environment and Development Policies Sessional Paper No. 6 of 2015 and the Environment and Land Court Act.

3.2 Kenya Vision 2030

This is the sole government development blue print up to the year 2030. The overall goal of the Vision 2030 is to transform Kenya into a middle-income country providing a high quality of life to all its citizens by the year 2030. The Vision is anchored on three pillars, namely: the Economic Pillar which targets sustained economic growth of 10% per annum; the Social Pillar which seeks to create a just and cohesive society enjoying equitable social development in a clean and secure environment; and the Political Pillar whose aspiration is for Kenya to enjoy issue-based, people centered, results oriented and accountable democratic political system.

The three pillars are underpinned by the Foundations for Socio-economic Transformation, which seek to provide the necessary support for Kenya's social, economic and political development. The Vision spells out the following strategies which are associated with the role of the Judiciary:

- Aligning the national policy and legal framework with the needs of a market-driven economy, human rights and gender equality commitments.
- Increasing access and quality of services available to the public and reducing barriers to service availability and access to justice.
- Streamlining functional capability (including professionalization) of legal and judicial institutions to enhance inter-agency cooperation.
- Inculcating a culture of compliance with laws, cultivating civility and decent human behavior between Kenyans and outsiders.

The Vision outlines ***judicial and legal reforms as a flagship project*** that relates to reforms in the rule of law and enhancement of the Bill of Rights. The Vision further outlines reforms in Government institutions, especially those involving public participation in governance, and those connected to transparency and accountability within the public sector. The proposed Isiolo High Court is in line with this Vision 2030.

3.3 Kenya Second Medium Term Plan, 2013-2017

This forms the implementation structure of the Kenya Vision 2030 where it identifies key project areas of focus. It is important to note that the main theme of the Second Medium Term Plan 2013-2017 of the Kenya Vision 2030 is "Transforming Kenya: Pathway to Devolution, Socio-Economic Development, Equity and National Unity." The Plan places the Judiciary under the *Governance, Justice, Law and Order Sector (GJLOS).* Legal Reforms in this sector are presented in three components namely: development of laws to implement the Constitution; civic education on the Constitution; and inculcating a culture of Constitutionalism.

The plan documents Judicial Transformation is a flagship project in the MTP 2013-2017. The key goals within this project are: the transformation of the Judiciary into an independent but complementary partner with other organs of government, institutions of justice chain and stakeholders involved in justice sector; transformation of court procedures, processes, organizational culture and management to re-orientate them towards a culture of responsive, proactive, friendly, effective and accessible service delivery; redesigning institutional and administrative arrangements of the Judiciary to create a unified national institution with appropriate levels of devolution; and equipping the Judiciary to develop a robust, indigenous, patriotic and progressive jurisprudence.

3.4 World Bank Safeguard Policies

The World Bank lays critical emphasis on environmental protection and management in all project activities. The WB Environmental and Social safeguard policies are the cornerstone of its support for sustainable development and poverty reduction. They are modelled to protect people and their environment from harm in the development process, inform decision making and reduce risk on guided by (OP/BP) 4.01 so as to realize positive and sustainable development. The operational policy/ bank procedure consist of seven elements that include the following:-

- ✓ Screening
- ✓ E.A documentation
- ✓ Disclosure
- ✓ Review and approval of E.A documents
- ✓ Conditionality
- ✓ Supervision, monitoring and reporting arrangements.

The World Bank policies are important in the entire project cycle summarized in three main phases of a project, these include at the planning stage, at the design stage and actual project implementation. This is to ensure that positive impacts of any project are promoted but any possible negative impacts are effectively mitigated and or avoided so that prople and the environment do not suffer in the project execution process.

3.5 The Judiciary Strategic Plan 2014-2018

This plan is anchored on the foundation of the Judiciary Transformation as outlined in the chapter 10 of the constitution of Kenya 2010. It details the principles of operation in exercising the judicial authority that include the following:

a) *Justice to all irrespective of status*
b) *Justice shall not be delayed*
c) *Promotion of alternative forms of dispute resolution*
d) *Administration of justice without undue regard procedural technicalities*
e) *Protection of the purpose and principles of the constitution*

The plan provides that this will be attained through embracing the need for “equitable access to and expedition delivery of justice”. One of the key issues considered by the plan is enhancement of access to justice through improved access to and timely delivery to justice. It

was noted that this will be achieved through ***reduction of distance to courts*** and use of technology. Construction of the Isiolo High Court is in line with this key aspiration where justice will be brought closer to the people. Further, the plan also identifies physical infrastructure as a backbone of operations of the judiciary to include well planned and designed court spaces and support facilities including ICT.

3.6 Sustaining the Judiciary Transformation Framework (SJT-2017-2021)

Transformation of the judiciary has been considered one of the main pillars for enhancement of access to justice to all. This service delivery agenda builds on the success of the Judiciary Transformation Framework (JTF) 2012-2016 where delivery of justice to all was a major component. This employs the bottom up approach in an endeavour to facilitate service delivery to the people served by the Kenya justice system. It details interventions geared towards enhancing access to justice through establishment of more high court stations in all 47 counties and Decentralization of the court of appeal, investments in more magistrates courts in the sub-counties especially where they are not available.

This is in compliance with constitutional obligation of the judiciary to ensure access to justice by all Kenyans regardless of status, gender, income, background, ethnic or national origin and special needs as a human right. It is noted that quality service delivery will be achieved through a series of interventions, including:

i. *Automation, Digitization and Improvement of work methods*
ii. *Operationalization of development systems*
iii. *Enhancing individual accountability*
iv. *Enhancing institution accountability*
v. *Entrenching performance measurement and monitoring and evaluation*
vi. *Entrenching policies and manuals already developed.*

3.7 Isiolo County Integrated Development Plan (CIDP) 2013-2017

The main vision of the plan is to ensure a secure, just, cohesive, democratic, accountable, transparent and conducive environment for a globally competitive and prosperous Kenya. The County in collaboration with the national government and the Judiciary will also ***facilitate the establishment of a High Court and Court Users Committees*** at the County level for the purposes of efficient administration of justice. Legal Aid Awareness will be enhanced and Legal Aid Scheme will be established with the assistance of the Judiciary and relevant

stakeholders. Additionally, the County government will collaborate with the relevant stakeholders to operationalize Alternative dispute resolution (ADR) framework in the county.

The plan advocates for a collaborative and cross sectoral approach by encompassing all relevant departments and institutions. These include Provincial Administration and Internal Security, Office of the Deputy President, Justice, National Cohesion and Constitutional Affairs, State Law Office, The Judiciary, Independent Electoral and Boundaries Commission, Kenya Anti-Corruption Commission, Immigration and Registration of Persons and the Directorate of Public Prosecution (DPP).

3.8 The Environmental Management and Coordination Act, 2015

As far as environmental Management and protection is concerned, this is the central law that governs matters of the environment in the republic of Kenya. *Section 3* of the Act provides that every person in Kenya is entitled to a clean and healthy environment and aims to safeguard and protect the environment. Though there are other sectoral laws on environmental conservation, this is the supreme legislation. It provides guidelines on issues of environment, stipulates offences & penalties, dispute resolution mechanism and establishes NEMA.

According to section 58 and 138 of the Act and section 3 of the Environmental (Impact Assessment and Audit) Regulations, 2003 (Legal Notice No. 101) Isiolo High Courts require an Environmental Impact Assessment project/study reports prepared and submitted to the National Environment Management Authority (NEMA) for review and eventually licensing before the development commences.

This was necessary as many forms of developmental activities cause damage to the environment and hence the greatest challenge today is to maintain sustainable development without interfering with the environment.

The Act also lists the type of projects, which must be subjected to the ESIA process. In compliance, the proponent has contracted a NEMA registered expert to carry out the ESIA, write a project report and seek approval before implementation of the proposed project.

3.9 The Constitution of Kenya, 2010

This is the supreme law in Kenya such that any other law is subject to it. Chapter V part 2 of the constitution under Environment and Natural resources provides in article 69 (1) that the state shall;

- ✓ Ensure *sustainable exploitation, utilization, management and conservation of the environment and natural resources*, and ensure the equitable sharing of the accruing benefits;
- ✓ Encourage *public participation* in the management, protection and conservation of the environment;
- ✓ Protect genetic resources and biological diversity;
- ✓ Establish systems of environmental impact assessment, environmental audit and monitoring of the environment;
- ✓ Eliminate processes and activities that are likely to endanger the environment; and
- ✓ Utilize the environment and natural resources for the benefit of the people of Kenya.

3.10 The Environment (Impact Assessment and Audit) Regulations, 2003

The Environmental regulations (2003) are ingrained under section 147 of the EMCA (2015). The regulations provide the framework for carrying out ESIAs and EAs in Kenya. This ESIA project report has been conducted in conformity with these regulations and EMCA, 2015.

3.11 The Environmental Management and Co-ordination (Water Quality) Regulations, 2006

Water quality regulations lay down the standards of domestic water and waste water. The regulations are meant for pollution control and prevention and provides for protection of water sources. The proposed project shall incorporate; construction of standard Sewer systems to collect and manage generated wastewater. The sewerage system in particular must be sound to prevent leaks and blockages.

3.12 Environmental Management and Co-ordination (Waste Management) Regulations (2006)

These regulations define the responsibilities of waste generators and define the duties and requirements for transportation and disposal of waste. It provides for mitigation of pollution and provides for hazardous and toxic wastes. The regulations require a waste generator to dispose waste only to a designated waste receptacle. The proponent shall adhere to the regulations and proposes to contract a NEMA registered waste transporter to collect and efficiently dispose waste from the developments.

3.13 Environmental Management and Coordination (Noise and Excessive Vibrations Pollution Control) Regulations, 2009

These regulations provide for the control of noise pollution by different development activities. They require that noise and excessive vibrations should be minimized to the largest extent possible and that this should not exceed particular decibels. In line with keeping with these standards, the proponent shall strictly adhere to the provisions and requirements of these Regulations by minimizing the impacts of noise and vibrations from the proposed activities, the activities will be limited to working hours between, 8.00 am and 5.00 pm. All possible care will be undertaken to ensure that the machinery are properly greased and oiled to reduce friction and possible noise emission.

3.14 The County Governments Act, 2012

This is act of parliament that has provided for devolved units of government where services previously offered by the central government have now been devolved. In this regard, the National Environment Management Authority has done establish County Directorates of Environment where ESIA applications will be submitted for approval.

In part VII of the Act section 87 (a) & (b) provides for *citizen participation* in all development applications. The proponent has adhered to this requirement by awareness creation, conducting FGDs and administration of questionnaires to adjoining residents over his development and engaged some of the stakeholders in public for a in order to get their ideas for inclusion in the preparation of this ESIA report. Part XI of the Act on County Planning provides for the principles and objectives of county plans where proper management, protection and utilization of resources such as land is key for purposes of ensuring sustainability.

3.15 Public Health Act (Cap. 242)

This is an Act of Parliament for provision and securing of health. The Act regulates safety, health and orderly development in the interest of public health protection. Part (IX) of the Act on Sanitation and Housing, section 115 provides that no one need suffer nuisance as a consequence of poor developments on land and or inside any premise. In this regard, County Governments will have the sole mandate to ensure that all developments in their area of jurisdiction are kept clean to prevent occurrences that could create inconveniences to

residents and thus meet the requirements of this Act and any other written law. The nuisance as per the act is listed as:

- *Vessels that could be injurious.*
- *Drillings liable to promote infections.*
- *Emissions from Sewer systems, water closets, dustbins, urinals, cess pools, among others that pose offensive smell.*
- *Noxious water flowing from premises.*
- *Accumulation of stones or timber that is likely to harbour rats.*
- *Overcrowded dwellings that impair light and good ventilation.*
- *Chimneys sending forth smoke in quantities that pose danger to health.*

The components listed here require the developer or project proponent to ensure that the project meets public health requirements. All developers are therefore under obligation to observe public health provisions. Any project falling short of this could be disqualified.

The Act promotes safety provisions expected within the building. It empowers the medical officer of health to close any premise considered as a nuisance to the public and which poses danger to public life. Further, the Act empowers County Governments to prepare laws to:

- ✓ Control the construction of buildings.
- ✓ Control space about dwellings.
- ✓ Control the height of buildings.
- ✓ Prohibit erection of temporary buildings.
- ✓ Ensure adequate provision for fire escape.

It comprehensively covers aspects that ensure safety of construction and operational premises within the County jurisdiction. The proponent of the project shall abide by the provisions of the Public health Act in the course of implementation and occupational phases of the proposed developments. .

3.16 Physical Planning Act, 1996 (Cap 286)

This is the main legislation governing matters of spatial/physical planning in Kenya. It seeks to provide for orderly, health, harmony and related purposes. The Act provides for orderly development and respect of existing development plans. It essentially guides the developer on what should be constructed, where, the space to be constructed and the type of buildings.

In part (IV) the Act empowers local authorities-(*no longer existent and their roles have been taken over by County Governments under new constitution*) to:-

- Prohibit or control the use and development of land and buildings in the interest of proper and orderly development of the area. Under this provision applications that do not conform to zoning regulations can be disqualified.
- To control and prohibit sub-division of land or existing plots into small areas.
- To consider and approve all development applications and grant all development permission.
- Ensure the proper execution and implementation of approved physical development plans.
- To formulate by-laws to regulate zoning in respect of use and density of development.
- To reserve and maintain all land planned for open spaces and urban forests.

In particular however**, *Section 36*** of the PPA provides that for such development as this that are considered to have adverse effects on the environment, an Environmental Impact assessment is needed to address all the negative impacts and propose mitigation measures during the project's implementation. The proponent has already endeavoured to abide by the provisions of this Act; submitting all development proposals to the County Government of Isiolo to seek development permission before commencement of the works. Architectural drawings have been submitted in respect and conformity to the planning standards of Isiolo County.

3.17 The Water Act, 2002

This is an Act of parliament that provides for the protection and preservations of water and water resources. Part II section 18 of this Act provides for national monitoring and information systems on water resources. Following on this, sub-section 3 allows the Water Resources Management Authority to demand from any person or institution, specified information, documents, samples or materials on water resources. Under these rules, specific records may require to be kept by the owner of the project and the information thereof furnished to the authority.

Section 73 of the Act of the Act allows a person with license (licensee) to supply water to make regulations for purposes of protecting against degradation of water sources. Section 75 and sub-section 1 allows the licensee to construct and maintain drains, sewers and other works for intercepting, treating or disposing of any foul water arising or flowing upon land for preventing pollution of water sources within his/her jurisdiction.

3.18 Building Code

The building code provides building standards that befit human occupation and thus complements the provisions of the Public Health Act. Aspects covered include setting of premises, conveniences, sitting and space in relation to infrastructure. The codes define users of building material, height of wall fences and the type of access provisions to ensure that no plot is rendered land locked. The types of soils and their load bearing capacities have also been defined. The coral stone where the project falls is in the medium category that has stable properties and medium load bearing capacities.

Section 194 requires that where a sewer exists, the occupants of the nearby premises shall apply to the Local Authority for a permit to connect to the sewer and all the waste water must be discharged to the sewers.

The code provides a basis on which building projects could be monitored to achieve the standards set. These codes are the basis on which the contractor to the building shall be measured. The use of concrete, cement and other material must respect provisions given in the building code. The proponent shall abide by the provisions of the Code and all approvals will be sought before commencement of the work and regular monitoring will follow to ensure compliance with set standards and conditions. Section 194 requires that where sewer exists, the occupants of the nearby premises shall apply to the local authority for a permit to connect to the sewer line and all the wastewater must be discharged into sewers.

3.19 The Brundtland Commission Report (1987)

The Brundtland Commission addresses the environmental aspects of development. It has emphasized on *sustainable development* that produces no lasting damage to the biosphere and to particular ecosystems.

In addition to environmental sustainability is the economic and social sustainability. Economic sustainable development is development for which progress towards environmental and social sustainability occurs within available financial resource. The proponent is committed to

adhere to the proposed EMP to ensure environmental enhancement and this would periodically be monitored through the annual Environmental Audits.

3.20 The Environment and Land Court Act, 2011

This is an Act of Parliament formulated to give effect to Article 162(2) (b) of the Constitution; to establish a superior court to hear and determine disputes relating to the environment and the use and occupation of, and title to, land, and to make provision for its jurisdiction functions and powers, and for connected purposes. In this regard, those affected by various development ventures that are considered harmful to the environment have structures in place to seek justice and in so doing, the environment will be safeguarded at all times.

3.21 Factories and Other Places of Work Act (Cap 514)

This Act provides for the health, safety and welfare of persons employed in factories and other places of work. The provisions require that all practicable measures be taken to protect persons in places of work from dust, fumes or impurities originating from any process within the workplace. The provisions of the Act are also relevant to the management of hazardous and non-hazardous wastes, which may arise at a project site. The Act provides for all necessary safety precautions to ensure the health and safety of workers. In this regard, the proponent will appoint a reputable contractor who will be responsible in enforcing the requirements during construction and subsequent repairs and maintenance after project completion.

This Act covers provision for health, safety and welfare of premises where people are employed. These aspects are outlined here under;

- ***Health***

Under health, there should be provision of suitable protective clothing and appliances including where necessary, suitable gloves, footwear, goggles, gas masks, and head covering, and maintained for the use of workers in any process involving exposure to wet or to any injurious or offensive substances.

The workplace should be clean with functional drains and sanitary units. It prohibits accumulation of wastes within working rooms, passages or stair cases. Maintenance of ground cleanliness is extended to the wall premises. The building should be painted at least once every five years.

- ***Safety***

To promote safety, the Act prohibits overcrowding. The height of the building {head room} should be adequate, properly lighted and ventilated. Areas where machines and rollers are used should be fenced off. Areas posing danger or risks within the building should be clearly labelled, for example, use of

ceramics on the floor should indicate danger and warning to the users. A warning sign in red should be displayed to alert users of imminent danger.

Special precaution against gassing is laid down for work in confined spaces where persons are liable to be overcome by dangerous fumes. Air receivers and fittings must be of sound construction and properly maintained.

- ***Welfare***

Section 55 provides for the development and maintenance of an effective programme of collection, compilation and analysis of occupational safety. This will ensure that health statistics, which shall cover injuries and illnesses including disabling during working hours, are adhered to.

3.22 Work Injury Benefits Act, 2007

This provides for compensation to employees for work related injuries and diseases contracted in the course of employment. The proponent must comply with the provisions of this legislation with regard to the above Act at the proposed premises.

CHAPTER FOUR: PROJECT DESCRIPTION

4.1 Project Description

The proponent intends to put up a High Court in Isiolo with auxiliary site facilities such as a Car park and Sewer systems & soak pits for waste water management. The project will comprise high court and lower court *Chambers and registry, Archives and prosecution offices, Banking hall and server rooms, Waiting bay and multi-purpose meeting room, Breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking (See copies of attached Architectural drawings). The project is estimated to cost* **KES. 379,082,160.9** *(Three Hundred and Seventy Nine Million, Eighty two thousand, One Hundred and Sixty shillings and Nine cents Only)*

4.2 Project Phases

The project will be implemented in four main phases comprising of pre-construction, construction, operation and decommissioning of the project. This will be carried out after necessary approvals for the development will have been secured from all relevant authorities as provided by law. The details of each of the phases are discussed below:

4.2.1 Phase One: Pre-Construction

This report established that there will be need to secure approvals for the development from the County Government of Isiolo and other government departments including NEMA. Besides, there will be logistical arrangements including project planning and procuring of necessary equipment and tools.

4.2.2 Phase Two: Construction

The following details some of the activities (*list not exhaustive*) expected to be undertaken during this phase such that if mitigation measures are not put in place, the environment is at risk:

- ✓ *Site demarcation and clearing,*
- ✓ *Scooping of the top soil and rubble of the demolished semi-permanent structure on site.*
- ✓ *Excavation works, trenching & Blinding*
- ✓ *Transportation of materials and wastes to and from the site respectively*
- ✓ *Installation of services such as water, power lines and sewer connection*
- ✓ *Electrical wiring and equipment installation*
- ✓ *Backfilling and landscaping of the site*
- ✓ *Installation of fire suppression equipment and emergency kits*

4.2.3 Phase Two: Operation

This details all activities to be carried out after construction works are completed. They include the following:

- ✓ *Testing of the systems and site installations and correction of any faults detected*
- ✓ *Commissioning of the premises*
- ✓ *Admission of Court users and or staff*
- ✓ *Continuous monitoring and testing of the entire system including Sewer systems.*
- ✓ *Maintenance and repairs & Routine site cleaning (solid waste collection and disposal)*
- ✓ *Record keeping of daily operations*

4.2.4 Phase Three: Decommissioning

This is the very last phase of the project cycle that will include bringing to an end of all operations of the project. Main activities will include issuance of notice for the intended works, demolition of existing structures, dismantling of equipment and installations and electrical appliances, disposal of wastes, soil testing for any contamination and radioactivity and site restoration.

4.3 Size of the Land

The developer otherwise referred to in this report as the *proponent* wishes to establish the aforementioned development on the affected plot measuring 0.9928 Ha. (See title attached)

4.4 Development Permission

The development has been approved by the Isiolo County Physical Planning office to legally accommodate the Isiolo High Court.

4.5 Planning Standards

The proposed development will adhere to the zoning and planning standards of the County Government of Isiolo and the conditions of approval as provided for in the Form PPA 2 and Conditions of the Lease.

4.6 Alternative Development Models

4.6.1 Preamble

This section explores a number of development alternatives available for adoption by the proponent and discusses their relative environmental merits. It is worth noting that for some

issues, little data is available on which to base the assessment, and that some of the judgments are therefore subjective. Moreover, despite a number of detailed technological alternatives at project proponent's discretion, the technology adopted in this project is informed by conventional building trends in the project area.

4.6.2 Model One: Alternative Use

The proponent has a choice to use the land for other purposes other than the proposed project. This option however calls for change of user to other uses which still have potential impacts some even worse than the proposed project depending on their nature and scale, for example industrial activity on the limited site. However, the time and cost implications are rather undesirable of which the proponent might not adopt at all.

Alternative land use is not viable at all due to the fact that:

- *The current lease conditions provide for a law court only*
- *The development is not hazardous to the natural environment*
- *The undue time constraints and cost implications of alternative land uses are beyond reach of the proponent.*
- *This development is to be realized on a land parcel which already has an approved land use by the County Government of Isiolo.*
- *The financing of this project is based on the current proposal*

4.6.3 Model Two: Relocation

Relocation to a different site is another option available for exploitation but currently, the proponent does not have an alternative site fit for the kind of development he intends to realize on this site. Looking for suitable land to accommodate the nature of the project and completing official transactions on it may take several years although there is no guarantee that the land would be available. Moreover, a lot of time will be spent on design and approvals since design and planning has to be according to site conditions thus site specific.

Project design and planning before the stage of implementation will cost the developer millions of Kenya shillings. Whatever has been done and paid to date will be counted as a loss to the developer. Assuming the project will be given a positive response by the relevant authorities including NEMA, this project would have been unduly delayed before implementation.

The other consequence of this is that it would be a discouragement for private/local investors especially in the sector that has been shunned by many public and private investors.

In consideration of the above concerns and assessment of the current proposed site, relocation of the project is not a viable option as the Proposed Project does not pose any danger to the environment and human settlements at all thus not nuisance. Besides, it is not easy to find such a suitable site to accommodate this proposed development while enjoying economies of scale. This is due to the fact that other facilities and developments on site such as apartments, restaurant, bar and swimming pool provide complementary services thus reducing the cost of providing for the same if relocated to a new site.

4.6.4 Model Three: No Development

This is the model where the status quo is maintained. This option is the most suitable alternative from an '*extreme environmental perspective*' as it ensures non-interference with the existing environmental conditions. This option will however, involve several losses both to the landowner, the community and the government in whole. The landowner will continue to pay rent on the plot while the property remains underutilized.

However, this Option is the least preferred from the socio-economic and partly environmental perspective due to the following factors:

- ✓ *The proposed project is not environmentally hazardous thus not a threat to humanity and the general environment.*
- ✓ *The plot will remain underutilized thus limited economic returns*
- ✓ *No employment opportunities will be created.*
- ✓ *The local economy will not get a boost through provision of local building and construction materials and services*

From the analysis above, it becomes apparent that the alternative is not preferred by the proponent, local community and the County Government of Isiolo. This is because it has no substantial socio-economic and environmental benefits.

4.6.5 Model Four: Proposed Alternative

As discussed above, various development models have been considered in terms of likely impacts to the environment and evaluated against pre-set criteria and technological employment. However, in all instances the outstanding difference was either cost implications, time constraint and the fact that this project is not harmful to the environment thus emerged as the most plausible option according to the project area setting and primacy. This option is acceptable for various reasons as follows;

- ✓ *The proposal is in line with the County Government of Isiolo's designated land use, building typologies and density requirements within Isiolo town. In this regard, the County Physical Planning office has ever since approved the development.*
- ✓ *The proposed development does not pose any direct or indirect hazardous environmental dangers to the environment and adjoining human settlements.*
- ✓ *Development of the proposed Isiolo High Court is compatible with existing developments within its immediate context.*
- ✓ *The proposed project will be constructed using modern, energy saving, locally and internationally accepted materials to achieve public health, safety, security and environmental aesthetic requirements.*

4.7 Design Features of the Project

The architectural design of the proposed development takes into account standards provided for in the PPA Cap 286, Physical Planning Handbook and the Kenya Building Code. These include but are not limited to the following:

- ❖ *Maximum use of natural ventilation to reduce energy consumption*
- ❖ *Paved and landscaped inner court to help in prevention of soil erosion*
- ❖ *On-site parking lots that are adequate to serve all anticipated users of this facility*
- ❖ *Solid and liquid management systems (Sewer systems & Waste bins)*

4.9 Project Construction Activities

4.9.1 Site Preparation

Site preparation shall involve demarcation of the project site within the plot to establish and mark out the area that will be affected by the proposed project. This will be followed by

clearing of some of the vegetation on site to pave way for the new construction works to commence.

Excavation and Foundation Works

Excavation will be carried out to remove loose top soil for construction of foundation**,** pavement**s** and drainage systems. The technology used in the design and construction of the proposed building will be based on international standards, which have been customized in Kenya under supervision of the County Engineer, County Environment officer, project architect and contractor to ensure compliance with the set standards, quality and the implementation of the recommended mitigation measures.

Materials' standards

This report submits that for purposes of ensuring high quality and standard buildings, materials for the construction should not be less that as provided herein. Concrete to be class 25/20 with minimum cubic strength of 25N/MM^2 at 28 Days. Cover to Main Reinforcement: All concrete to be compacted by poker vibrator to structural engineer details. Foundation 50 mm thick, Beam 30 mm thick. The design to be in accordance with B S 8110 provisions ans as determined by the project structural engineer.

Masonry and Concrete Works

The construction of the foundation, floors, pavements and drainage system, underground tanks among other components of the project involves a lot of masonry work and related activities. General masonry and related activities include stone shaping, concrete mixing, plastering, and slab construction, construction of foundations and erection of building walls and curing of fresh concrete surfaces. These activities are known for the labour intensive and are supplemented by machinery such as concrete mixtures.

Project input and Materials

The following are the main material input in the proposed project but ware not limited thereto**: - Land:** ***0.9928*** *ha of land has been acquired for this purpose*

Water: *Water supply from Isiolo Water and Sewerage Company line will be used for this purpose but will be supplemented by tank water especially during construction.*

Labour: *Different forms of labour both skilled and unskilled will be utilized*

Material inputs: *Sand, Masonry stone, Cement, Ballast, Gravel , Water, Soil, Electrical wires, gadgets and equipment, Steel (reinforcement, casement, wiring and standard fittings), Glass, PVS Material : (tiles, PVC pipes, conduits, and fittings), Concrete and paving, Paints and vanishes, Plant materials –grass, trees, seedlings and Timber etc.*

Storage of Materials

Building materials will be stored on site. Bulky materials such as stones, ballast, sand, and steel will be carefully piled on site. To avoid piling large quantities of materials on site, the proponent will order bulky materials such as sand, gravel and stones in quotas. Materials such as cement, paint and glasses among others will be stored in the site office built for this purpose.

Electrical Works

Electrical work during construction of the premises will include installation of electrical gadgets and appliances including electrical cables, lighting apparatus, bulb, sockets etc. In addition there will be other activities involving the use of electricity such as welding and metal cutting to attain the desired results. The proponent will employ services of a qualified electrical engineer for the same.

Plumbing

Installation of pipe-work for water supply and distribution will be carried out within the project and associated facilities. In addition pipe work will be done to connect sewage from generation points to the sewer system (SBR Treatment tanks), and for drainage of storm water from the rooftop into the peripheral storm water drainage system. Plumbing activities will include metal and plastic cutting, the use of adhesive, metal grinding and wall drilling among others. This will be done by a registered mechanical engineer.

Project Products and By-Products

The main product from the proposed project is the Isiolo High Court with complementary facilities as stated above.

By-products from the project may include:

Increased traffic generation to and from the site, increased waste water discharge, increased surface water runoff, increased solid waste generation and accumulation, increased pressure on site facilities and infrastructure. At this juncture, it is important to note that all the possible negative impacts of all the above will be fully addressed by an elaborate Environmental Management Plan in Chapter 7 below.

4.9.2 Project's Operational Activities

This provides a brief description of activities following successful completion of the construction and finishing works for this development after which the following will be take place.

Occupation Certificate

The proponent will have to notify the County Physical Planning and Public health offices of the completion of the work. Upon inspection of the premises by these officers, an occupation licence will be issued as soon as it is approved as being fit and safe for human occupation.

Energy Supply

The site is already connected to the main power line from the main KPLC grid. This makes it convenient to tap electricity to the proposed Isiolo High Court. It was established from the KPLC Isiolo offices that the capacity is sufficient to meet the energy demand of the proposed development. Energy saving methods shall be employed to enhance effective use.

Solid Waste

The proponent will utilize all available effective strategies that are convenient for sound waste management. This will include among others, provision of facilities for handling solid waste generated within the premises and around the site. All the solid wastes generated shall be kept in litter bins and later transferred to refuse bins for disposal. The services of a private waste management company shall be engaged to undertake routine collection to the approved county dumpsite.

Waste water Management: Liquid wastes shall be managed through use of the Sewer systems and soak pits. The systems shall be properly maintained and monitored to enhance efficiency in operation to minimize potential leakage and bad odour. The tank shall be regularly inspected to ensure efficient operation.

Routine repairs and Maintenance works

Due to the effects of weather conditions and possible breakages and destruction of surfaces, there will be routine repairs and maintenance works such as repainting, mechanical works, electrical fittings etc. This will be done upon a public notice before commencement of the works. This will be aimed at ensuring that the spaces remain habitable, attractive and does not destroy the development character of the neighbourhood.

4.10 Decommissioning phase

Upon expiry of the usefulness of the building, decommissioning of the proposed project will be effected followed by rehabilitation of the site to restore it to its original status or to a better state than it was originally will be preceded by demolition of the buildings. This will include replacement of topsoil and re-vegetation which will lead to improved visual quality of the area. This may be a consequence of the planning policy of the area by the County Government, the identification, by the proponent of a better user for the site and or the building being rendered obsolete thus not fit for human occupation and use.

4.11 Project Budget

Information gathered from the detailed Bill of Quantities prepared for this particular project on plot *L.R. NO.* ***ISIOLO TOWNSHIP BLOCK 1/356*** in Isiolo Town of Isiolo County indicates that the proponent will spent **KES. 379,082,160.9** *(Three Hundred and Seventy Nine Million, Eighty two thousand, One Hundred and Sixty shillings and Nine cents Only)*

CHAPTER FIVE 5: PUBLIC PARTICIPATION AND STAKEHOLDER CONSULTATION

5.1 Introduction

In adherence to the provisions of the Chapter Five of the Constitution of Kenya, EMCA (2015) and the County Governments Act 2012, stakeholders/general public was consulted over this development proposal. This chapter therefore describes the process of the public consultation and public participation followed to identify the key issues and impacts of the proposed project. Views from the general public, and resource persons who in one way or another would be affected or rather interested in the proposed project (otherwise referred to as stakeholders) were sought through interviews and public meetings as stipulated in the Environment Management and Co-ordination Act, 2015.

5.2 Objectives

The main objectives of the consultation and public participation were to:

1) *Collect comments, suggestions and concerns of the interested and affected parties.*
2) *Publicize and inform the stakeholders about the project with special reference to its key components, location and likely environmental impacts.*
3) *Assimilate the information collected into the ESIA report.*
4) *Make known at an early phase of project development the concerns of the stakeholders to the decision-making agencies including NEMA and the proponent.*
5) *To allow the public suggest practical solutions to identified negative impacts*

5.3 Methodology

The methodology adopted here is that of Public Participation Process (PPP) which a policy requirement by the Government of Kenya. It is a mandatory procedure as stipulated by EMCA 2015 section 58, on Environmental Impact Assessment for the purpose of achieving the fundamental principles of sustainable development. To achieve this, an environmental and social assessment exercise was conducted by a team of experienced registered environmental experts in two ways: Key informant interviews, FGDs and administration of questionnaires to

the general public and property owners within the project area as detailed in the Methodology section of this report.

5.4 Public Concerns

This sub-section covers the views and opinions of the key stakeholders, general public and property owners within the project area. It highlights both positive and negative socio-economic and environmental impacts anticipated during the construction and operational phases of the project. This is followed by suggested mitigation measures that the developer should incorporate to minimize environmental degradation and promote sustainable development. This section ends by highlighting the opinions and expectations of the stakeholders.

Table 4: Issues raised by stakeholders during the Public Participation Process

POSITIVE IMPACTS	
Impact	**Respondents Concerns**
Enhancement of Access to justice	*The residents expressed their happiness to the fact that this will enhance access to justice because any cases needing a high court was referred to Meru which according to many is inconveniencing.*
Promote the status of Isiolo Town	*It was argued by the residents that the status of Isiolo town will be elevated with the construction of the court as people from adjoining Counties will flock the town including international cases due to the International Airport*
Optimization of land use	*Some of the consulted people acknowledged the fact that this is an underutilized prime land being put to optimal use by the construction of this Isiolo High Court.*
Flourishing of the local economy	*Through the use of locally available materials during the construction phase of the proposed development such as cement, concrete and ceramic tiles, timber, sand, ballast electrical cables etc, the project will contribute towards growth of the economy by contributing to the gross domestic product. The consumption of these materials will attract taxes including VAT which will be payable to the government hence increasing government revenue while the cost of these raw materials will be payable directly to the producers.*

Creation of Employment opportunities for locals and other professional experts	*The local community was optimistic that the construction of the proposed Isiolo High Court will open up new fields of employment. Despite the fact that most of the project will need skilled labour force (Architect, planners, ESIA experts, Contractors, Valuers and Engineers and court staff), local people expressed hope that they will be able to access casual employment once the project commences. This will be a source of income for several individuals and households and hence is expected to improve their living standards.*

NEGATIVE IMPACTS

Impact	**Respondents Concerns/ Suggestions**
Air pollution-dust emissions & exhaust fumes	*Due to the fact that the property already has other developments and Court users and or staff with families, stakeholders expressed concern over possibility of generation of large amounts of dust and fumes within the project site and surrounding areas as a result of excavation works and transportation of construction materials (loose soil, sand, and cement and exhaust fumes from vehicles). The proponent was requested to water the site and cover vehicles hauling dusty materials to keep dust levels within the required limits and be mindful of the neighbourhood.* *He was also encouraged to reduce dust generating activities on site*
Generation of waste waters	*Waste waters from toilets and sinks were considered a threat to the environment. They were informed that all liquid wastes will be channelled to the Sewer systems and conservancy tanks fitted with grease traps and hydrocarbon separators to ensure that no oil wastes are released into the natural environment.*
Destruction of Vegetation	*The attendants raised issue with the fact that this is a green site with natural grasses which will be cleared. The ESIA team informed them that there will be a landscaping and re-vegetation programme to be implemented on site after completion of construction works.*
Generation of solid wastes on site	*The neighbours were concerned on the unsightly scenarios associated with construction sites due to the piling of wastes scattered all over e.g. empty cement bags, rejected metals, wrappings (plastic bags), glass among others. These*

	wastes cumulatively lead to a filthy situation which will degrade the site and pollute the environment. Suggestions were made to the proponent to manage all the waste resulting from the project by timely and consistent disposal by the proponent by use of a private firm.
Noise Pollution	*The residents expressed concern over noise pollution that would come from the construction works, machinery, casual workers and the vehicles delivering materials on site. Suggestions were made to the proponent to keep noise levels within bearable limits.* *The community also suggested that the work should only be carried out during the day preferably between 0800 hrs and 1700 hrs only.* *The site should also be fenced all round*
Excessive Vibrations	*The residents expressed discomfort over the likelihood of generation of vibration when constructing especially during foundation works. Suggestions were made that the proponent undertakes the work professionally with low noise machinery and also between* ***8pm-5pm*** *and protect the neighbours from the effects of excess vibrations.*
General nuisance over the construction period	*Most of the respondents were concerned over the chaotic situation evident on and near construction sites where there is noise, vibrations, pollution and traffic (heavy commercial trucks) moving to and from the site. This situation, they argued, disrupts totally the normal operation of a neighbourhood as they have to bear with the situation till construction works are over. The proponent however promised to ensure that the construction work will be completed within the stipulated time frame and with absolute care not to cause undue interruption of the natural and social environment of the area.*
Traffic nuisance	*The town already receives a lot of traffic along* ***Tullow Roba*** *road. Additional traffic from vehicles supplying construction materials and those to site during operation phase was considered nuisance and one that will create conflicts. There will be effective traffic management plan with trucks and lorries supplying construction materials during off-peak times only with proper coordination on demand basis.*

CHAPTER SIX: EVALUATION OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

6.1 Preamble

This chapter presents the potential negative impacts associated with the implementation of this development project. The impacts will be related to activities to be carried out during construction of the project. The operational phase impacts of the project will be associated with the activities carried out by the users. In addition, decommissioning phase impacts of the project are also highlighted. The impacts of the project during its life cycle phases (construction, operation and decommissioning) can be categorized into: impacts on Ecological System, Human Health and safety, Infrastructure and Social Amenities and the built environment.

Construction activities associated with this kind of development pose negative impacts to the natural environment and can lead to the transformation of the landscape. The execution process entails alteration and destruction of ground properties to create new manmade features as provided for in the Architectural and structural designs. Each stage in the development process has its impacts. These impacts range from temporary to long term. Besides, structures evolving from the process have considerable economic and social impacts that have a strong bearing to peoples' livelihood.

This is based on critical evaluation of the nature and magnitude of the activity being undertaken, as well as the type of environmental control measures that are envisaged as part of the project proposal. Since the proposed project involves construction works, all anticipated potential impacts experienced on the project area, within neighbourhood and multiplier effects on wider scale are identified and assessed based on the type and scale of the various activities associated with this project. Several aspects and potential impacts were identified for each phase (Project Location, Construction and Operation) of the development, with impacts evaluated in terms of their nature, occurrence, possibility and severity potential.

This report established that several impacts are likely as a result of the construction (including pre-construction), and operation of the project.

Such impacts may be direct, indirect or ultimate for the purposes of this ESIA. These potential impacts (whether direct, indirect or ultimate), are assessed based on their timeframe (short-term or long-term) and effect (positive or negative). Impacts are also classified in three groups: impacts due to project location, impacts as a result of project construction and impacts as a result of project operation.

Generally, all the potentially significant environmental impacts from the project are categorised below:

Air Environment: _ Impact on ambient air quality

Noise Environment: _ Impact on ambient noise

Water Environment: _ Surface and ground water quality

Land Environment: _ Impacts on land use

_ Impacts on soil profile/structure and characteristics

Ecological Impacts: _ Impacts on trees/vegetation

_ Impacts on flora and Fauna

Socio-Economic Impacts

_ Impacts on other infrastructure

_ Impacts on employment

_ Impacts on public health and safety

_ Impacts on cultural resources

_ Impacts on aesthetics

6.2 Negative Impacts

6.2.1 Impacts during construction

The construction activities of the Isiolo High Court shall entail site clearing by way of removing grass and trees and demolition of the existing semi-permanent structure to pave way for construction and excavation of loose soil. In addition, this will give rise to high tonnage of loose rock and soils that is susceptible to both surface run off and wind erosion. Excavation has a great bearing on soil stability and opening up of the site to forces of erosion. The need for building material for construction purposes has a bearing on the natural resource stock. Extraction increases pits of land wasted through quarrying particularly in the source areas. A pool of labour within the site becomes a constant nuisance to the neighbourhood. The supervisor call ups, trucks on site, movement of materials on site for construction generate noise pollution. The dust generated from the site lead to air pollution within and around the site.

6.2.2 Operational Impacts

The Development once complete will have Court users and or staff and visitors. These include among others, generation of both solid and liquid wastes from the toilets, kitchen and sinks, packaging materials from shops and possible oil spills from vehicles.

These wastes must be carefully managed to avoid inconveniences and minimize negative impacts to the natural environment. The toilets and urinals present potential source of pollution through generation of waste waters. Potential operational impacts are therefore significant and warrant appropriate mitigation measures. Besides, pavements on site and increased concrete surface have a bearing on enhancing storm water generation and ground water recharge. The run-off will be significant given the rainfall patterns experienced in the area as discussed under baseline information.

6.2.3 Decommissioning Impacts

The decommissioning phase will involve doing away with the current development by way of demolition. This may be due to various reasons like change in physical planning policy for the area, the construction being rendered obsolete thus unfit for human occupation and or the realization of a more optimal use of the land.

During decommissioning, there will be air pollution from dust emissions, accumulation and pilling of broken blocks, metal pieces, rails and timber, noise pollution from equipment and other machinery, destruction of vegetation on site and distorting the development skyline. It is therefore recommended that an ESIA be conducted before decommissioning of this project to ensure that all possible impacts are identified and mitigation measures for them are clearly outlined.

However, the negative impacts can be direct or indirect. The magnitude of each impact is described in terms of being significant, minor or negligible, temporary or permanent, long-term or short-term, specific (localized or widespread, reversible or irreversible. Some of the impacts mitigation measures have already been addressed in the proactive design and other mitigations can only be guaranteed through active, responsible management, occasioned by following the guidelines in the project environmental management plan. These qualities are indicated in the assessment tables as follows. The first table 6.1 is a key table, which helps in understanding the environmental impacts tabulated, in the second table.

Table 5: Categorization of the potential impacts

NO.	IMPACTS	NEGATIVE		POSITIVE		INSIGNIFICANT
		Short Term	**Long Term**	**Short Term**	**Long Term**	**No Impact**
A	**Project Setting**					
i.	Loss of vegetation					✓
ii.	Change of land use				✓	
iii.	Displacements of population					✓
iv.	Shifting of utilities lines					✓
v.	Interference with the archaeological property of the site					✓
B	**Construction Phase**					
i.	Fire risks					✓
ii.	Increased pressure on available local infrastructure and utilities	✓				
iii.	Generation of solid wastes	✓				
iv.	Impacts on water quality					✓
v.	Impact on air quality (including dust generation)	✓				
vi.	Noise pollution	✓				
vii.	Increased Traffic generation	✓				
viii.	Staking and piling of construction materials on site	✓				
ix.	Increased Public health and safety risk					✓
x.	Social impacts					✓
C	**Operational Phase**					

i.	Change in ambient air quality				✓
ii.	Increase in noise levels				✓
iii.	Water harvesting and recharge			✓	
iv.	Increased generation of solid and liquid wastes		✓		
v.	Induced infrastructure development			✓	
vi.	Improved quality of social life			✓	
vii.	Increment in green cover			✓	

Decommissioning Phase

i.	Destruction of the landscape		✓		
ii.	Loss on income				✓
iii.	Accumulation of debris and other solid wastes	✓			
iv.	Alteration of development skyline		✓		
v.	Noise and Air pollution	✓			
vi.	Accumulation of contaminated wastes and materials (***if any***)				✓
vii.	General Nuisance around the site			✓	

6.3 Mitigation Measures for Negative Impacts

6.3.1 Locational Impacts of project

The development will have both socio-economic and environmental implications as discussed in the sub-sections below.

i. Impacts on flora and fauna

Due to the fact that the neighbourhood is already developed, there are no animals to be disturbed by this development. However, considering the scale of the project and commonly found flora within the project influence area-natural grasses, no significant adverse effects are envisaged on the ecology of the area.

Mitigation Measures for loss of Vegetation Cover

- Introduction of vegetation (trees, shrubs and grass) on open spaces and their maintenance
- Design and implement an appropriate landscaping programme to help in re-vegetating part of the project area after construction works are completed
- Proper demarcation of the project site to establish the area that will be affected to avoid spill over to the entire plot.

ii. Relocation of resident Population

The project is being executed on a Greenfield where there is no resident population to be relocated in the process of construction.

iii. Change of Land Use & density

This is a long term undertaking where the developer otherwise referred to as the proponent in this report, has done apply for complete change of user from Agricultural to Commercial. However, the density of developments will increase as the land is currently idle. However, it is important to note that this will enhance optimal use of land.

Mitigation of Measures for Change of Land Use

- The development to be undertaken as approved by the County Government of Isiolo.

- Comply with regulatory and legal requirements as stipulated in law. At this point therefore, the proponent should ensure compliance with convectional planning policy as provided for in the PPA cap 286 and the building code and the County Government Act

iv. Shifting of Utilities

There will not be any shifting of existing utilities lines such as water supply pipelines, sewers and electrical lines due to the proposed project. This is because the plot does not occupy space used for the main utility lines.

v. Impact on Archaeological Property

Within the project influence area, there are no significant archaeological properties and or artefacts; hence no impact in this area is anticipated to result from the construction works.

6.3. 2 Construction Impacts

Activities associated with construction works of this project will transform the natural environment, creating negative impacts in most cases if proper mitigation measures are not put in place. However, this report has established that these are mainly short-term impacts that have been found to be of low magnitude, and that all of them will easily be managed by the provisions of the EMP in chapter 7 below.

i. Pressure on available Infrastructure and utilities

During the construction stage, demand for basic amenities such as water and electricity may put pressure on the existing infrastructure. Considering the nature of the project, the impacts shall be short term and low in magnitude and are limited to the construction phase only.

Mitigation Measures for Strain on Infrastructure and utilities

- The proponent will ensure complementing demand for the aforementioned through use of Tanker water supply,
- Use of low noise generators on site to check on power demand
- Energy saving technologies to be put in use such as solar power utilization

- All construction works to be carried out during the day only to reduce the need for lighting.

ii. Disturbance and Contamination of Soil

Construction works destabilise the natural soil profile. In addition, the spillage of oil from the machinery, cement residue from concrete mixers, sewage and solid wastes, might contaminate the soil if not properly handled and disposed of.

Mitigation Measures for disturbance and contamination of Soil

- Use of well-maintained machinery and trucks that have no oil spillage
- Reduction of the time taken by machinery and trucks on site
- During the re-vegetation period, appropriate surface water runoff controls will be taken to prevent surface erosion;
- Monitoring and inspection of the area for indications of erosion will be conducted and appropriate measures taken to correct any occurrences;
- Fencing and signs restricting access will be posted to minimize disturbance to newly-vegetated areas;
- Carry out soil tests for contaminants & if need be scoop out any contaminated soils and replace with uncontaminated soil from another source Comprehensive Landscaping

iii. Ground Water Quality pollution

It is envisaged that there will be no ground water pollution as a consequence of activities on this site. No impact is expected on potable water, since this will be directly supplied and stored on site. Surface water however, may be impacted as follows:

- Chemical contamination from construction materials such as cement, paint and other mechanical fluids

- Increased siltation caused by surface runoff (as a result of the removal of vegetation and the placement of raw materials e.g. sand)

-Oil spillage from machinery and vehicle ferrying materials to and from the site

Mitigation Measures for Ground Water Quality Degradation

- Use of metallic concrete mixers
- No excess materials such as cement and paints will be left unattended on site.
- Only right amounts of the above to be used per unit time will be prepared
- Observation of weather conditions to ensure that such materials are covered and protected from the rain water
- During the construction phase, run-off from the site will not be allowed to stand (water logging), or enter directly into trenches.
- In order to reduce runoff contamination to ground water, sediment and grease traps will be used to intercept run-off from drainage areas.

iv. Impact on Air Quality

Potential impact on the air quality during the construction stage will be due to the fugitive dust and the exhaust gases generated in and around the construction site. But it should be noted that the baseline reveal that on windy days, nuisance level fugitive dusting occurs. Dust is a major component of air pollution, generated mainly from the following construction activities:

- Site clearance and use of heavy vehicles and machinery/equipment etc
- Transportation of construction materials, such as sand and cement to the construction site
- Excavated materials (soil) stockpiled on site
-Exhaust fumes from machinery and vehicles

Mitigation Measures for Air Pollution

- To minimize the occupational health hazard, proper personal protective gears i.e. dust masks shall be provided to the workers who are engaged in dust generating activity
- All the loose material, either stacked or transported, shall be kept on site for the shortest possible time and provided with suitable covering, such as tarpaulin
- Water sprinkling shall be done at the location where dust generation is anticipated
- The site shall be enclosed to reduce dust spilling over to the adjoining area
- Use of low noise and well maintained machinery that will not release unwarranted exhaust fumes

To control vehicular emissions, a system shall be put in place constituting the following guidelines:

- All Contractors and Sub-contractors with diesel powered construction equipment with engine horsepower (HP) ratings of 60 HP and above, that are on the project for a period in excess of 30 consecutive calendar days, shall be retrofitted with emission control devices and/or use clean fuels to reduce diesel emissions
- In addition, all motor vehicles and/or construction equipment shall comply with all pertinent National regulations relative to exhaust emission controls and safety
- The reduction of emissions of carbon monoxide (CO), hydrocarbons (HC), nitrogen oxides (NO_2), and particulate matter (PM10) will be accomplished by installing Retrofit Emission Control Devices or by using less polluting clean fuels.

v. Noise Pollution

Noise is perceived as one of the most undesirable consequences of construction activities. Though the level of discomfort caused by noise is subjective, the most commonly reported impacts of increased noise levels are interference in oral communication, and disturbance in sleep. Due to the various construction activities, there will be short-term noise impacts in the immediate vicinity of the project corridor, which may exceed acceptable limits and reach nuisance levels for residents. These include:

- Concreting and concrete mixing
- Excavation of foundations with driller (if used) or any other machinery
- Construction plant and heavy vehicle movement (e.g. cranes, trucks)
-Increased number of casual workers on site
-Lorries and trucks ferrying construction material
-Masonry works especially metallic fittings

Since the project site is surrounded by other developments especially residential apartments and commercial outlets, some impacts are envisaged in the project area. But, the noise levels are not expected to exceed occupational limits; therefore no adverse effects on neighbours and site employees should result. Nonetheless, noise control procedures will be introduced when necessary.

Mitigation Measures for noise Pollution

- Enclosing the site will also reduce the impact of noise to the surrounding area
- Use of low noise machinery and any other equipment
- During the construction stage, expected noise levels shall not be above of 55dBA, which will decrease inversely with the increase in distance.
- Silencers and mufflers should be affixed to the exhaust systems of all mechanical equipment being used on the project site.

- Any activity that is deemed noisy and maybe a nuisance shall be scheduled at times least likely to affect those within hearing distance.
- Isolation of the *source* and *sensitive receptors* during the construction phase will be undertaken to minimize the impacts of noise and vibrations.
- To prevent any occupational hazard, ear-muff/ earplug shall be provided to the workers working around or operating plant and machinery emitting high noise levels

vi. Increased Traffic

The location of the proposed site along the main Earth road will pose a challenge to traffic flow as this road already has a lot of traffic. There is expected be a short-term negative impact on traffic, especially if construction materials are being delivered during off-peak times. The transportation of construction material from source to site will entail the use of slow moving heavy trucks, which have the potential to contribute to traffic build-ups, especially if it is done during peak hours.

Mitigation Measures for Increased Traffic

- Delivery of materials to be done only on demand basis and during off-peak
- Provision of acceleration and deceleration lanes
- Enforce speed limits for vehicles especially along the access road leading to the site
- Provide bill boards at the site to notify motorists about the construction works
- All vehicles delivering bulk materials to the site to avoid overloading and comply with traffic rules

vii. Mounding of Construction Materials and wastes

Some of the materials such as building stone and sand are too bulky and can pile up on site if not used at that moment. In addition, construction activities will lead to the generation of solid wastes in significant amounts, mainly in the form of construction debris. If these wastes are not properly managed, then the potential exists for a negative environmental impact.

Mitigation Measures for Pile up of Construction Materials

- Through accurate estimation of the sizes and quantities of materials required, order materials in the sizes and quantities they will be needed rather than cutting them to size, or having large quantities of residual materials
- Ensure that construction materials left over at the end of construction will be used in other projects rather than being disposed off.
- Ensure that damaged or wasted construction materials including cabinets, doors, plumbing and lighting fixtures, marbles and glass will be recovered for refurbishing and use in other projects
- Donate recyclable/reusable or residual materials to local community groups, institutions and individual local residents or homeowners

- Use of durable, long-lasting materials that will not need to be replaced as often, thereby reducing the amount of construction waste generated over time
- Provide facilities for proper handling and storage of construction materials to reduce the amount of waste caused by damage or exposure to the elements
- All loose soils dug out during foundation works to be removed from site as soon as possible.

viii. Public Health and Safety

The generation of solid waste, sewage, noise, dust and gaseous emissions can impact on public health and safety, if not properly managed. The provisions of the Public Health Act, EMCA 2015 and the Constitution need therefore be adhered to in terms of protection of the right of every individual to clean and safe environment.

Mitigation Measures to Instil Public Health and Safety

- Train staff/workers on occupational health and safety
- Provide full protective gear & workmen's compensation cover in addition to the right tools and operational instructions & manuals
- Adopt sound waste management system to ensure proper solid waste disposal and collection facilities
- Adopt sound housekeeping practices during operational phase
- Engage the services of qualified personnel and/or ensure training
- Ensure use of standard construction materials and to the specifications
- Avoid undesirable, substandard, hazardous or unauthorized materials during construction & maintenance
- Ensure machinery and equipment servicing and maintenance as per schedules & legal requirements
- Post clear warning signs e.g. 'No unauthorized use of machines
- Provide fully equipped First Aid kits & train staff on its use
- Ensure adherence with the legal requirements- Factories Act.
- Sensitize residents on environmental management
- Ensure CGK certifies and issues occupation certificates
- Sensitize residents on environmental management

ix. Social Impacts

There will be a long-term, negative impact on the social landscape of the project area. These include disease spread especially STDs and HIV/Aids during the construction work etc

Mitigation to curb adverse Social Impacts

- Educate construction staff on the dangers of engaging in social misconduct
- As far as possible, local labour within the project area will be utilized for construction purposes.
- A code of conduct will be put in place and to the knowledge of anyone involved and or affected by this project
- A conflict resolution mechanism will be drafted and made known to all workers and visitors to the site
- The site will be enclosed with regulated entry and exit

6.3.3 Operational Impacts

During the operation phase, there will be impacts on the air, water and land environment, as well as on socio-economic aspects. The following sub-sections present the impacts due to the operation of the proposed project

i. Solid Waste

It is expected that certain quantum of solid waste will be generated during the operation stage. For the collection of such waste, receptacles will be provided. Such waste will be collected separately once a day and disposed of in a suitable manner, as per the directives of the County Government but in line with standards provided by NEMA hence no major negative impacts are expected.

Mitigation Measures for Solid Waste

- Use of products that need less wrapping especially polythene
- Adequate number of collection bins separate for biodegradable and non-biodegradable waste shall be provided as per the NEMA guidelines.
- Waste from such containers shall be collected separately on a daily basis
- All the collection bins shall be properly maintained on regular bases
- Arrangements will be made by the property management to ferry solid wastes generated from the housing units to a central waste collection point near the project area for disposal at the County dump site.
- Hiring of the services of a private company for this noble purpose

ii. Air pollution

Pollution of the air environment may be caused by Vehicular emissions and smoke from a standby generator. Carbon Monoxide (CO) is the major pollutant emitted by motor vehicle exhaust systems. This is highest when vehicles are poorly maintained, causing incomplete combustion to take place. Other pollutants include; Dust, SO2, NOX, and HC.

General control measures recommended in this context are;

- Watering of the site and cleaning to keep it dust free
- Informatory signs shall be provided to encourage vehicle owners to maintain their vehicle and follow the emission standards fixed by the federal Government through the National Transport and Safety Authority.
- Proper maintenance of the generator.

Measures for Controlling Vehicular Emissions

To control the emissions from the movement of vehicular traffic, the following measures shall be adopted:

- Proper maintenance of the acceleration and deceleration lanes to keep them dust free
- Adequate greenbelt will be developed and maintained around the premises
- Adequate parking spaces to be provided on site

iii. Noise pollution

Noise pollution could emanate from family conflicts, the music from individual houses and movement of vehicles in and out of the Isiolo High Court and hooting of late night vehicles.

Mitigation Measures for Noise Pollution

- Ensure that proper acoustics is undertaken for the individual units to contain and control all possible noise.
- There shall be no hooting of vehicle to and from the site
- Code of conduct to be instituted for solving of family conflicts in a quiet and sober manner especially through dialogue.

iv. Sewage

Waste waters will be generated from toilets and sinks. The proposed Sewer systems and will accommodate sewage from all sections of the premises. Pollution to surface water may occur, if not properly managed.

Mitigation Measures for waste water pollution

- No reckless dumping of waste waters in open spaces or anywhere around the plot
- Use of reinforced pipes to carry wastes from sources to holding and treatment tanks
- Ensure all wastes are directed to the Sewer systems on site
- Conduct regular checks for pipe blockages or damages since such can lead to release of the effluent onto the land and ground water bodies
- Monitor effluent quality regularly to ensure that the stipulated discharge rules and standards are not violated.

v. Traffic generation

Traffic generation and conflict is expected if measures are not put in place at all phases including construction and operation.

Mitigation measures

- Delivery of goods to the shops to use a 6 metre service lane at the back only
- Provision of acceleration and deceleration lanes for entry and exit
- Proper signage to notify motorists of the on-going development
- Deliveries to be done during off-peak times

vi. Fire hazards and accidents

Fire hazards might occur due to unexpected eventualities due to sudden failure of the electrical system, internal negligence, earthquakes and storms.

Mitigation Measures for Fire Hazards

- Installation of fire-fighting facilities during operation phase
- Sensitizing Court users and or staff on fire safety
- Keeping well stocked first aid boxes and creating awareness among the workers and visitors on proper handling and use of tools and machinery.

- Fire protection systems will be installed as per the Building Code and will include the following systems:
    - ***Fire Detection System:*** These include alarms and smoke detectors
    - ***Fire Suppression System:*** These will include fire extinguishers, fire hoses and sprinkler system

vii) Disruption of government operations.

The court site is located within the built up area. It neighbours the County commissioners' offices, Lands offices (Ardhi House), Post and Telecommunication office (Huduma Center), behind the court is livestock, Statistics offices and the county Assembly. The offices are fully operational and have no specific time for vocation. Launching of the project shall be executed at a time when the government offices are in serving. Discharge of sounds by machinery /excavators is a about 55dcl. This output at a close distance of 20m from the nearest office shall cause irritation. Normal operation shall be interrupted when the construction process commences. Key components includes:

- Use of excavators, trenching and loading/ offloading on site materials. Delivery of material may require use of self-loading and offloading machines that have a critical output in sound. Movement of delivery vehicles equally intensify high sound generation
- The preparation of the site may necessitate demolition of some structure to create room for construction works. The methods, systems used are likely to generate adverse impacts. The sound generated from execution will make the process unbearable and un-conducive for office operation.
- Dust emissions from both existing structures and emissions from trenching could cause cumulating of fugitive dust in most offices and residential quarters in the neighborhood. Isiolo has high wind velocity. Developments executed in the month of December to march shall exert great dust emissions to the neighbourhood.

The output no matter the quantities shall interrupt the tranquility enjoyed by the government of departments in the neighbourhood.

viii) Interruption of traffic flow along Tullo roba road.

Construction involves transfer of material. Movement of tracks, vehicles and motorized systems, to and from site increases intensity on the use of the road currently serving the site. The road is a 12m road serving a span of 3km in a fairly settled residential neighbourhood.

- The road serves upper Checheles and Tullo Roba Estates. Constant movement to deliver material (sand, quarry stones and ballast) shall interrupt flow of traffic. Lorries and truck disposing lose soils and wastes shall each make 15 to 20 trips from the site. Constant movement subject the poorly constructed earth road to great wear and tear. This could render it impassable should the state degenerate to disrepair. Construction has a bearing on the quality of road surface that is undeveloped. Heavy load carried by lorries shall undermine the earth road to deplorable state
- The government offices are focal points in the county. People from all areas within the sub-county visit the offices for various reason. Lands ministry in the neighbourhood shelters custody of ownership documents in the entire county. Traffic generated and movement shall intensify with the construction and operation of the court.

ix) Temporary displacement of staff

The site proposed for construction of the court is already in use. Some structures and function require adjustment before commencement of works**.** Re-organization of the site shall cause relocation and adjustments to give room to construction process. This may occasion shifting of staff to cater for diverse interests of construction.

x) Historical and Social artefacts.

Isiolo town has no archaeological or museum areas that are of historical significance. Except for the religious institutions that signify coexistence and have significantly promoted the growth of the town, no features remain as historical references. Isiolo is referred to as the last frontier of peace and significantly provide refuge to warring communities in upper eastern. This role shall remain and be strengthened by establishment of the new legal structures. The existence of the town is a general is a source of solace to people in the county and hope for peaceful coexistence. Unlike the hinterland that is clearly marked as traditional community land, the town is a significant melting point with no specific ethnic or religious balkanization. The site has no religious or social ties that would be lost thro construction.

xi) Labour influx and Immigration and Housing demand

It is envisioned that the process of construction and operational phases will attract different numbers and cadres of workers/employees. As for the construction phase/process, it will include site clearing, trenching, casting, blinding, walling and backfilling among other activities. There is expected to be at least ***50-60*** casual labourers and ***15*** skilled supervisory workers including *supervisors, steel fabricators, carpenters, painters, formwork artisans, stone dressers, Masons and foreman* and **10** professionals who include among others; *2 Architects, 2 Quantity Surveyors (QS), 4 Structural Engineer, 1 Mechanical Engineers, 1 Electrical Engineer besides the Contractor*. However, it is important to note that mainly the casual workers will be on site most of the time but few professionals as they will be on site occasionally for inspection and general supervision. Iit must be noted that approximately less than 15% of this labour force will be women due to the fact that the actual construction work activities are heavy thus women cannot sustain the same throughout the construction period. This will result in gender imbalance on site. ***This ESIA report recommends that casual workers will be sourced from the local communities around Isiolo town to promote harmony, project ownership and thus reduce unnecessary conflicts. This may not apply to professionals because this is and or will be determined by the nature of expertise and skills needed to actualise this project of national significance.***

During operation, the new high court will have staff recruited to serve in the various departments and sections of the court. It is worth noting that an approximated staff of at least 100 will be recruited but this is to be determined by the judicial service commission (JSC). These will among others include court clerks, judges, magistrates, Police, prosecutors, cashers, procurement officers, security, drivers, ICT experts, cleaners. ***This ESIA report strongly recommends that the current staff at the existing lower court be retained in their capacities and or areas of expertise to complement the new staff who will either be hired by JSC and or transferred to this new station.***

In addition, the increased labour pool at both the construction and operational phases of the project will need housing especially permanent staff of the court once it becomes fully operational. This will strain the already stretched housing demand in the town. ***This ESIA***

report recommends that the JCS works with the National and County Government of Isiolo to ensure provision of adequate, decent and affordable housing to enable effective service delivery.

6.4 Positive Impacts

Several positive impacts can be identified as a result of the introduction of the development in the area. These include but are not limited to the following.

Enhancement of Access to justice

This is the most important aspect and objective of this project. It is envisioned that this will enhance access to justice because any cases needing a high court was referred to Meru High Court which according to many is inconveniencing and far away.

Promote the status of Isiolo Town

It was argued by the residents that the status of Isiolo town will be elevated with the construction of the court as people from adjoining Counties will flock the town including international cases due to the International Airport

Creation of employment opportunities

It is envisaged that jobs will be created for community members during the construction phase, as well as during operation. More than 25 persons will be employed on site as a result of this project especially casual workers and as well as several other specialized individuals along the supply chain architects, Engineers, planners, valuers, project managers etc.

Employment opportunities are of great benefit both economically and in a social sense. In the economic sense, it means abundant unskilled labour will be used in construction hence economic production. Several workers including casual labourers, masons, carpenters, joiners, electricians and plumbers are expected to work on the site. From the social realm, it will reduce idleness among the youth who may otherwise turn to delinquent behaviour in an attempt to earn their daily bread.

Improving Growth of the Economy

Through the use of locally available materials during the construction phase of the project including cement, structural steel, concrete and ceramic tiles, timber, sand, ballast electrical cables etc, the project will add towards growth of the economy by contributing to the gross domestic product. The consumption of these materials, fuel oil and others will attract taxes including VAT which will be payable to the government hence increasing government revenue while the cost of these raw materials will be payable directly to the producers.

Improved living standards

There are usually several opportunities that come up during the construction and implementation periods of such projects. The increase in revenues improves money circulation within the project area. This in turn leads to the initiation of several businesses by entrepreneurs within and around the project site to cater for the needs of the construction staff and even those who will be employed during the operation phase. This will promote both formal and the informal sector in securing both permanent and temporary revenue and hence enhancing their livelihoods.

6.5 Decommissioning Phase Impacts

This is the last phase in the project cycle and comes as the last to wind up the operations of a particular project. The main purpose of decommissioning is to restore the site to acceptable standards. However, decommissioning may also come earlier than the lifespan of the buildings again due to various reasons like change in physical planning policy of the area by County Authorities and or the realization of a more optimal use of the land in question.

It is therefore recommended that an elaborate ESIA be conducted when the time for decommissioning comes so that all aspects will be looked at against the prevailing conditions and requirements. Noteworthy is the fact that the rationale of the decommissioning process is mainly to rehabilitate the project site to an acceptable standard and all efforts should be geared towards making the site as close as possible to its original state before the project was implemented.

The decommissioning will in brief involve demolitions of the structures, dismantling of installations, removal of debris and landscaping. The other social implications involve the laying off workers who may be employed thus will lose their income and issues of safety and health. Due to these facts, it is highly recommended that an ESIA be prepared when the time comes since the later may come earlier or later due to the vagaries of weather, human behaviour and policy changes among other factors and quantification and accurate prediction of the likely potential impacts is quite difficult.

Mitigation Measures for Decommissioning Phase impacts

Loss of jobs

There will be so many jobs lost that include employees/staff, local business operators and even some suppliers. In this respect, the proponent will have to notify 3 months in advance all individuals to be affected in this sense and help them secure alternative livelihood options.

Accumulation of debris and other solid wastes

- There will be an elaborate waste management plan that will involve effective collection, transportation and disposal of all wastes generated on site by contracting a qualified person for the same.
- All materials that can be re-used will be sorted, collected and stored for recycling.

Noise and Air Pollution

- Most of the work will be done only during the day when most of the neighbours are out to work and or to business.
- There will be use of well-maintained machinery and equipment.
- All trucks carrying the wastes will be covered
- Watering of the site and dusty debris to be done
- The site will be enclosed using Iron sheets and dust proof canvas to prevent wastes and dust from spilling over to adjacent plots
- Use of low noise machinery and equipment

Loss of vegetation and general site degradation

Demolition works will have vegetation on site destroyed thus will interfere with the site image. To alleviate these impacts, proper demarcation of the site will be done on addition to

proper planning of the works which must be done in stages to avoid interfering with the general site and other activities on site. Site restoration by replacement of top soil and planting of grass and other vegetation will be undertaken.

Contaminated materials on site

Any materials that may prove hazardous to people and the general environment will be carefully sorted out, properly packed and transported to secure areas to ensure that risks associated with such are totally eliminated.

Qualified experts and or institutions will be contracted to do the identification, collection, sorting and transportation of this materials from the site to specific areas allowed by the National Environmental Management Authority for disposal of such materials. Moreover, the disposal process should ensure that the materials are disposed of in such a form that it will not pose a threat to the environment of the dump site and even to the local community.

Alteration of the development skyline

This is considered not a major impact by virtue of the fact by the time decommissioning is done, the project structures will be considered obsolete. The site will therefore be rejuvenated and developed to acceptable standards and in line with the trends and planning standards of the time such that there will be no distortions to the development skyline and character of the neighbourhood.

CHAPTER SEVEN: ENVIRONMENTAL MANAGEMENT PLAN

7.1 Preamble

Chapter 7 outlines the various environmental impacts envisaged and provides mitigation measures against each of the identified impacts. This plan is very imperative in supplementing the numerous mitigation measures proposed in the previous chapter. Most significant is the fact that it does provide a responsibility pact in matrix form where the different actors are linked to the roles they will play in the implementation process. The EMP provides a logical framework within which all the identified negative environmental impacts can be consistently and effectively mitigated and monitored. If this is adhered to, the environment will not be compromised at all levels of the implementation process.

However, it is worth noting that from the foregoing analysis, proposed project activities will have some impacts on the biophysical environment, health and safety of project workers would be judiciary staff, members of the public and socio economic well-being of the local residents around the site. Thus, the main focus of this project report is to minimize to negligible levels the negative impacts and maximize the positive impacts associated with the project activities through a programme of strategic and careful execution at all stages of the process.

To this effect therefore, an Environmental Management and Monitoring Plan (EMP) has been structured to assist the proponent in mitigating and managing all possible negative environmental impacts associated with the life cycle of the project. The EMP has been developed to provide a basis for an Environmental Management System (EMS; ISO 14001 principles) for the project. It is noteworthy that key factors and processes may change through the life of the project and considerable provisions have been made for dynamism and flexibility of the EMP. As such, the EMP will be subject to a regular regime of periodic review especially through continuous and comprehensive environmental audits.

7.2 Objectives of the Environmental Management Plan

The main objective of the plan is to ensure that there is no compromise on the environmental quality at any cost and at all levels and stages in the implementation of this particular project. Specific objectives include but are not limited to:

- Ensuring environmental health and safety within the living environment and *minimizing environmental risk* during the design, construction and operation phases.
- Incorporating environmental principles into development planning, design, construction and operation to enhance environmental conservation and protection as well as promote sustained ecosystem well-being.
- To provide mitigation measures against all identified and potential negative impacts resulting from the activities of the proposed development
- Creating, facilitating and supporting environmental awareness within the project site and the neighbourhood to inculcate environmental philosophy, ethics and principles among actors and concerned parties in order to achieve sustained environmental quality management.
- To assign duties to various actors in the management plan for purposes of enhancing accountability in this project
- To provide a logical framework for environmental management and monitoring.
- To provide a reference base for future environmental audits of the Isiolo High Court.

7.3 The Environmental Management Plan

This plan provides for the identification of potential impacts, necessary actions, mitigation measures and responsibilities pertaining to prevention, minimization and monitoring of significant negative impacts and maximization of positive impacts associated with the construction and operational phases of the housing project are outlined in the table below. In general, the table outlines the potential safety, health and environmental impacts associated with the project and detail all the necessary mitigation measures, as well as the individuals responsible for their implementation and monitoring. The EMP will be used as a checklist in future environmental audits.

Table 6: Environmental Management and Monitoring Plan for the proposed Isiolo High Court

Environmental impact	Project phase	Proposed Mitigation measures	Actors	Monitoring system	Time Frame	Verifiable Indicators	Cost Estimate Kshs.
Temporary Displacement of staff	***Construction Phase***	The site proposed for construction of the court is already in use. Some structures and functions require adjustment before commencement of works. Re-organization of the site shall cause relocation and adjustments to give room to construction process. This may occasion shifting of staff to cater for diverse interests of construction process. The following will be implemented: • Establish a functional site office before commencement of construction work • Establish an on-site store house for temporary storage of materials and tools during the construction period • Liaise with the current court staff and chief executive office on space allocation and demand to minimise interruption during the construction phase • Allocate alternative space for any staff members that may be displaced due to the construction works and related activities	**Judiciary County Govt Contractor**	*Displacement of current court and or government staff*	*Initial phases of the construction*	*No of staff displaced Alternative working areas/spaces*	*No extra cost envisaged*

Interruption of current Court and other adjacent government offices Operations	***Construction Phase***	• Enclose the entire construction site during the entire construction period • Notification of the current court users and adjacent government offices of the commencement of the construction works one month prior to actual constriction • Use of well-maintained excavators, trenching and loading/ offloading machines on site • Delivery of material may require use of self-loading and offloading machines that emit low noise levels • Water the site to minimise on dust emission • Manage construction activities to reduce nuisance to the neighbourhood • Manage delivery and supply of materials to be done only during early morning, lunch hour and other off-peak times	*Contractor* *Proponent* *County enforcement department*	*Noise Levels* *Dust* *Vibrations*	*Entire construction period*	*Normal operations of adjacent government offices/current court* *Reduced nuisance*	*No extra Cost as this is part of the total project cost*
Interruption of traffic along Tullo Roba road.	Construction & operational	• Provide walkways for use by pedestrians to avoid competition between hard and soft traffic • Transportation of construction materials and excavated soil to be carried out during off-peak hours only. • Sensitization of truck drivers to avoid unnecessary road obstruction • Provision of ample parking on-site and plot frontage. • Sign posts to guide motorists to and from the construction site	Proponent Contractor	-	From the start of construction works to completion	Enough parking lots Sign posts	*No extra cost to the proponent*

		• Deliveries of goods to make use of a 6 metre lane provided for this purpose only					
Labour influx & Increased Housing Demand	*Construction and Operational Phases*	• *Draw casual labour from the local community to reduce need for new housing provision* • *Use of local materials and suppliers where applicable* • *Provide temporary on-site housing for resident workers* • *JSC, County and National Government to consider staff housing*	-JSC -Contractors -County & National governments	=	From official opening of the court house	No of staff housed No. of housing units constructed	150,000,000
HIV/AIDS and other SYDs prevalence	Construction operation	• Training of construction workers and court staff on importance and methods of Abstinence and safety in sexual activity • Awareness creation on HIV/AIDS causes, spread and effects • Incorporate voluntary HIV testing and counselling • Promote the use of protection in cases of sexual intercourse such as condoms • Avoid sharing use of injecting tools and or equipment • Use of protective gear while on site to avoid contact with blood in case of injuries	-Workers -Court staff -Contractor County health department -NGOs in health sector	=	=	=	500,000
Destruction of soil structure and ground profile	***Construction***	• Use of well-maintained and appropriate machinery and tools for site clearing	Contractor Proponent	Inspection Observation	Initial stages of the	-	No extra cost-part of project

		and excavation works • Compacting of loose soil in excavated areas • Heavy machinery and trucks must be kept off-site in the Contractor's yard • Ensure that new landforms are compatible with neighbourhood development character • Ensure management of excavation activities especially during rainy conditions • Provide soil erosion control structures to help in management of surface run-offs during construction phase. • Installation of drainage structures properly • Proper Landscaping of the site to be done after completion of construction works • Use of dug up loose soil for backfilling • Proper planning of construction activities such that demarcation affects only designated sections			construction phase		cost

Interference with the soil profile	Construction	• Ensure management of excavation activities especially during rainy conditions • Provide soil erosion control structures on the steep side during construction phase. • Use of well-maintained machines and equipment for this very purpose • Installation of drainage structures properly • Compact loose soils in excavated areas • Proper Landscaping of the site to be done after completion of construction works	Contractor Proponent Landscape Architect	Inspection		Landscaping Existence storm water drains	No exta cost
	Operation	• Ensure proper maintenance and efficiency of erosion control channels and measures besides the landscaped lawns • Use of storm water drains	Contractor Proponent	Routine maintenance	-	-	No extra cost
Increased surface water run-offs	Construction / Operation	• Provision of storm water trenches and drains on site • All roof water and surface runoff water to be collected and stored in underground water reservoirs to use • Proper and regular maintenance of drainage systems	Proponent contractor	-	-	Surface water drains	No extra cost
Piling of loose soil and other debris on site	***Construction***	• Enclose the site to prevent these waste soils and other debris from spilling over to neighbouring properties, the road reserve and storm water drainage channels	Contractor Proponent		-	-	No extra cost

		• All dug up soil to be removed promptly and disposed of to appropriate areas approved by the Isiolo County Government and NEMA • Re-use the soil in backfilling and landscaping • Construction materials to be supplied on demand and right quantities for use in *time*					
Fire risks	***Operation phase***	• One 9kg Co2 fire extinguisher shall be stationed at strategic points all-round the premises • Water hydrants should be installed. • All the electrical connections shall be connected to one central emergency stop switch; in addition, they shall be designed by a registered engineer • A lot of care must be taken while offloading of supplies and while undertaking day to day activities • All buildings on site to be made of non-combustible material	Station manager Contractor Proponent Project Engineer	Routine checks verification Adherence to design standards of flammable and combustible materials	Design and construction Phases Operation phase	Hydrants, extinguishers and alarm systems	Part of project cost thus no extra cost

Oil spillage from vehicles, standby generator e.t.c		• Oil interceptors will be constructed along the drainage system to trap sediments and grease/ oils in the premises. Grease, oil spills and detergents could lead to contamination of surface water sources and soils. • Oil skimming should be done frequently to prevent carry-over of contaminants to the open storm drains. • Installation of 'Leak Detection system' in the pressurized pipework to detect and close down pumps in case of any leakage. • Analysis of discharge from the interceptor to be conducted one every 6 months. • Heavy duty manhole covers provided and in place at all times unless skimming is in progress to prevent fall of persons.	Property manager Contractor Proponent Engineer	Routine checks Inspections analysis	Every 6 months Construction & operation cycles	No oil spills Interceptors Grease traps	To be determined by the contractor
Air pollution *through exhaust fumes and dust emissions*	Construction	• All trucks and any other mode hauling soil sand and other loose materials to and from the site should be covered • All these trucks must maintain at least two feet of free board to prevent overflow of materials as this is recipe for free fall thus pollution. • The site should be enclosed with dust-proof net • Workers on site to have dust masks • Vehicles and machines to be switched of	property manager Contactor	Inspection/ observation	On a daily basis	-Enclosed construction sites -Workers to have dust masks	*No extra cost to be incurred as this has been factored in the total project cost*

		when not in use on site as roaring engines blow up dust and release exhaust fumes • If possible, use of electrically operated machines to reduce exhaust fumes • Control speed of construction vehicles to reduce dust generation • Sprinkling of water on dry soils in excavated areas, pavements and staging areas on site to suppress dust. • Regular maintenance of construction plant and equipment for enhanced efficiency • Use of clean fuels for machines and equipment • Provide barriers such as walls and netting around site boundaries to provide some buffer against dust emissions (where applicable). • Encourage other people to either avoid and or minimize the coming to this site during construction works • All pipes leading to the Sewer systems to have *P-traps* to prevent fowl air from the decomposing wastes coming back to the house.	Proponent			-covered heavy commercial trucks	
Occupational safety and health risks	Construction and operation phases	• All workers and visitors on site to use mandatory protective gear • Unattended entry to the project site to be restricted • Use of efficient and well maintained machines to lift and transfer materials	Contractor workers	=	Regularly	=Fire extinguishers =Warning signs =Visible	*No extra cost*

		• Removal of all dangerous materials that may pose a threat such as metal bars, wires, glass and broken equipment. • Availing of fully equipped first Aid kitties to help address emergencies. • Installation of fire-fighting equipment at strategic points • Warning signs to all users and visitors be placed at appropriate places • Emergency numbers to be given to all Court users and or staff so as there to be efficient response to emergency situations. • Educate construction workers and Court users and or staff on health and safety risks and their prevention	Proponent Visitors to the site			emergency numbers	
Gender Imbalance and Immigration	Construction and Operation	• Ensure employment of both women and men as per the constitutional requirements of the 2/3 gender rule • Ensure no discrimination of women during recruitment and work • Have a clear work plan and responsibilities distribution framework for all workers (Male and female) • Prioritize local labourers in recruitment especially on casual labour and related assignments	Contractor Project supervisor proponent	=	regularly	Staff lists Daily routine allocation sheets	*No extra cost*
Interference with the privacy of adjacent developments	Construction, Operation	• Orientation of the premises in relation to adjacent developments to enhance privacy. • Screening by use of a net during construction works • Maintaining only the right amount of	Contractor Project Architect	Frequent inspection	During construction	No complaints from neighbours	*No extra cost to the proponent*

		workers on site at any particular time • The vegetation already around the site to promote privacy					
Increase in land Use density	Construction	• Ensure this development blends with the neighbourhood character • Comply with regulatory and legal requirements as per the conditions of the Isiolo County Government and the Physical Planning Act, 1996 • Ensure that provision of services such as water and electricity is increased to cater for all Court users and or staff.	Proponent Contractor	Inspection	construction and completion of the structure	Change of user The development to be in harmony with adjacent development	130,000
	operation	• Maintenance of landscaped gardens, conservation and management of vegetation and gardens on and around the site	Proponent	Inspection	Weekly	The number of planted trees on site	No extra cost
Noise pollution and excessive vibrations	Construction	• Comply with the maximum permissible noise levels for construction sites as provided for in the second schedule of the Environmental and coordination (*Noise and excessive vibration pollution)* control regulations of 2009. • Use of well-maintained and serviced machines and equipment for this very purpose • Ensuring that all construction activities to be restricted to daytime(008-1700hrs) • Workers in the vicinity of high-level Noise to wear safety & protective gear. • Install portable barriers to shield compressors and other small stationary equipment.	Contractor Proponent	Inspection/ observation	Random	=	No extra cost

		• Location of all stationary noise sources from high sensitive primary receptors as far as possible such as the adjoining Isiolo High Courts.					
	Operation	• No reckless hooting on site • Control events, points or sources of noise • Awareness creation for all visitors to the site not to generate unnecessary noise	Proponent/property manager	Inspection/ observation	Daily	Meets EMCA (Noise and Excessive Vibrations regulations 2008).	No extra cost
Pollution of underground water resources	Construction	• All liquid wastes generated on site to be channelled to reinforced Tank constructed on site for this very purpose • All pipes directing waste water to the tanks to have oil/grease interceptors • Ensure proper maintenance of machines and equipment to avoid leaks • Maintenance of construction vehicles should be carried out in the contractors yard and not within the site • Use approved, strong & durable materials for waste water drainage system connections • No waste waters from the site will drained into the environment at all	Contractor Proponent	Inspection	Daily	No water clogged on site No oil spillage on site	No extra cost
	Operation	• Ensure sound working of oil interceptors along the drains	Contractor	Inspection	Daily	Oil interceptors along drains.	No extra cost
Increased Water demand	Construction	• Construct water reservoirs and rainwater harvesting systems for conservation • Use of tanker water for construction works • Management of water usage for	Contractor	Inspection/ observation	Random	Water reservoirs Well fitted water conservancy taps	No extra cost

		construction and re-use in lawns/gardens. • Avoid unnecessary water wastage • Recycling of water where possible • Install water conserving taps that turn off automatically when water is not being used.					
	Operation	• Make use of roof catchments to provide water i.e. for general purpose cleaning and watering of gardens • Install water conserving taps that turn off automatically when water is not being used. • Quick fixing of leaking taps and pipes to avoid wastage of water • Never leave running taps on after use	Property managers Visitors proponent	Inspection/ observation	Random	Water conservation taps Stored rain water	No extra cost
Loss of Habitat and Biodiversity	construction	• Removal of only necessary vegetation where construction works will be carried out • Proper demarcation of the project site to establish only the area that will be affected by the construction works to avoid spilling over to the rest of the plot • Landscaping of the site after construction by planting grass ,flowers and other forms of Vegetation in all open spaces • Encourage terrace gardening *(where applicable)*	Landscape architect Contractor Proponent	Inspection/ observation	Random	Terrace gardens Natural grass lawns and trees	No extra cost
Increased Solid Waste	Construction and	• Ensure that all the solid waste management during construction and	Contractor and	Observation	Daily	Litter free environment	10,000

generation	operation	operational phases of the project do comply with the Environmental Management and Coordination(Waste management) regulations of 2006 • Use of construction materials that need minimal packaging to reduce packaging wastes on site • Ensure a continuous review of waste management procedures with changing technology and regulatory changes. • Incorporate suitable facilities for collection, segregation and safe disposal of solid wastes. • Provide bins for solid waste disposal in every household • Dustbin cubicles must be protected from stray animals and rain • Bins should be regularly cleaned and disinfected • All solid waste to be collected regularly and promptly and safely transported by a private company contracted for this purpose to an appropriate dumping site approved by the County Government of Isiolo • Transportation of the wastes should be in such a way that there will be no reckless dumping and or littering on the road	Proponent Isiolo County Govt			Litter bins	
Increased liquid waste Generation	Mostly during Operation	• Ensure that all liquid waste generated on site is channelled to the Sewer systems and complementary soak pit on site. • All channels leading from the parking bay to have grease and oil filters and	Contractor Proponent	‘’	Randomly	Functional Sewer systems and soak pits	No extra cost

		interceptors • Construction works to be done to standard to avoid incidences of spillages and linkages. • Sludge to be removed regularly by a private exhauster contracted for the same. • Proper maintenance of the waste water drainage systems					

DECOMMISSIONING IMPACTS

Expected Negative Impacts	Recommended Mitigation Measures	Actors	Time frame	Indicators	Cost
Accumulating of solid wastes and other debris on site	• Ensure that all the solid waste management mechanisms during construction and operational phases of the project do comply to the Environmental Management and Coordination (Waste management) regulations of 2006 • All wastes will be collected and carefully transported to approved disposal sites • Wastes generated as a result of facility decommissioning activities will be characterized in compliance with standard waste management procedures. • Disposal locations will be selected by the contractor based on the properties of the particular waste stream and in compliance to NEMA regulations on waste disposal besides the areas set aside by the County Government of Isiolo for this very purpose only.	Proponent Demolition contractor	Throughout	No piling of wastes on site	40,000

	• All buildings, machinery, equipment, structures and tools that will not be used for other purposes should be removed and recycled/ reused say in other projects • Where recycling/reuse of the machinery, equipment, implements, structures, tools and other waste is not possible, the materials should be disposed to approved dumpsites. • All trucks ferrying wastes from site to be covered using canvas • All these trucks to have 2 feet off-board of wastes to prevent some of the wastes falling off				
Water pollution	• Elaborate procedures for finding contaminated material during demolitions will be established • Covering and proper dumping of excavated materials • Appropriate handling and storage of contaminated material if found. • Ground contamination and storm water contamination will be limited on site by proper handling and storage of materials and equipment.	Contractor proponent	All through		No extra cost
Air pollution	• The site should be enclosed by dust proof net • Watering of the site and dusty materials to suppress the dust generated • 3 months' notice to be given to neighbours notifying them of the intended demolition works • All trucks hauling the debris to be fully covered • Demolition works to be done only during the day between *8am-5pm*	Contractor proponent	=	=	=
Noise Pollution	• Use of low noise, efficient and well maintained machinery for the demolition works	Contractor proponent	=	=	=

	• Enclosing the site to help contain the dust • Demolition works to be carried out during the day between 8am-5pm				
Vibrations	• Use of well-maintained and serviced machinery for the demolition works • Systematic excavations with proper care to avoid unnecessary vibrations	Contractor proponent	During excavations	=	=
Loss of vegetation and soil degradation	• Implement an appropriate re-vegetation programme to restore the site to its original status • During the re-vegetation period, appropriate surface water runoff controls will be taken to prevent surface erosion; • Monitoring and inspection of the area for indications of erosion will be conducted and appropriate measures taken to correct any occurrences; • Fencing and signs restricting access will be posted to minimize disturbance to newly-vegetated areas; • Carry out soil tests for contaminants & if need be, scoop out any contaminated soils and replace with uncontaminated soil from another source • Comprehensive Landscaping: Planting of grass, shrubs and other kinds of vegetation on site to restore it to its original status • Rehabilitation of the site to be done in such a manner as to conform to the general site conditions without distorting the character of the wider plot.	Contractor proponent	=	=	10,000
Physical Health hazards	• Unattended entry to the project site during this phase to be highly restricted. • All workers and visitors on site to use mandatory protective gear • Ensure that safety measures have been effectively integrated and positioned in respective areas of the project to control and manage	=Workers =Visitors =Contractor =Proponent	=	=	To be determined by the contractor

	fire outbreaks • Hazardous areas shall be suitably protected say using strong rails to avoid occurrence of incidences • The safety of the workers should surpass as a priority of all other objectives in the decommissioning project				
Soil pollution	• Carry out extensive soil tests to identify any soil contaminants and radioactive substances • Contracting of qualified personnel/experts to carry out the soil tests • Elaborate soil treatment and restoration in case of contamination	Proponent Engineer			30,000
Loss of income and residence	• An elaborate Environmental Impact Assessment will be carried out by a registered ESIA expert for the decommissioning phase activities • A three months' notice to be issued to all individuals who will still be Court users and or staff by the time of decommissioning to look for alternative areas of employment and or residence • Adapt a project – completion policy: identifying key issues to be considered. • Assist with re-employment and job seeking of the involved workforce. • Compensate and suitably help all those affected by the decommissioning of the project. • Offer advice and counselling on issues such as financial matters.	Contractor proponent	=	=	=

7.4 CONCLUSION

This ESIA project report has been prepared and submitted with strict adherence to the provisions of EMCA (2015) and Environmental (Impact Assessment and Audit) Regulations (2003). It provides a comprehensive account of all potential socio-economic and environmental impacts likely to be caused by the execution of the proposed Isiolo High Court. It has further given an analysis of these impacts together with mitigation measures to cushion the environment against potential negative impacts as provided for in the Environmental Management Plan.

As documented in the preceding analysis, the report established that the proposed development is a ***Low risk*** project and is consistent with the permissible developments in Isiolo Town as per the Zoning guidelines of the County Government of Isiolo. In line with this therefore, all the envisaged negative impacts identified will meritoriously be mitigated by the provisions of the Environmental Management Plan; provided that they are adhered to the latter by all parties involved in the execution of this project. The EMP shall be used by the NEMA, County Planning Department and proponent to enforce development control in an attempt to meet statutory regulations. Annual audits shall also be executed to establish efficiency and adequacy of operational systems.

7.5 RECOMMENDATION

In this regard therefore, the consultant considers that the information presented by this report is *adequate* and *accurate* to enable NEMA and other relevant institutions and agencies to approve the project and monitor its execution process. The proponent has been briefed of the details of this final report and has agreed to abide by the proposals therein due to the fact that he was actively involved at all stages of its preparation. It is with these considerations that I recommend this project for approval and issuance of NEMA license to the proponent.

REFERENCES

i. *World Bank, 2015, OP 4.01 "Environmental Assessment Guidelines*

ii. *World Bank, 2015, OP 4.01 "Environmental Assessment, Annex C, Environmental Management Plan"*

iii. *World Bank, "OP 8.00, Rapid Response to Crises and Emergencies,"*

iv. *World Bank, 2008, Safeguard Policies on Environmental and Social Impact Assessment (ESIA)*

v. *Isiolo County Integrated Development Plan, 2013-2017*

vi. *Sustaining Judiciary Transformation (SJT),a Service Delivery Agenda, 2017-2021*

vii. *Republic of Kenya (1996),* ***Physical Planning Act, Cap 286,*** *Section* ***36***

viii. *The Judiciary Strategic Plan,* ***2014-2018***

ix. *Republic of Kenya (2011),* ***The Environment and Land Court Act***

x. *Republic of Kenya (2012),* ***The County Governments Act***

xi. *Republic of Kenya (2015),* ***Environmental Management and Coordination (Amendment) Act, 2015***

xii. *Republic of Kenya (2003),* ***Environmental (Impact Assessment and Audit) Regulations 2003***

xiii. *Republic of Kenya (2011)* ***Urban Areas and Cities Act***

xiv. *Republic of Kenya (1968),* ***The Building Code***

xv. *Kenya gazette supplement Acts* ***Penal Code Act (cap 63)***

xvi. *Republic of Kenya, (2008),* ***Isiolo District Development Plan (2008-2012)***

xvii. *Republic of Kenya (****2002****),* ***The Water Act***

xviii. *Republic of Kenya (1972),* ***Public Health Act (Cap 242)***

ATTACHMENTS

1. Land Ownership Documents

NATIONAL LAND COMMISSION

Telegrams: "Lands",Nairobi
Telephone: Nairobi 718050/9

REGISTERED

Ardhi House
Off Ngong Road
P.O. Box 300089
NAIROBI

20th September, 2016

Cabinet Secretary Treasury
P.O. Box 30007
NAIROBI

Ref. No. 209163/X11

LETTER OF ALLOTMENT

SIR(s) MADAM,

RE: ISIOLO TOWNSHIP BLOCK 1/356 - SITE FOR ISIOLO LAW COURT

I have the honor to inform you that the National Land Commission, on behalf of the **County Government of Isiolo** hereby offers you grant of the above plot subject to your formal written acceptance of the following conditions and payment of charges as prescribed hereunder:

AREA: .....**0.9928**.....hectares (approximately).
TERM: .....**99**..... years from the **1.10.2016**
STAND PREMIUM: **NIL** } Subject to adjustment on survey, but
ANNUAL RENT: **Shs. 72/=** } there is no claim for reduction in area on Survey.

GENERAL:This Letter of Allotment is subject to, and the grant will be made under the provisions of the Lands Act (No. 6 of 2012) and title will be issued under the Land Registration Act (No. 3 of 2012)

SPECIAL CODITIONS: *See* attached.

2. I should be glad to receive your acceptance of the attached conditions together with banker's cheque for the amount as set out below within thirty (30) days of the postmark:

	Sh.
Stand Premium.....	NIL
Rent from **1.10.2016**.....to **31.12. 2016**	**18/=**
Conveyancing Fees.....	**1,250/=**
Registration Fees.....	**500/=**
Stamp Duty.....	**50/=**
Rates ..... on demand	-
Survey Fees.....	-
Road and Road Drains	-
Others.....Approval fees	**5,000/=**
Receipt Nos..... *of* ..... *Less* Deposit	-
	6,818/=

*delete as appropriate.

P.T.O.

SPECIAL CONDITIONS

1. No further buildings shall be erected on the land nor additions or external alterations be made to any buildings otherwise than in conformity with plans and specifications previously approved in writing by the National Land Commissionand the County Government. Such approval shallnot be given unless the proposals are such as to develop the land adequately and satisfactorily.

2. The Lessee shall maintain in good and substantial repair and condition all buildings at any time erected on the land.

3. The land and buildings shall only be used for Law Courts.

4. The buildings shall not cover a greater orlesser area of the land as may be laid down by the County Government in its by-laws.

5. The Lessee shall not subdivide the land without prior written consent of the National Land Commission.

6. The Lessee shall not sell, transfer, sublet, charge or part with the possession of the land or any part thereof or any buildings therein except with prior consent in writing bythe National Land Commission.

7. The Lessee shall pay to the National Land Commission on demand such sum as the National Land Commission may estimate to be proportionate cost of constructing all roads and drains and sewers serving or adjoining the land on completion of such construction and the ascertainment of the actual proportionate cost either pay (within seven days of the demand) or be refunded the amount by which the actual proportionate cost exceeds or falls short of the amount paid as aforesaid.

8. The Lessee shall from time to time pay to the National Land Commission on demand such proportion of the cost of maintaining all roads and drains serving adjoining the land as the National Land Commission my assess.

9. Should the National Land Commission at any time require the said roads to be constructed to higher standard the Lessee shall pay to the National Land Commission on demand such proportion of the cost of such construction as the National Land Commission may assess.

10. The Lessee shall pay such rates taxes charges duties assessments or outgoing of whatever description as may be imposed charged or assessed by any County Government, National Government or National Land Commission upon the land or buildings erected thereon including any contribution or other sum paid by the National Land Commission in lieu thereof.

11. The National Land Commission or the County Government (or such person as may be appointed for the purpose) shall have the right to enter upon the land and have access to water mains service pipes, drains, telephone or telegraph wires and electrical mains of all descriptions whether overhead or underground and the lessee shall not erect any buildings in such a way as to cove or interfere with any existing alignments for mains or service pipes or telephone or telegraph wires and electric mains.

12. The National Land Commission reserves the right to revise the annual ground rental payable hereunder after the expiration of every ten years of the term hereby granted. Such revised rent will be at the rate of 4 per centum of the unimproved site value of the land.

If acceptance and payment respectively are not received within the said thirty (30) days from the date hereof the offer herein contained will be considered to have lapsed.

Kindly exercise the greatest care to ensure that any building or other works are contained within the boundaries of the plot for should you inadvertently overstep the aforesaid boundaries the coast of removal and reconstruction must be borne by you.

The issuance of the Commission lease will be undertaken as soon as circumstances permit. **Any lease issued without the Commission Seal and signature renders this offer null and void.**

Your full name (s) in BLOCK LETTERS should be given for the purpose of the grant which will be submitted later to you. The attached special conditions form part of the offer which should be accepted in writing. **The Commission shall not accept any liability whatsoever in the event of prior commitment or otherwise.**

I have the honour to be,
Sir(s) Madam,
Your obedient servant,

Authority: NLC Approval vide
File No. **209163/X11**
Prepared by – S.M. OSODO
Serial No. **LA/NLC/ 156**

S.M. OSODO
For: CHAIRMAN
NATIONAL LAND COMMISSION

ENCL

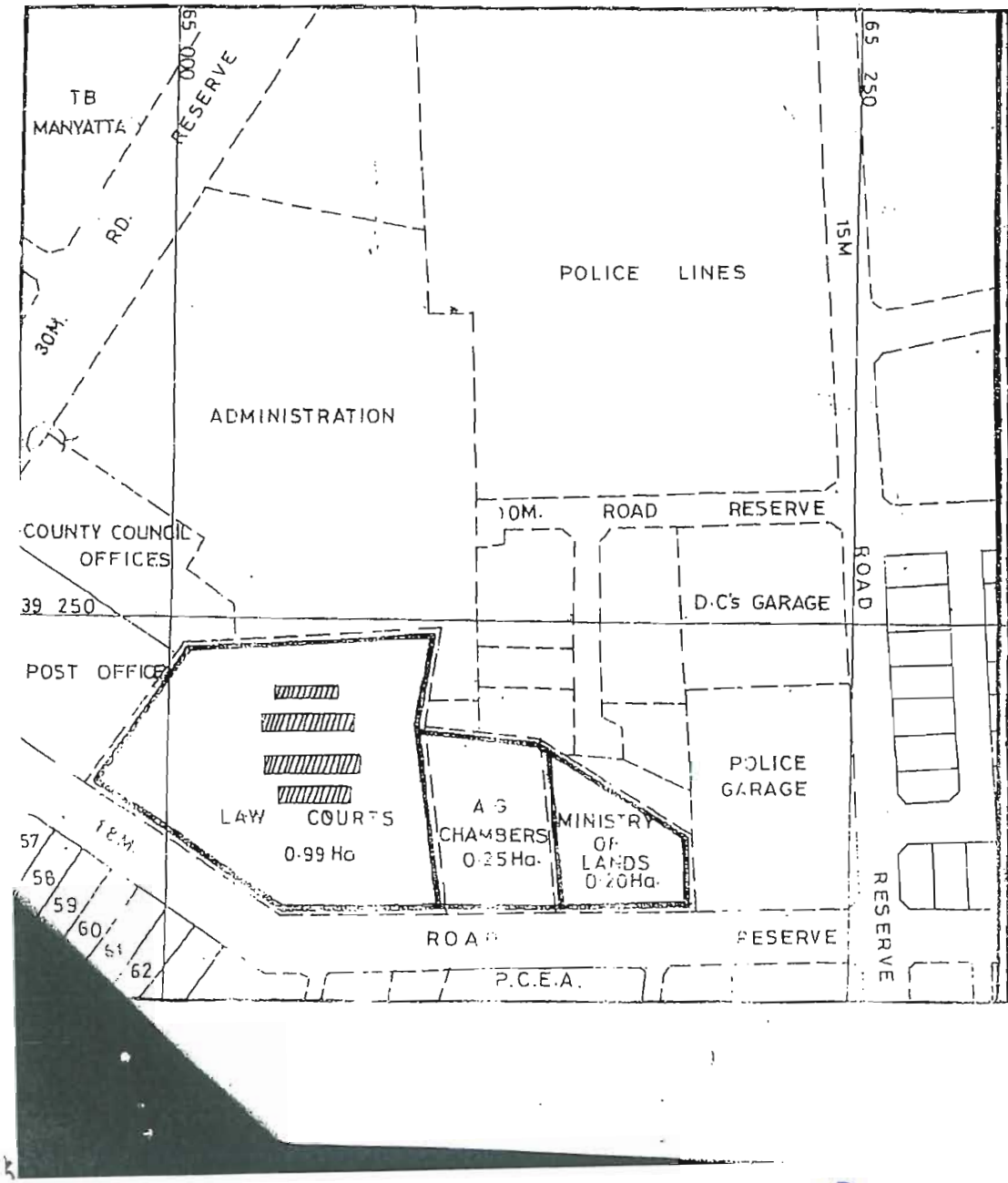
TO: Ministry of Lands and Physical Planning
The Director of Surveys, Nairobi.
The County Secretary , **Isiolo**
The Director of Physical Planning, Nairobi
The County Commissioner ,**Isiolo**
District Land Officer, **Isiolo**
Rates Assistant.
The Accountant.
O/C Records.
Senior Plan Records Officer } All to note
Plot File.

GPK (L)

DISTRICT PHYSICAL PLANNING OFFICER
ISIOLO DISTRICT

Certified copy of the original

9/4/2012



EXISTING SITES FOR MINISTRY OF LANDS OFFICES, LAW COURTS, & A. G. CHAMBERS.

CERTIFICATE:

I certify that the plan has been prepared and published as per the requirements of the Physical Planning Act Cap. 286.

Name of Physical Planner .....

Signature ..... Date .....

MINISTRY OF LANDS
PHYSICAL PLANNING DEPARTMENT

ISIOLO

PART DEVELOPMENT PLAN

SCALE	1: 2,500
DATE	4—11—08
PREPARED BY	FRED SWALLAH
DRAWN BY	I. W. KANYARI

DEPARTMENTAL REFERENCE No. ISL/117/08/04

Certified by:

DIRECTOR ..... DATE .....
PHYSICAL PLANNING DEPARTMENT

Approved by:

..... Hon. Minister for Lands

NAIROBI DATE .....

APPROVED DEVELOPMENT PLAN No

ites referred to Equator & 37° East

Metres

	↑Y (Northings)	→X (Eastings)	Heights	Class of Beacons		
	38 970 . 01	65 268 . 18		I·P·C·U.	Old	FIR No. 224/168
	39 141 . 26	64 971 . 74		"	"	" "
	39 098 . 16	64 809 . 02		"	"	" 238/7
	39 299 . 83	64 905 . 53		"	"	" "
	38 970 . 24	65 328 . 77		"	"	" 224/168
	38 959 . 90	65 404 . 68		"	"	" "
	39 133 . 86	65 026 . 84		"	New	
	39 216 . 06	65 035 . 54		"	"	
	39 223 . 36	65 093 . 28		"	"	
	39 178 . 91	65 117 . 05		"	"	
	39 175 . 21	65 143 . 98		"	"	
	39 128 . 71	65 190 . 93		"	"	
	39 048 . 71	65 149 . 77		"	"	
	39 980 . 83	65 164 . 40		"	"	
	38 926 . 60	65 160 . 73		"	"	
	38 868 . 13	65 262 . 75		"	"	
	39 120 . 18	65 043 . 58		Theoretical		
	39 138 . 49	65 048 . 24		I·P·C.	New	
	39 180 . 93	64 980 . 28		"	"	
	39 231 . 57	65 013 . 74		"	"	
	39 241 . 07	65 108 . 93		"	"	
	39 205 . 28	65 104 . 29		"	"	
	39 203 . 12	65 146 . 50		"	"	
	39 166 . 57	65 204 . 65		"	"	
	39 147 . 86	65 205 . 76		"	"	

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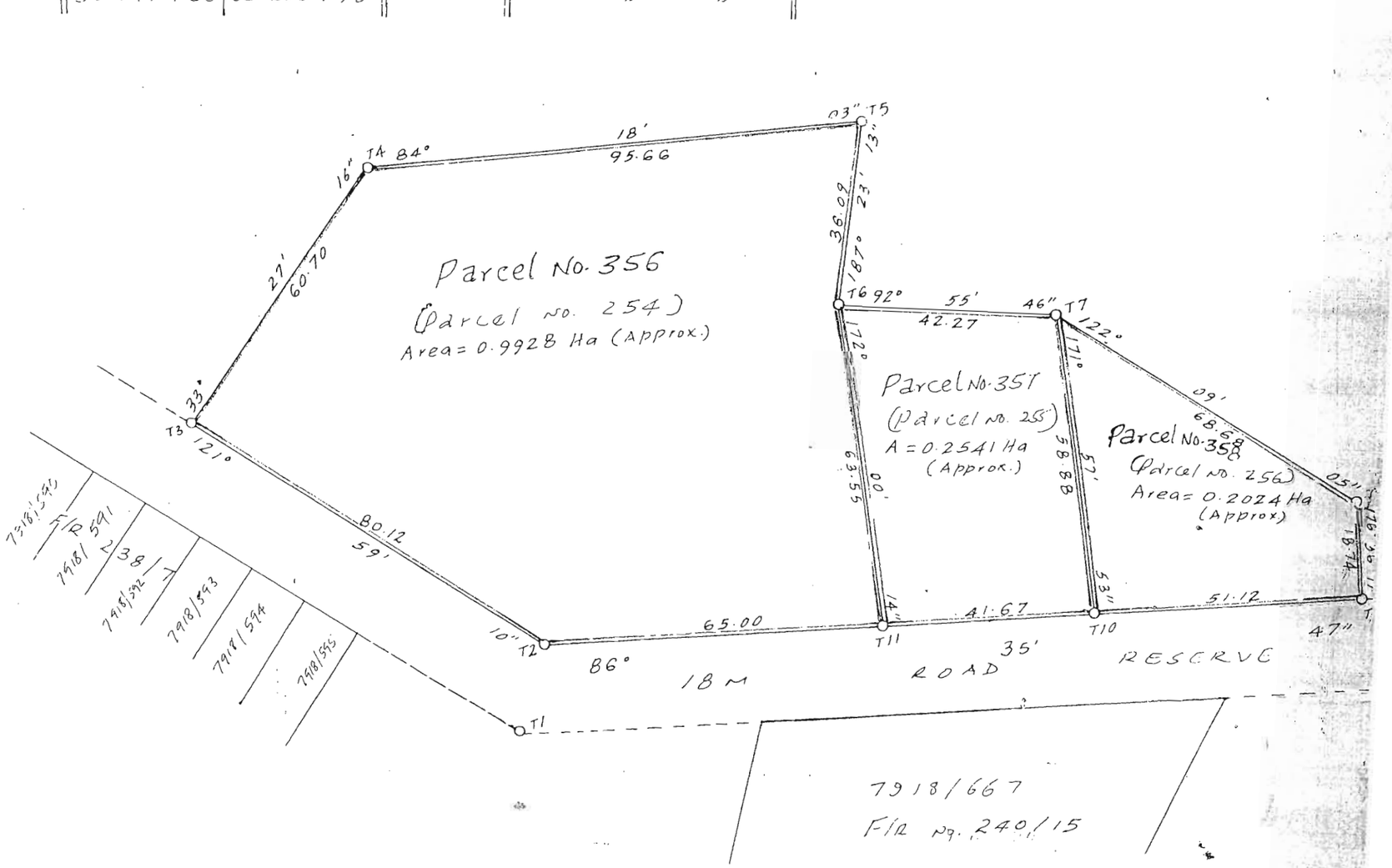

I certify that all the work done in the field and in the office by me or approved assistants ..... has been carried out under my full direction and I take full responsibility for all the work so performed

NEW NO:

Note: Parcel No.

2. ESIA/EA Lead Expert Practising Certificate 2017

FORM 7 (r.15(2))

EIA/EA Practicing License

nema
mazingira yetu | ukai wetu | wajibu wetu

NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY(NEMA)

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT

ENVIRONMENTAL IMPACT ASSESSMENT/AUDIT (EIA/EA) PRACTICING LICENSE

License No : NEMA/EIA/ERPL/3388

Application Reference No: NEMA/[illegible]/5386

M/S **Fred Wasike**
(individual or firm) of address

P.O Box 2002 Malindi

is licensed to practice in the

capacity of a (Lead Expert/Associate Expert/Firm of Experts) **Lead Expert**
registration number **1172**

in accordance with the provision of the Environmental Management and Coordination Act, 1999.

Issued Date: **3/16/2017** Expiry Date: **12/31/2017**

For the proposed High Court Development in Kiolo Town for the Judiciary, on parcel C.R. No. Kiolo Township Block 1/356, Kiolo Town
01/03/2017

Signature.....

(Seal)
Director General
The National Environment Management Authority

P. T. O.

Cert No. 1,000,245

EIK Environment
INSTITUTE OF KENYA

Certificate of Membership

This is to certify that

Fred Wasike

Is a Lead Member of Environment Institute of Kenya
An institute founded in the year 2014 to extend and disseminate
Environmental knowledge and promote the
Practical application for public good.

Herbert Tawa Mwachiro
Chairman

2/2/2017
Date

This certificate remains property of Environment Institute of Kenya. Membership is subject to annual renewal

3. Administered Questionnaires/ Interview Schedules

PUBLIC CONSULTATION & ENGAGEMENT LIST

COUNTY:...ISIOLO **VENUE:...**ISIOLO TOWN **DATE:** ..... *January 2017*

Coordinators: Fred Wasike & David Zinny

No.	Name	Designation/Organization	Contacts Telephone No.	Signature
1	ORRIJABESA Women Group	WOMEN GROUP	0713030992 ~~0713030992~~	[signature]
2	Gempsi Mthiga	Church Member (AIC)	0709586363	[signature]
3	Abdikadir Adan	IMMAM/kambi Bulle	0727233937	[signature]
4	Maalim Abdullahi	Maalim/kambi Bulle	0723246057	[signature]
5	Mwalimu salad	AL-Kheir. Moszue	0703451958	[signature]
6	Fr James Thuranira	Catholic Priest	0726974697	[signature]
7	Eunice Mkatha	MCK Accountant	0722881480	[signature]
8	Mary Waitito	Church Elder	0729894262	[signature]
9	HABIBA G HILAMA	CEC ISIOLO SOUTH	0728124799	[signature]
10	Fred ombati	ombati81@yahoo.com	0795230110	[signature]
11	Osman Jeny Mohamed	—	—	[signature]
12	Abdalla Mohamed Abdalla	AD Elder	0720443899	[signature]

PUBLIC CONSULTATION & ENGAGEMENT LIST

COUNTY:...ISIOLO **VENUE:**...ISIOLO TOWN **DATE:** ..... *January 2017*

Coordinators: Fred Wasike & David Zinny

No.	Name	Designation/Organization	Contacts Telephone No.	Signature
1	Ismail [illegible]	[illegible] / MCA	0722-945570	[signature]
2	Mohamed Ahmed Dahir	M.C.A - Bula Pesa	0721227820	[signature]
3	Golo Jatani Dida	REG Clinical officer	0792397620	[signature]
4	Hassan Bagaji	Sior community facilitator	0721464919	[signature]
5	Boru Golo	lawyer	0701762980	[signature]
6	Ali Ibrahim	Business Man	0703954333	[signature]
7				
8				
9				
10				
11				
12				

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: M. D. MUTUNGA

Postal Address (If any) 244 ISIOLO

Mobile No 0723617514

Distance from the site (Approx.): 3 Kms

Designation: H. C. O.

PRINCIPAL MAGISTRATE'S COURT ISIOLO LAW COURT P. O. Box 244 - ISIOLO

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

—

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

WILL EXPEDITE DELIVERY OF JUSTICE IN LOCALITY

4) According to you, what are some of the costs and inconvenie nces faced in the search for justice:

DISTANCE, FEW JUDICIAL OFFICERS & STAFF.

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

N/A

6) In your opinion, how can the impacts in (3) above be alleviated?

N/A

7) What do you think would be the benefits of having such a development in this area/Town/County?

SHORT DISTANCE TO ACCESS JUSTICE.

8) Any other opinions/Comments over the proposed high Court?

MAGNIFICENT & TIMELY PROJECT

Respondents Validation Signature: .....

Date: 26/4/17

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court ~~house~~ in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

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DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details
Name of Respondent: MOHAMED ~~ADAN~~ HASSAN

Postal Address (If any).....

Mobile No.....0728233216.....

Distance from the site (Approx.): .....

Designation: ...Interpreter.....

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

.....

.....

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

In My Opinion to the above remarks it won't affect the Court process.

.....

.....

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

→ The accessibility of the road.
→ due to the delay of the provision in the judicial sector
→ due to the hardship area.

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

In my view it will have minor negative impact such as air pollution, the dust transportation of the cement during the process of construction, leakage of the toilet by the labarers.

6) In your opinion, how can the impacts in (3) above be alleviated?

In My opinion it wont effect incase any can be alleviated by building iron roof to the building at the site.

7) What do you think would be the benefits of having such a development in this area/Town/County?

→ It will reduce the cases which could have delayed
→ It will solve all the problem we heard back before waiting the outcome of the case to be hard by the high Court
→ It reduce the cost, → We will have access to

8) Any other opinions/Comments over the proposed high Court?

→ the over loaded case will be reduced since we use to sent information from the high Court.
→ We will get all the information on time.

Respondents Validation Signature: .....

Date: .....

Page 20

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court ~~house~~ in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

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It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: ADANO KURAA

Postal Address (If any) 244 - 60300 Isiolo.

Mobile No 0719377277

Distance from the site (Approx.): .....

Designation: Ag. court clerk.

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

N/A

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

- It does not affect any court process; proceedings and access to justice

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

- delayance in provision of justice to the people
- Costly as it is far from the people.

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

It doesn't have any negative effects on the people of this area.

6) In your opinion, how can the impacts in (3) above be alleviated?

N/A

7) What do you think would be the benefits of having such a development in this area/Town/County?

- brings justice nearer to the people. Instead of something in other part of the country.

8) Any other opinions/Comments over the proposed high Court?

I encourage the proposed high court be put in place or start the construction as early as possible as it helps alot in bringing justice nearer to the people.

Respondents Validation Signature: .....

Date: 24/1/2017

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

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DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details
Name of Respondent: GEORGE NATEMBEYA
Postal Address (If any) Box 3, Isiolo
Mobile No 0725 644814
Designation: (CC) COUNTY COMMISSIONER

1) *How long have you been serving at this Town/County?*
Two years

2) *What is your opinion on the proposed High Court?*
The Establishment of a High Court on Isiolo is very timely.

3) *What are some of the impacts on access to justice*
It will create efficiency and effectiveness on the delivery of justice. Cases that require a judge will be handled and Isiolo. The presence of a judge will, hopefully, improve service delivery even at lower courts.

4) *How will the proposed High Court influence your service delivery?*

For delivery of service, all levels in the criminal justice system need strengthening. Cases of delays that have sometimes escalated people to resort to charges will be addressed

5) *What would you like to be incorporated in the plan proposal?*

- Land and Environment Court
- International Crimes Court

6) *Give any personal opinions on the project?*

Isiolo is at the core of Kenya Vision 2030 with critical flagship projects including an International Airport (Completed), Resort City and other Lapsset projects which are underway. The establishment of a High Court in Isiolo will fast track these plans.

Respondents Signature: .....

Date: 24/01/017

COUNTY COMMISSIONER
ISIOLO COUNTY
P. O. Box 3 - 60300
ISIOLO

1. High

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court ~~house~~ in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: Haloba

Postal Address (If any) P.O Box 525-Isiolo

Mobile No 0728124799

Distance from the site (Approx.): 1 km

Designation: Electrons manager

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

N/A

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

This project will enable the normal citizens to access justices without having to incure cost of travels to other counties to seek for high court services

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

- Cost of time and resources - money
- Prolonged court case - Determination of cases
- Affordability of common citizens where lawyers/adv involved

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

- During constructions pollution of air will be affected and the dust can cause affect peoples health
- Noise from concrete mixtures and other machines can be a nuisance at the constructions site will cause disturbance to the neighbours
- Should there be water pipes and sewer systems the construct can affect the neighbourhood.

6) In your opinion, how can the impacts in (3) above be alleviated?

① The construct to use enough water to minimize dust immission.
② Noise should be controlled to sensors - less noise
③ Any major water pipes & sewer systems should be mapped out to avoid damage.

7) What do you think would be the benefits of having such a development in this area/Town/County?

① People will be employed as casuals and Engineers.
② Mama mboga can supply food at a cost for the labourers
③ At the end of the project people will secure employments

8) Any other opinions/Comments over the proposed high Court?

We need the High court service to be at the peoples door steps. The whole of upper Eastern has no high court and so its availability is long overdue

Respondents Validation Signature: [signature]

Date: 25/1/2017

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: JOSHUA RUMO OCHIENG

Postal Address (If any) 204 60300 ISIOLO

Mobile No 0720 576 264

Designation: COUNTY SURVEYOR, ISIOLO

1) *How long have you been serving at this Town/County?*

Four and a half months

2) *What is your opinion on the proposed High Court?*

Recommended. A majority of land cases are usually referred to Meru High court, which is a significant distance from Isiolo, thereby inhibiting accessibility.

3) *What are some of the impacts on access to justice*

The process of cases being heard and determined are prolonged at Meru law courts (High court) due to absenteeism of those seeking justice, largely because of the distance between Isiolo and Meru.

4) *How will the proposed High Court influence your service delivery?*

Prudent delivery of justice services
Fastracking of cases

5) *What would you like to be incorporated in the plan proposal?*

6) *Give any personal opinions on the project?*

Given that each county should self independent in the delivery of justice, I recommend for implementation of project.

Respondents Signature: .....

Date: 24/01/2017

KEY INFORMANT INTERVIEW SCHEDULE

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: Kenya Prisons Services

Designation: .....

Postal Address (If any).....

Mobile No..... Isiolo

Distance from the site (Approx.): .....

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

.....

.....

3) According to you, what are some of the costs and inconveniences faced in the search for justice:

The distance between Isiolo to mera High Court is far and some client have no transport to travel since some of them held from Door background

.....

4) In your opinion, where is the ideal location for the courthouse in the town:
Next to Isiolo Law Court

5) Explain your choice of location in 5 above
the Isiolo Law Court is known to every Community around this area

6) What are some of the negative impacts of this project to people's lives and the environment?
I don't see any negative impact

7) What do you think would be the benefits of having such a facility in this area/Town/County?
Justice, Save some amount of Money for Transport, Job creation to Local Community

Respondents Validation Signature: .....

Date: 24/1/2017

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPII') as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: MOHAMED BAKULI

Postal Address (If any) BOX 8 ISIOLO

Mobile No 0725408955

Designation: OCPD

1) *How long have you been serving at this Town/County?*

Three Months

2) *What is your opinion on the proposed High Court?*

In my opinion there should be a High Court in Isiolo.

3) *What are some of the impacts on access to justice*

1. It will bring justice closer to the people
2. It will facilitate appeals where we have people all the way to ~~Isiolo~~ Meru High Court

4) *How will the proposed High Court influence your service delivery?*

- Make it easier to take suspects to Court

5) *What would you like to be incorporated in the plan proposal?*

6) *Give any personal opinions on the project?*

Respondents Signature: .....

Date: 23/01/2017

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: ....CHARLES MAITHEE.....

Postal Address (If any).....BOX 8 ISIOLO.....

Mobile No....0721221554.....

Designation: ...POLICE INSPECTOR (DCC)

1) *How long have you been serving at this Town/County?*

.....TWO Years.....

2) *What is your opinion on the proposed High Court?*

.....I support the afore mentioned project.....

.....

.....

.....

3) *What are some of the impacts on access to justice*

- It will ease travelling to far High Courts ie Meru
- Back log of cases especially capital offences proceedings will be done in a short period of time due to the available facility. (High Court)
- The distance between the Court especially High Court and witnesses will be made easier thus reduce expenses and also reduce adjournment of cases thus do away with back log.

4) *How will the proposed High Court influence your service delivery?*

Service delivery will be effective.

5) *What would you like to be incorporated in the plan proposal?*

- Breast feeding mother's room
- Pre-Trial office
- Washroom
- Waiting bay

6) *Give any personal opinions on the project?*

- The structure to be constructed should measure up to the funds provided.

Respondents Signature: .....

Date: 23/01/2017

KEY INFORMANT INTERVIEW SCHEDULE

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

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It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: ..... Kenya Prisons Service

Designation: ..... Station In-Charge

Postal Address (If any)..... Isiolo

Mobile No.....

Distance from the site (Approx.): .....

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

.....

.....

3) According to you, what are some of the costs and inconveniences faced in the search for justice:

.....

.....

.....

.....

4) In your opinion, where is the ideal location for the courthouse in the town:

Around the town where other Court users are located.

5) Explain your choice of location in 5 above

No transport will be used by client in case they need Justice, Also other Court users will be able to access Services when needed.

6) What are some of the negative impacts of this project to people's lives and the environment?

No Negative Impact

7) What do you think would be the benefits of having such a facility in this area/Town/County?

- Cases will be dealt with Promptly without delay
- Easy access to Such Services whenever needed.
- Job Creation to locals.
- Minimal transport by other Court users.

Respondents Validation Signature: .....

Date: 24/1/2017

KEY INFORMANT INTERVIEW SCHEDULE

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: .....

Designation: .....

Postal Address (If any).....

Mobile No.....

Distance from the site (Approx.): .....

Kenya Prisons Service
Isiolo Station

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

- The issues of high court appeals takes long to be heard and new and has

3) According to you, what are some of the costs and inconveniences faced in the search for justice:

- The issue of appeals takes long time to be heard in nairobi.
- The cost implications in transport from Isiolo to nairobi
- Issue of civil cases still be fast tracked in Isiolo that is now become need has many cases of civil than Isiolo

4) In your opinion, where is the ideal location for the courthouse in the town:

The ideal location is where the law courts sits/ occupies because of (1) Land, and (2) Centrality and captures all the inhabitants of Issolo County.

5) Explain your choice of location in 5 above

Because land in Issolo is a thorny issue and moving out of the current location is expensive

6) What are some of the negative impacts of this project to people's lives and the environment?

The only problem which may arise is the drainage system which was not properly planned but if logistical issues of expansion can be done can address the vice.

7) What do you think would be the benefits of having such a facility in this area/Town/County?

- Access to quick justice
- Minimise cost of travelling to Mew for the service.
- Facilitate fast hearing of appeals in the County.

Respondents Validation Signature: .....

Date: 24/1/2017

Political leader-General

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: Ishak Ali Galma

Postal Address (If any) 537 Isiolo.

Mobile No 0722945370

Distance from the site (Approx.): 200 Meters.

Designation: Aspirant/Former M.C.A Wabera Ward.

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

.....

.....

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

It will Mean access to justice closer to people. It will also reduce transport cost because as at now people are travelling to Meru.

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

- Distance from Isiolo to Meru (transportation cost)
- Spending in Meru for accomodation.

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

- There are no negative impacts.

6) In your opinion, how can the impacts in (5) above be alleviated?

—

7) What do you think would be the benefits of having such a development in this area/Town/County?

- Reduces transport cost.
- Create employment.
- Reduces the lateness of court cases.

8) Any other opinions/Comments over the proposed high Court?

- As a community I am very happy to have such a big project and I want it to be done as quickly as possible.

Respondents Validation Signature: .....

Date: 25/Jan/2017

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: Hassan Bagafa

Postal Address (If any) 345 - 60300

Mobile No. 0721464929

Distance from the site (Approx.): 600M

Designation: Senior Community facilitator

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

.....

.....

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

.....

- This will bring justice close to community

- efficiency in accessing justice.

.....

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

1. Transportation Cost.
2. Alot of time are consumed in travelling to the nearest town (Meru)
3. Meals and accomodation cost incured in other towns.

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

- No negative impact

6) In your opinion, how can the impacts in (5) above be alleviated?

N/A

7) What do you think would be the benefits of having such a development in this area/Town/County?

- Efficiency in access justice
- Job creation in the community.
- Transportation cost reduced

8) Any other opinions/Comments over the proposed high Court?

- We would like to have this Court in Lodo.

Respondents Validation Signature: .....

Date: 25/01/2017

Opener 2

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: GOLO JATTANI DIDA

Postal Address (If any) 14 ISIOLO

Mobile No 0792 397 620

Distance from the site (Approx.): 500 METERS

Designation: REG. CLINICAL OFFICER

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

N/A

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

It will affect positively by bringing justice closer to the Communities of Isiolo. This will fasten and ease cases to be heard efficiently and Hearty at a right time.

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

- Transportation Cost incurred during travelling to the nearest Large court in Meru & Nairobi County.
- Other expenses eg accomodation

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

There will be no negative effect experienced when bringing in Large court to Isiolo.

6) In your opinion, how can the impacts in (5) above be alleviated?

N/A

7) What do you think would be the benefits of having such a development in this area/Town/County?

- Cases tackled faster
- Employment Opportunities
- Cost of transport, accomodata & meals reduced.

8) Any other opinions/Comments over the proposed high Court?

Bring on board this project as soon as possible.

Respondents Validation Signature: .....

Date: 05/01/2017.

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: ORRISABE-SA WOMEN GROUP

Postal Address (If any).....

Mobile No.....0713098992.....

Distance from the site (Approx.): .....700m.....

Designation: .....Treasurer/Secretary.....

1) Do you approve this development or not a)☑ YES b)☐ NO

2) If No, Explain why

.....

.....

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

.....it doesn't affect.....

.....

.....

.....

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

We face many challenges including - Costly legal process
- Distance from Wiwa to [illegible]

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

No negative impacts

6) In your opinion, how can the impacts in (3) above be alleviated?

N/A

7) What do you think would be the benefits of having such a development in this area/Town/County?

a) Saves time/money
b) Employment for locals
c)

8) Any other opinions/Comments over the proposed high Court?

Highly recommended

Respondents Validation Signature: S HANE BORU (group sec)

Date: 25/9/17

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

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It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: Ali Ibrahim.

Postal Address (If any) 251 Isiolo.

Mobile No 0703946333

Distance from the site (Approx.): 700 Metres

Designation: Business Man

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

N/A

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

The resident of Isiolo County will enjoy justice when high Court will be brought. Therefore will be done smoothly and on a right time.

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

- Travelling Cost to near by Bondies e.g Meru
- Other expenses incurred like meals, resting place.

5) According to you, what are some of the NEGATIVE impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

No negative impact while development of High Court.

6) In your opinion, how can the impacts in (5) above be alleviated?

-

7) What do you think would be the benefits of having such a development in this area/Town/County?

- Reduction of Crime rates.
- Employment opportunities in town.
- Transportation Cost reduced.

8) Any other opinions/Comments over the proposed high Court?

The Courts should be adequately equipped so that there will not be backlog of Cases.

Respondents Validation Signature: .....

Date: 25/01/2017

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

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It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: Boru Gollo

Postal Address (If any) 56 Isiolo - 60200

Mobile No 0701762980

Distance from the site (Approx.): 1Km

Designation: Lawyer

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

---

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

This is a wonderful idea. High court is the ideal place to have. Unlimited number of cases as opposed to some Subordinate courts and therefore the high court & the residents of Isiolo County will have increase access to justice.

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

- Travelling cost and other expenses of trying to travel to the nearby Counties such as Mew County to find justice.
-

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

No negative impact.

6) In your opinion, how can the impacts in (5) above be alleviated?

N/A

7) What do you think would be the benefits of having such a development in this area/Town/County?

- Fulfil Constitution right of resident of Isiolo County.
- Reduce travelling cost to search for justice in nearby towns.
- Crime rate in town will reduce.

8) Any other opinions/Comments over the proposed high Court?

- I think Constitutional right of the people of Isiolo County, who have been largely Marginalized will be inforced.
- Economically, law firms will increase in numbers in town.

Respondents Validation Signature: [signature]

Date: 25/01/2017

04

Political Leader.

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

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It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: Mohamed Ahmed Dahir

Postal Address (If any) 366 - 60300 Isiolo

Mobile No 0721227820

Distance from the site (Approx.): 5 Km

Designation: Aspirant MCA Bula Pess Ward

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

N/A

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

- It will fasten and reduce the cost incurred by resident of Isiolo County When they have cases

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

> Transport Cost
> Time Wasted
> Accommodation and Meals. / Also Create Job opportunities

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

- None.

6) In your opinion, how can the impacts in (3) above be alleviated?

N/A

7) What do you think would be the benefits of having such a development in this area/Town/County?

- Create Job opportunities
- Businesses to Increase
- Transport Costs reduced.
-

8) Any other opinions/Comments over the proposed high Court?

- Business for the residents.
-

Respondents Validation Signature: .....

Date: 25/1/2017.

Revised

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court ~~house~~ in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details
Name of Respondent: Eunice Mkatha Langat
Postal Address (If any) 150-Isiolo
Mobile No 0722881780
Distance from the site (Approx.): 1 Km
Designation: ACCOUNTANT

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

.....

.....

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

1. Speed up Cases, by eliminating delays
~~2.~~ of Court Proceedings.

.....

.....

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

.....

.....

.....

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

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6) In your opinion, how can the impacts in (3) above be alleviated?

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.....

7) What do you think would be the benefits of having such a development in this area/Town/County?

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8) Any other opinions/Comments over the proposed high Court?

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Respondents Validation Signature: .....

Date: 25/01/2017

Appendix 2

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details
Name of Respondent: P.C.E.A CHURCH ISIOLO
Postal Address (If any) P.O BOX 152 ISIOLO
Mobile No 0729 394262
Distance from the site (Approx.): OPP. SIDE direct
Designation: C. ELDER

1) Do you approve this development or not a) ☑ YES b) ☐ NO
2) If No, Explain why

.....

.....

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

.....
It Can not affect.
.....

.....

.....

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

It is expensive

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

NIL

6) In your opinion, how can the impacts in (3) above be alleviated?

None

7) What do you think would be the benefits of having such a development in this area/Town/County?

a) It creats Employment
b) Justice closer to ppl

8) Any other opinions/Comments over the proposed high Court?

None

Respondents Validation Signature: .....

Date: 25/01/2017

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: Fr. James Thuranira

Postal Address (If any) 25 Isiolo

Mobile No 0726994697

Distance from the site (Approx.): 4 Kms

Designation: The Father In Charge of Isiolo Cathedral Catholic Church.

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

.....

.....

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

There will be no delay in Justice administering
No much cost to the victims i.e traveling cost
all the way to the neighbouring high Court.

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

- Delays due to Congestions in the neighbouring high court

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

In my opinion, if all remain Constant, and respect our boundaries as this is an Institution of Justice, I dont think there will be NEGATIVE impacts.

6) In your opinion, how can the impacts in (3) above be alleviated?

7) What do you think would be the benefits of having such a development in this area/Town/County?

Constructive and positive development in our town is always good. It will Make Justice hearing easier and quicker. Job Creation to Youth

8) Any other opinions/Comments over the proposed high Court?

I hope and pray to see this Development being realized soon.

Respondents Validation Signature: .....

Date: 25/1/2017

Page 2

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court ~~house~~ in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: Mualimu Salad.

Postal Address (If any).....

Mobile No.....0703451758.....

Distance from the site (Approx.): .....2.5Km.....

Designation: .....Maalim.....

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

.....-.....

.....

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

.....It will make court processes easier.....

.....

.....

.....

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

I don't know.

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

None.

6) In your opinion, how can the impacts in (3) above be alleviated?

—

7) What do you think would be the benefits of having such a development in this area/Town/County?

i) It will be cheap. People will not need to go to Meru.

ii) It will be convenient for the residents of Isiolo county and beyond.

8) Any other opinions/Comments over the proposed high Court?

—

Respondents Validation Signature: .....

Date: 25/01/2017

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

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DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: Abdikadir Adan

Postal Address (If any) –

Mobile No 0727833937

Distance from the site (Approx.): 1.5km

Designation: Sheikh

1) Do you approve this development or not a) ☑ YES b) ☐ NO

2) If No, Explain why

.....

.....

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

.....

Make them faster and quickly

.....

.....

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

Going to Isiolo

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

N/A

6) In your opinion, how can the impacts in (3) above be alleviated?

N/A

7) What do you think would be the benefits of having such a development in this area/Town/County?

- Bring Justice to the people of Isiolo County

8) Any other opinions/Comments over the proposed high Court?

It Must be Constructed very Quickly and finished.

Respondents Validation Signature: .....

Date: 25/1/2017

Gener2

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: Maalim Abdullahi

Postal Address (If any) –

Mobile No 0723246257

Distance from the site (Approx.): 1.5 km.

Designation: Maalim.

1) Do you approve this development or not a ☑ YES b) ☐ NO

2) If No, Explain why

.....

.....

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

It will help speed up court processes.

.....

.....

.....

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

It is very expensive. court hearings are always postponed.

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

None.

6) In your opinion, how can the impacts in (3) above be alleviated?

7) What do you think would be the benefits of having such a development in this area/Town/County?

- Speeding up of court processes.
- It will be cheaper getting access to justice.

8) Any other opinions/Comments over the proposed high Court?

Respondents Validation Signature: .....

Date: 25/01/2017

General

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court house in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

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It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: Genesio Mthiza

Postal Address (If any) P.O. Box 262 Isiolo

Mobile No 0708586363

Distance from the site (Approx.): 1500 M

Designation: Church Member (AIC)

1) Do you approve this development or not a [✓] YES b) [ ] NO

2) If No, Explain why

.....

.....

3) In your opinion, how will this project affect court processes/proceedings and access to justice?

I have this project will improve the justice & rights of people in & within Isiolo

4) According to you, what are some of the costs and inconveniences faced in the search for justice:

Sometimes distance is a problem and also delayment of proceedings which we end up using more expensive

5) According to you, what are some of the **NEGATIVE** impacts of such a development in this area on people's lives/livelihoods, *water, vegetation, soil, infrastructure and utility services and air quality?*

On my opinion I think the project is meant to assist and bring development to people in world not to victimize them

6) In your opinion, how can the impacts in (3) above be alleviated?

No impacts

7) What do you think would be the benefits of having such a development in this area/Town/County?

People who have their rights given and hope in a justice wrong

8) Any other opinions/Comments over the proposed high Court?

I would comments that this project is a beneficiary & I support it in full force

Respondents Validation Signature: [signature]

Date: 25/7/2017

Rch.

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

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It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: PETER EKUWAM

Postal Address (If any) 25 ISIOLO

Mobile No 0722914417

Designation: AREA MANAGER (Mwangaza)

1) *How long have you been serving at this Town/County?*

30 yrs

2) *What is your opinion on the proposed High Court?*

It will help people of this County who have been looking for justice either in Meru or Nyeri High Court.

3) *What are some of the impacts of the high court on access to justice?*

- Quick delivery of justice.
- Cases take less time to solve.

4) *How will the proposed High Court influence your service delivery?*

It will take less time to give justice
- It will be economical.

5) *What would you like to be incorporated in the plan proposal?*

- Isiolo is the central or gateway to Northern Kenya. So if the high court is built here people from Marsabit, Moyale and other Northern parts will benefit from it.

6) *Give any personal opinions on the project?*

It is a good project

Respondents Signature: .....

Date: 25/01/2017

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

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DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: Rose K. Mbaabu

Postal Address (If any) Box 111, ISIOLO

Mobile No 0714 902 637

Designation: Retired teacher

1) *How long have you been serving at this Town/County?*

10 (Ten) years

2) *What is your opinion on the proposed High Court?*

This is a very vital institution in our county. In fact it will save people a tot of trouble in making several trips to access justice elsewhere. I wish it is implemented.

3) *What are some of the impacts of the high court on access to justice?*

If somebody is not satisfied with the judgement of the lower courts, then it is posible to seek it from the H. court.

4) *How will the proposed High Court influence your service delivery?*

It will automatically bring service to the ground people will not need lots of transport to go out of the county for the same.

5) *What would you like to be incorporated in the plan proposal?*

They should incorporate the plan of how to offer jobs to the locals of this metropolitan county.

6) *Give any personal opinions on the project?*

I think it will improve the lives of the Isiolo residents, especially those who will get jobs there in, more so the youth.

Respondents Signature: ..

Date: 25/1/2017

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

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It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: EPHANTUS MJAGI

Postal Address (If any) P.O. BOX 308, ISIOLO

Mobile No 0722569802

Designation: ISIOLO RESIDENT (BUSINNESSMAN)

1) *How long have you been serving at this Town/County?*

I HAVE BEEN SERVING AT THIS COUNTY AR 20YRS

2) *What is your opinion on the proposed High Court?*

THE PROPOST HIGH COURT IN ISIOLO IS A WELCOME MOVE CONSIDERING THE RAPID GROWTH OF THE TOWN AS A RESULT OF IT BEING DECLARED A RESORT-CITY. THE POPULATION HAS GROWN TREMEDOUSLY DUE TO THE ABOVE REASON.

3) *What are some of the impacts of the high court on access to justice?*

SOME OF THE IMPACTS OF A HIGH COURT IN ISIOLO ARE:-

(i) TIMELY ACCESS TO JUSTICE AS JUSTICE DELAYED IS JUSTICE DENYED

(ii) IT WILL SAVE THE LOCALS COLOSSAL AMOUNT OF MONEY SEEKING JUSTICE FROM THE NEIGHBOURING COUNTIES

4) *How will the proposed High Court influence your service delivery?*

THE PROXIMITY OF A HIGH COURT WILL SAVE LOCALS FROM TRAVELLING LONG DISTANCES IN SEARCH OF JUSTICE HENCE SAVING TIME FOR SERVICE DELIVERY TO INDIVIDUAL CHORES

5) *What would you like to be incorporated in the plan proposal?*

THE COURT WILL BE COMPLETE IF WE INCORPORATED VARIOUS SUBJUDICIAL COURTS LIKE, CHILDRENS' COURT, FAMILY COURTS AND ANY OTHER COURT WHOSE SERVICES ARE REQUIRED BY THE LOCALS.

6) *Give any personal opinions on the project?*

THE SERVICES OF THE COURT SHOULD BE FAST TRACKED TO SAVE FOR POSITIVE IMPACT ON OUR ECONOMY.

Respondents Signature: .....

Date: 24/1/2017.

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details
Name of Respondent: FELIX MBULUNGIA. M.
Postal Address (If any) 132 - 60300 -
Mobile No 0733555785
Designation: B/MAN

1) *How long have you been serving at this Town/County?*
30 YEARS.

2) *What is your opinion on the proposed High Court?*
It's an Idea that has been long overdue.

3) *What are some of the impacts of the high court on access to justice?*
- It will reduce cost of accessing justice to the residents of Isiolo and other Eastern
- It will bring High Court Services Close to the residents among many other benefits even time that was being wasted to travell where high court services are.

4) *How will the proposed High Court influence your service delivery?*

- We hope it being closer the cases will be handled timely without waste of time, efficient and easily accessible and affordable to the residents especially on inheritance and succession cases which are critic to the people.

5) *What would you like to be incorporated in the plan proposal?*

1- It should be a people friendly Court where one can access justice easily.

2- There should be also a Customer Care desk where the locals can be advised on cases like succession inheritance Divorce etc.

6) *Give any personal opinions on the project?*

Its is a good project to the region but it should employ locals but observe professionalism on the execution of the project to protect the integrity of the project & Quality.

Respondents Signature: .....

Date: 25/01/2017.

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

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DECLARATION

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Respondent's Details
Name of Respondent: Pastor Jackson Kamweti
Postal Address (If any) 346 ISIOLO
Mobile No 0722879341
Designation: PASTOR. (GOSPEL FELLOWSHIP)

1) *How long have you been serving at this Town/County?*
20 yrs

2) *What is your opinion on the proposed High Court?*
I would start the project in Isiolo County.

3) *What are some of the impacts of the high court on access to justice?*
Justice will be delivered easly.
- Time saving
- economical

4) How will the proposed High Court influence your service delivery?

- It will take short time to delivery justice

5) What would you like to be incorporated in the plan proposal?

Family Division, Children Court.

Labour Court.

6) Give any personal opinions on the project?

This has taken long (overdue)

Respondents Signature: .....

Date: 25/01/2017

Religious

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

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It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: Bishop Stephen Kalunyu

Postal Address (If any) P.O. Box 1458 Isiolo.

Mobile No 0723 263321

Designation: Bishop (NICA) Eastern Diocese.

1) *How long have you been serving at this Town/County?*

1987.

2) *What is your opinion on the proposed High Court?*

Its very much necessary
To reduce travel expenses for people
who have to travel to Meru.

3) *What are some of the impacts of the high court on access to justice?*

Devolution of services closer to
people at their county level.

- provide justice equally to every
body.

4) *How will the proposed High Court influence your service delivery?*

It will reduce the cost of getting justice.
It will reduce cost of travel to merry to attend high court there.

5) *What would you like to be incorporated in the plan proposal?*

An office for AJS and presence Judge in Kaba law courts.

6) *Give any personal opinions on the project?*

It should have started like yesterday.

Respondents Signature: [signature]

Date: 25/1/17.

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: George Muya

Postal Address (If any) 674 ISIOLO

Mobile No 0711562373

Designation: B/MAN ISIOLO

1) *How long have you been serving at this Town/County?*

20 yrs

2) *What is your opinion on the proposed High Court?*

It is necessary

3) *What are some of the impacts of the high court on access to justice?*

Bring justice closer to the people

4) *How will the proposed High Court influence your service delivery?*

It will cut the cost of travelling to [illegible] or [illegible] high courts

5) *What would you like to be incorporated in the plan proposal?*

Family Division Court, Labour Court and Children Division Court etc

6) *Give any personal opinions on the project?*

It is economical

Respondents Signature: [signature]

Date: 26/01/2017

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

The details of the design will include a 3 storey (GF+ 3) Courthouse building with chambers, registry, archives, prosecution offices, banking hall, server rooms, waiting bay, multi-purpose meeting room, breast feeding mothers' room, stone boundary wall fencing, cells, kitchenette and parking etc.

It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details
Name of Respondent: DANCAN NDIRANGU KANGETHI
Postal Address (If any) BOX 644 ISIOLO
Mobile No 0724726127
Designation: Businessman

1) *How long have you been serving at this Town/County?*
35 yrs

2) *What is your opinion on the proposed High Court?*
Such a project will help people of this area get justice quickly instead of going to Nyeri or Meru high courts

3) *What are some of the impacts of the high court on access to justice?*
- economical
- Quick delivery of justice
- Time Saving

4) *How will the proposed High Court influence your service delivery?*

- Time saving and also quick delivery of justice

5) *What would you like to be incorporated in the plan proposal?*

If the high court is built in Isiolo it will help people from neighbouring People of Northern part of Kenya namely Marsabit a Moyale ,

6) *Give any personal opinions on the project?*

It will be economical and convinient.

Respondents Signature: .....

Date: 25/01/2017

B

Data Collection Questionnaire

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED HIGH COURT DEVELOPMENT IN ISIOLO TOWN, ISIOLO COUNTY

The Judiciary would like to put up a High court in Isiolo town in line with the Judiciary Performance Improvement project (JPIP) as outline in the Judiciary Transformation Framework (JTF 2012-2016) that aims at enhancing access to justice to the people.

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It is a requirement that such a project be subjected to an EIA process. You are therefore invited to give your comments, opinions and other concerns pertaining its implementation.

DECLARATION

The information gathered will be treated confidentially and for the purpose of this ESIA only

Respondent's Details

Name of Respondent: MARY MUMBI WAMAI

Postal Address (If any)

Mobile No 0703861737

Designation: Business woman

1) *How long have you been serving at this Town/County?*

SIX YEARS.

2) *What is your opinion on the proposed High Court?*

Having a High Court in Isiolo will be the best thing ever done Concerning Judiciary, Most Clients Lack funds i.e transport to enable them travel to get to high Court's in far places. Time factor is still important since Working and the same time travelling is difficult

3) *What are some of the impacts of the high court on access to justice?*

- Reviewing orders of the ~~hig~~ Low Court's.
- Constitutional petition on the legality enacted by parliament.
- Overrule Unconstitutional act's of parliament.

4) *How will the proposed High Court influence your service delivery?*

- Time will be saved.
- Cost will be cut since travelling is expensive.
- Justice will be delivered in time.

5) *What would you like to be incorporated in the plan proposal?*

- Labour Court's
- Children division Court's
- Land Court Cases

6) *Give any personal opinions on the project?*

- Jobs will be created starting with the Construction the workers who will be working in the entire building is still an opportunity for them.
- The economy of Isiolo will also be affected positively.

Respondents Signature: .....

Date: 25th Jan 2017

5. Copy of Approved Architectural Building Plans

ISIOLO SITE

NOTES

GENERAL
1.All measurements are shown in millimetres. Measurements should not be scaled off the drawing.
2. The contractor must check and verify all dimensions before commencing any work. Any discrepancy
must be notified to the architect.
3. All sections should be read as per floor plan and all drawings must be read in concert with each other
Any disrepancy should be notified immediately to the Designer and clarified by consulting the respective Consultants' drawings

ELECTRICAL
4. All electrical work must be co-ordinated with Mechanical works. Any conflicts must be clarified before work begins.

CONSTRUCTION
5.

CIVIL
6.

STRUCTURAL
7.

REVISIONS

PROJECT:

PROPOSED LAWCOURT BUILDING,
ISIOLO.

Drawing title

SITE PLAN

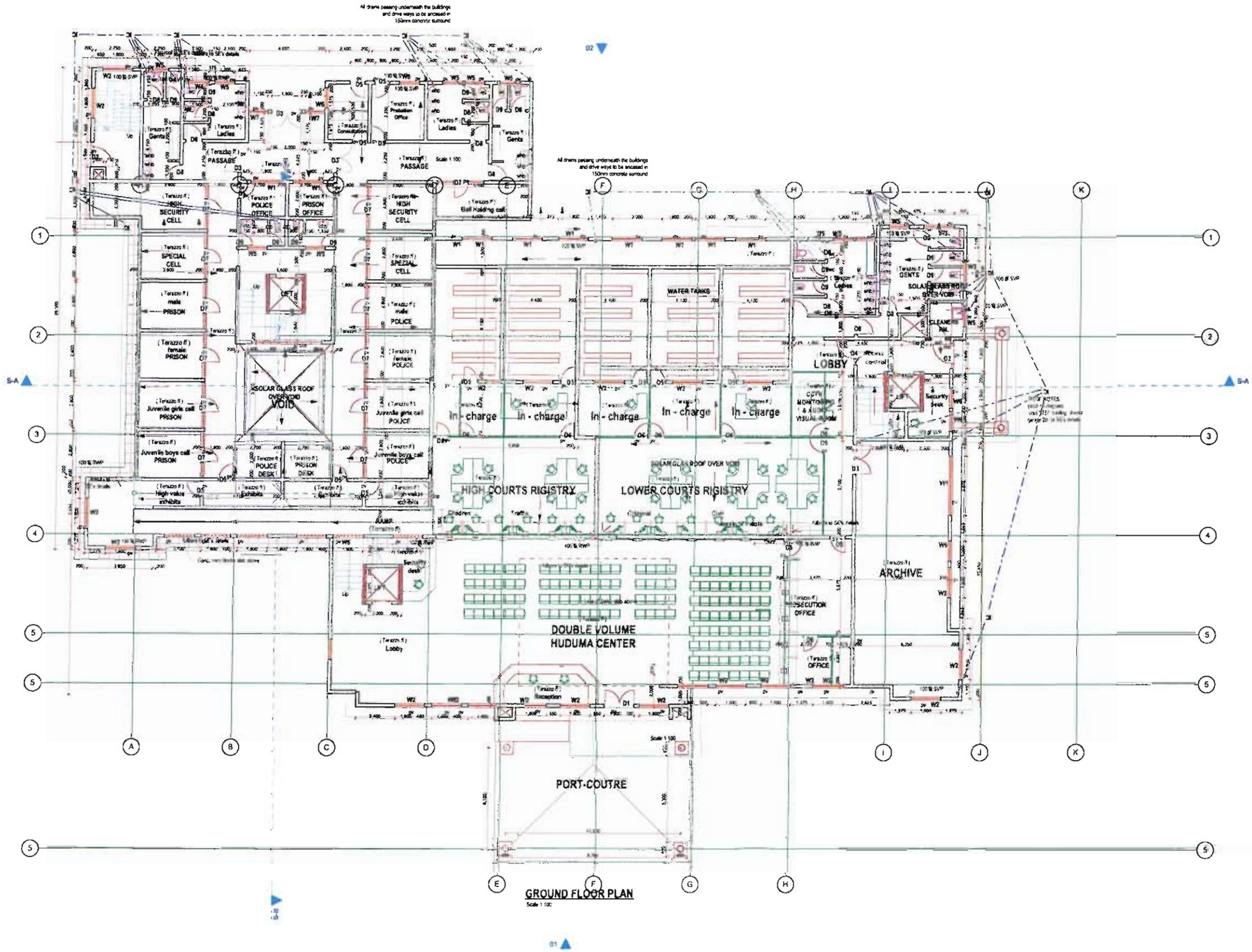
Client THE JUDICIARY

Project job No.		Drawing No.	
	Name	Signed	Date
Drawn	Arch J.S. OUNDO		FEB 2016

APPROVED

Arch. JOHN OKELLO — CHIEF ARCHITECT

THE JUDICIARY
OF KENYA
DIRECTORATE OF BUILDING SERVICES



NOTES

GENERAL
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ELECTRICAL
4. All electrical work must be co-ordinated with Mechanical works. Any conflicts must be clarified before work begins.

CONSTRUCTION
5.

CIVIL
6.

STRUCTURAL
7.

REVISIONS

PROJECT:

PROPOSED LAWCOURT BUILDING, ISIOLO.

Drawing title

GROUND FLOOR PLAN

Client THE JUDICIARY

Project job No.		Drawing No.	
	Name	**Signed**	**Date**
Drawn	Arch J.S. OUNDO		FEB 2016

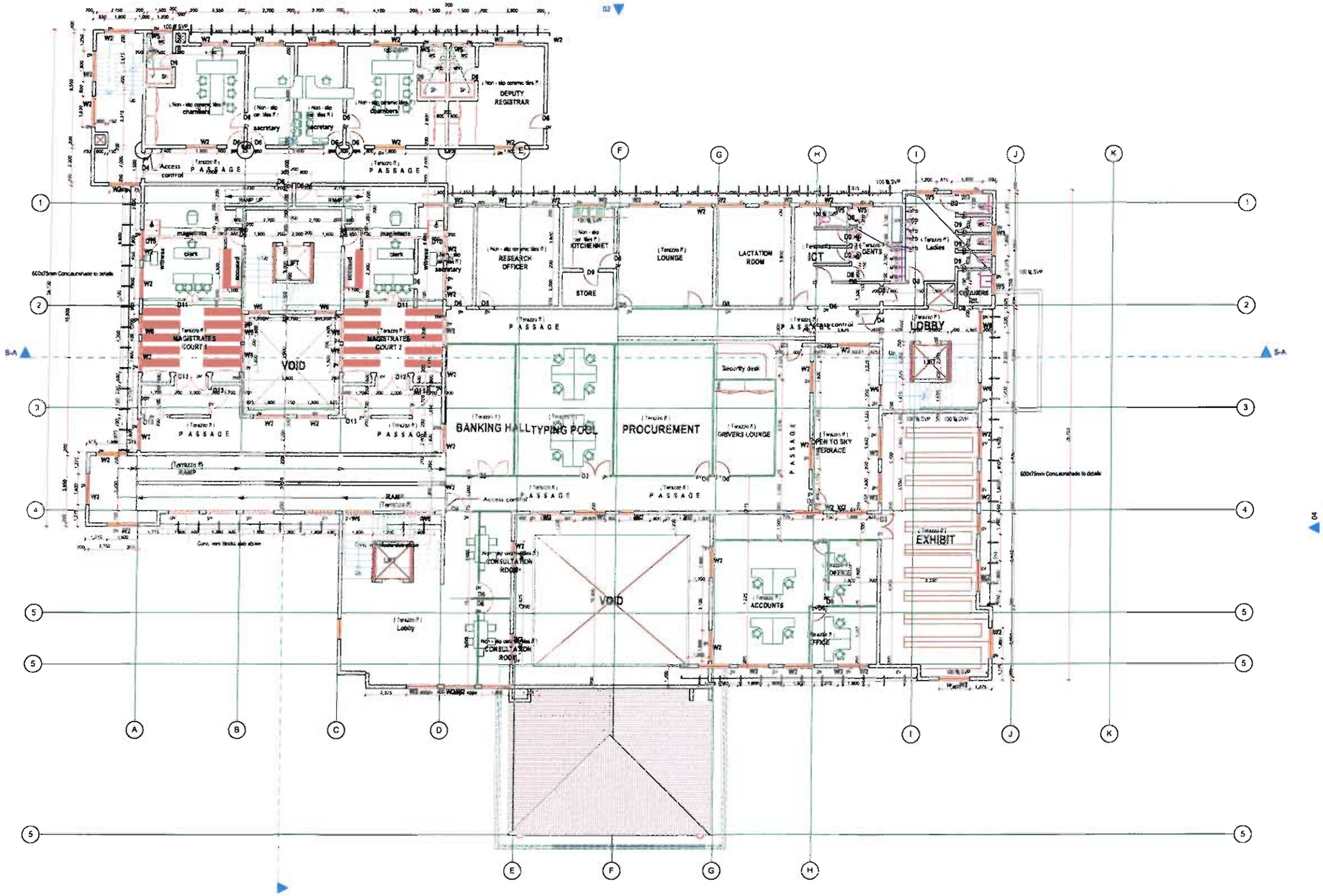
APPROVED

Arch. JOHN OKELLO — **CHIEF ARCHITECT**

THE JUDICIARY OF KENYA
DIRECTORATE OF BUILDING SERVICES

Scale 1:100

FIRST FLOOR PLAN



Scale 1:100

FIRST FLOOR PLAN

NOTES

GENERAL
1. All measurements are shown in millimetres. Measurements should not be scaled off the drawing.
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ELECTRICAL
4. All electrical work must be co-ordinated with Mechanical works. Any conflicts must be clarified before work begins.

CONSTRUCTION
5.

CIVIL
6.

STRUCTURAL
7.

REVISIONS

PROJECT:

PROPOSED LAWCOURT BUILDING, ISIOLO.

Drawing title

FIRST FLOOR PLAN

Client THE JUDICIARY

Project job No.		Drawing No.	
	Name	Signed	Date
Drawn	Arch J.S. OUNDO		FEB 2016

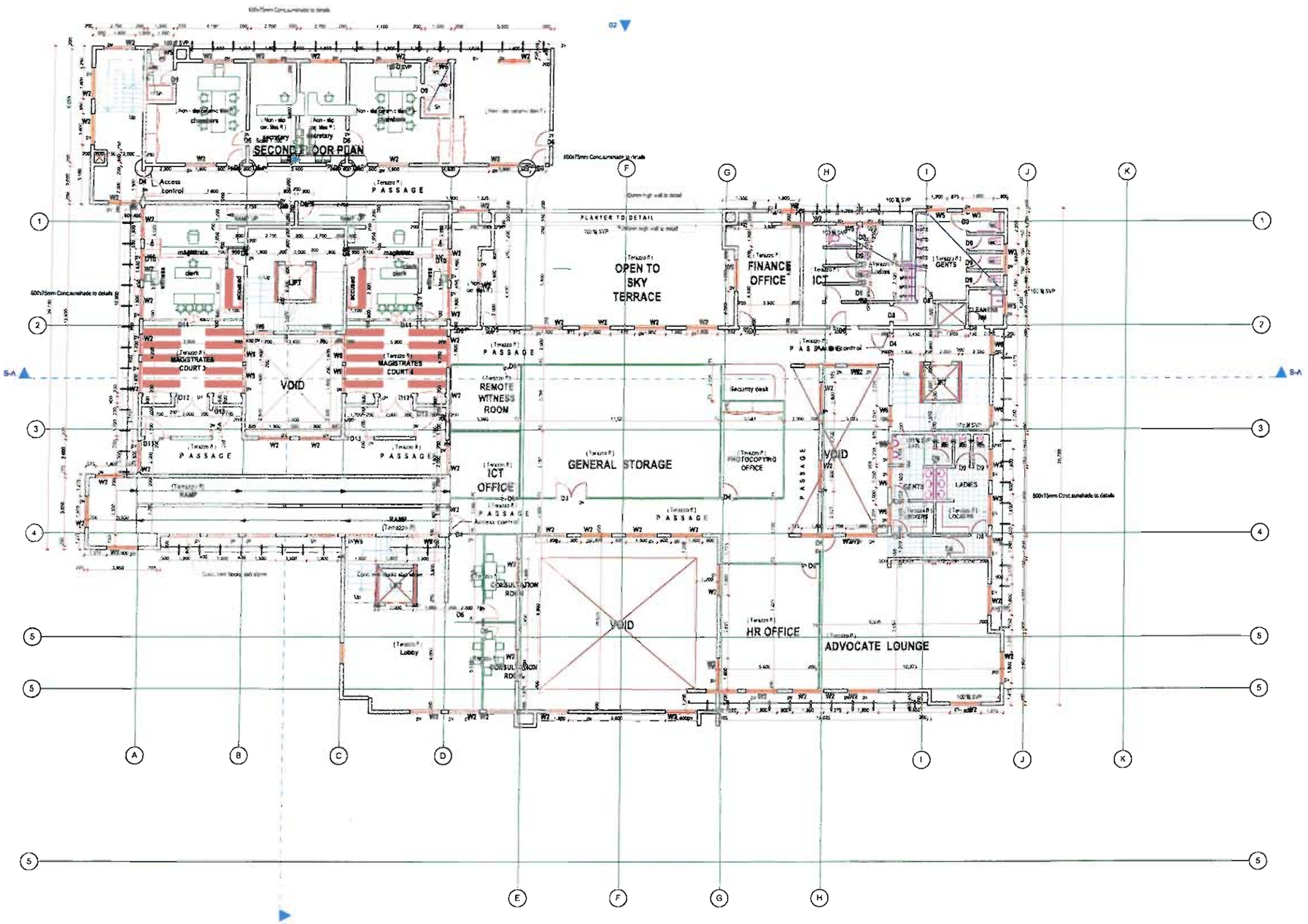
APPROVED

Arch. JOHN OKELLO — CHIEF ARCHITECT

THE JUDICIARY OF KENYA
DIRECTORATE OF BUILDING SERVICES

Scale : 1:100

SECOND FLOOR PLAN



Story /2

1:125

NOTES

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CONSTRUCTION
5.

CIVIL
6.

STRUCTURAL
7.

REVISIONS

PROJECT:

PROPOSED LAWCOURT BUILDING, ISIOLO.

Drawing title

SECOND FLOOR PLAN

Client THE JUDICIARY

Project job No.		Drawing No.	
	Name	Signed	Date
Drawn	Arch J.S. OUNDO		FEB 2016

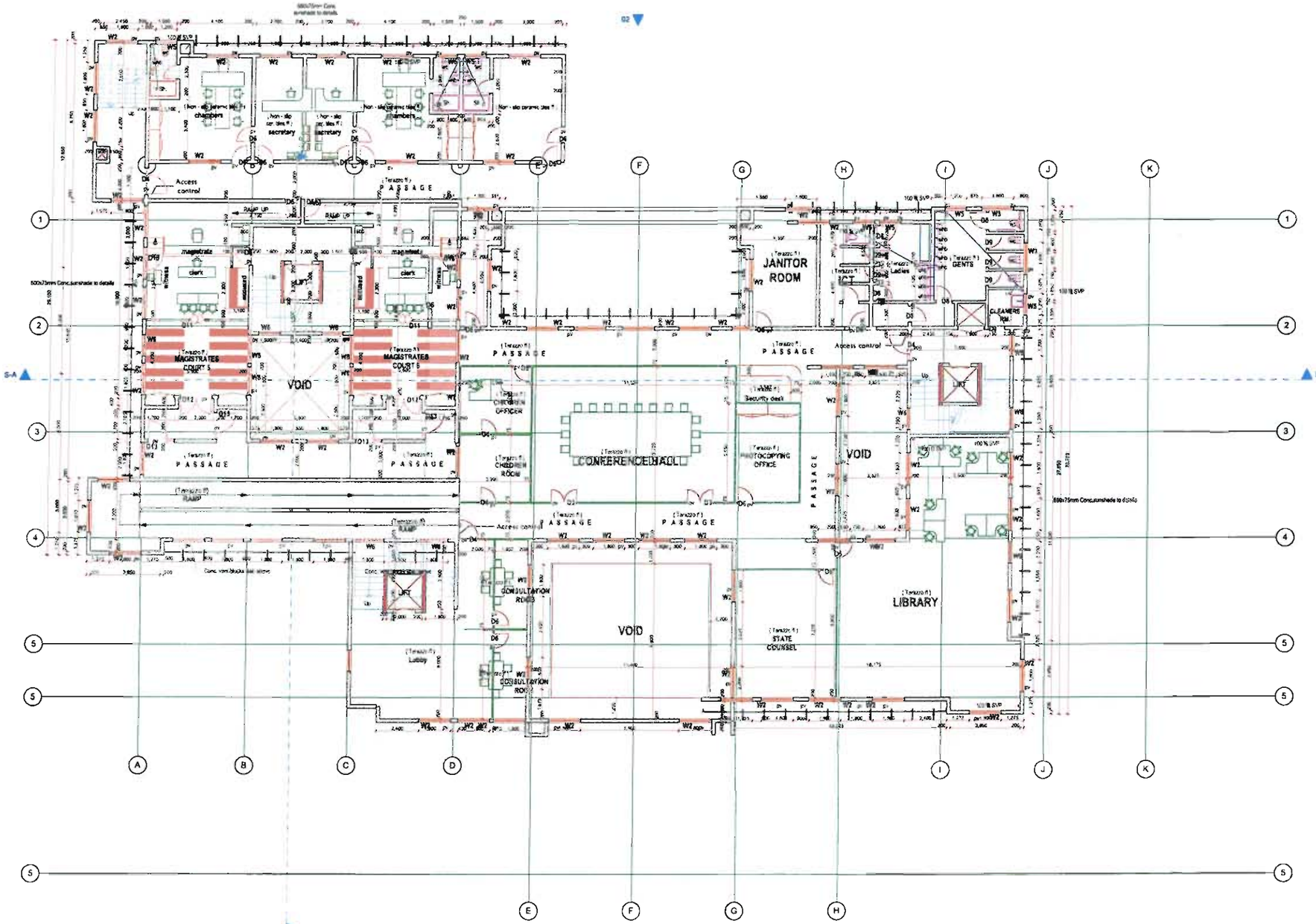
APPROVED

Arch. JOHN OKELLO — **CHIEF ARCHITECT**

THE JUDICIARY OF KENYA
DIRECTORATE OF BUILDING SERVICES

Scale 1:100

THIRD FLOOR PLAN



NOTES

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CONSTRUCTION
5.

CIVIL
6.

STRUCTURAL
7.

REVISIONS

PROJECT:

PROPOSED LAWCOURT BUILDING, ISIOLO.

Drawing title

THIRD FLOOR PLAN

Client THE JUDICIARY

Project job No.		Drawing No.	
	Name	**Signed**	**Date**
Drawn	Arch J.S. OUNDO		FEB 2016

APPROVED

Arch. JOHN OKELLO — **CHIEF ARCHITECT**

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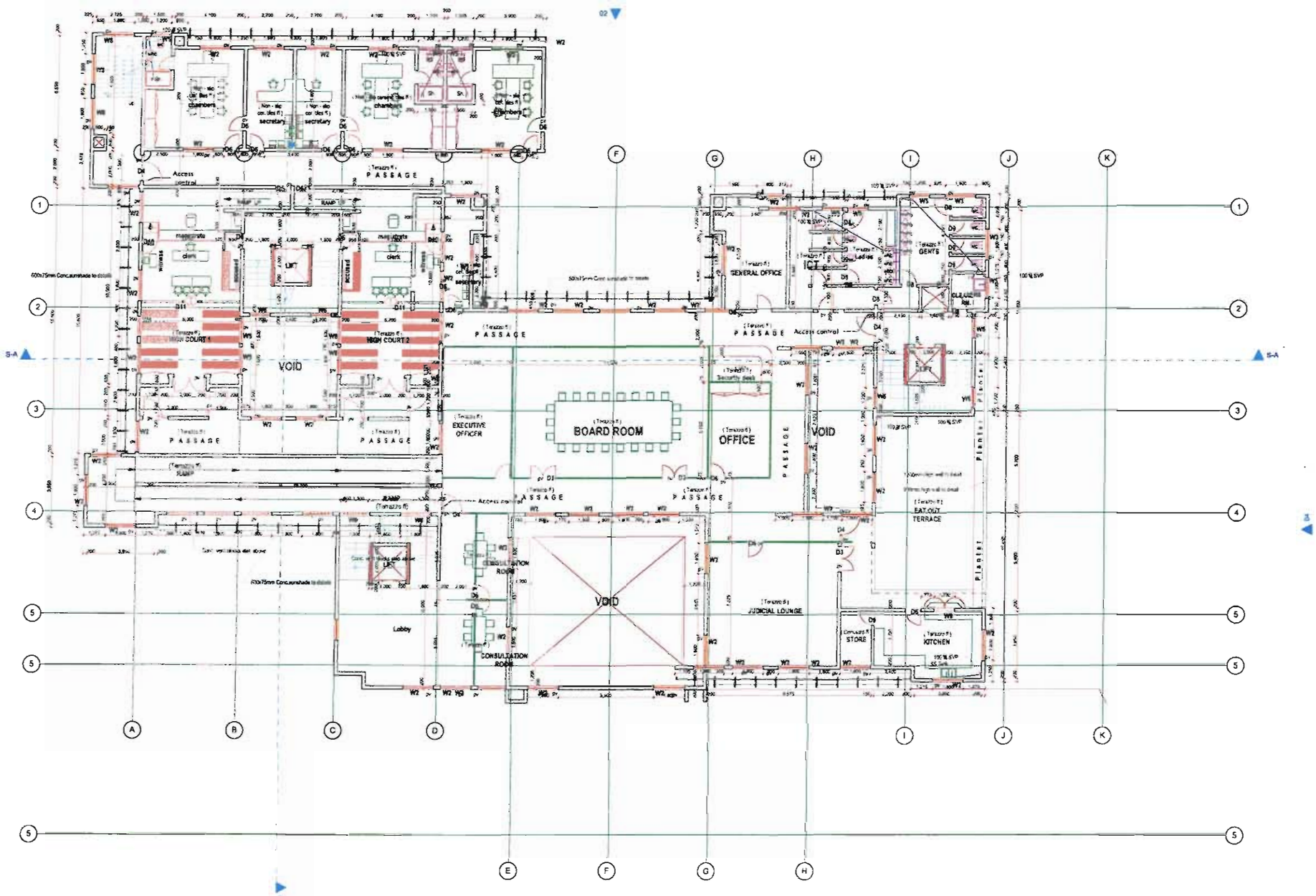
DIRECTORATE OF BUILDING SERVICES

Scale 1:100

FOURTH FLOOR PLAN



NOTES

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CONSTRUCTION

5.

CIVIL

6.

STRUCTURAL

7.

REVISIONS

PROJECT:

PROPOSED LAWCOURT BUILDING, ISIOLO.

Drawing title

FOURTH FLOOR PLAN

Client THE JUDICIARY

Project job No.		Drawing No.	
	Name	Signed	Date
Drawn	Arch J.S. OUNDO		FEB 2016

APPROVED

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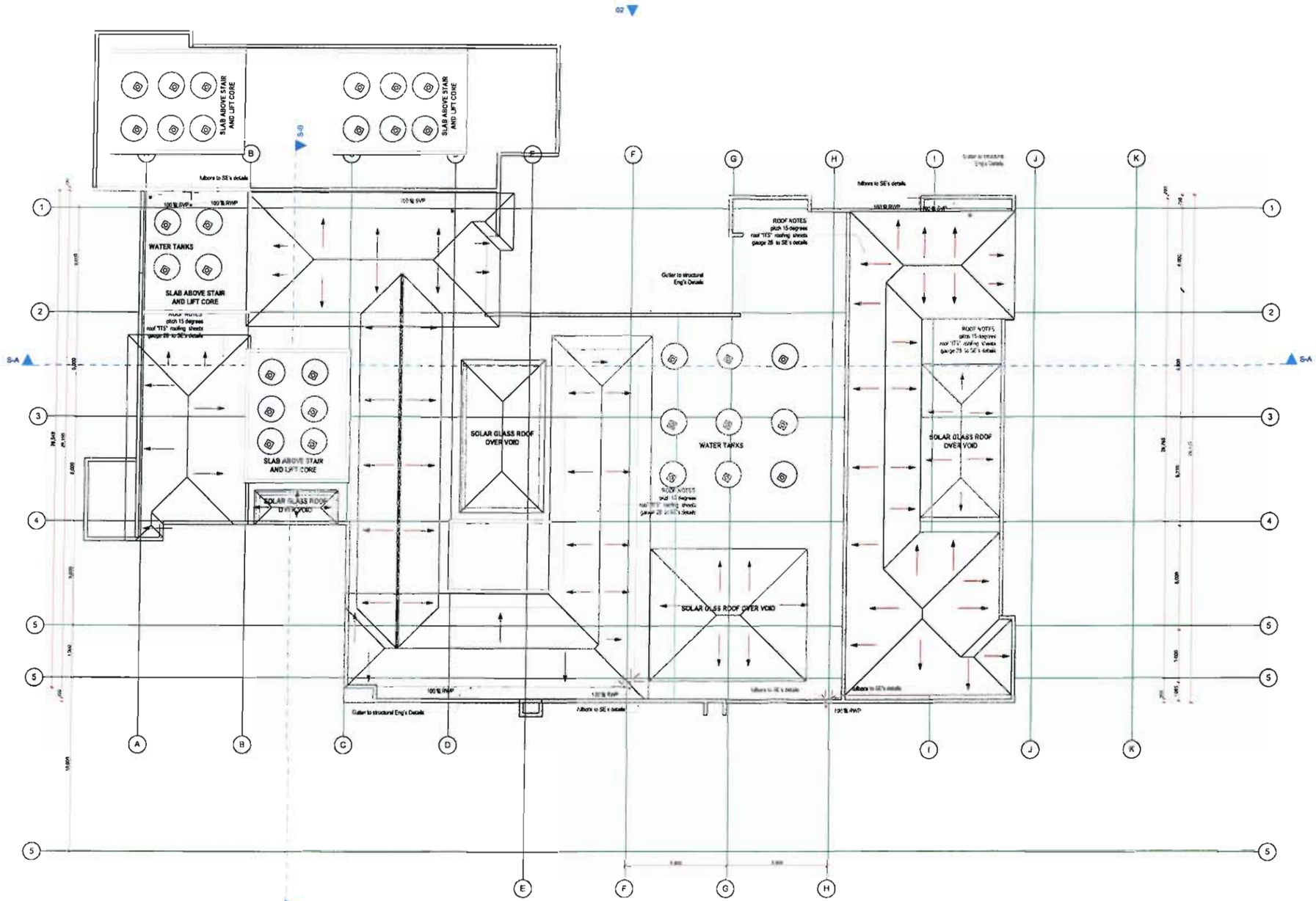
THE JUDICIARY OF KENYA
DIRECTORATE OF BUILDING SERVICES



Scale 1:100

ROOF PLAN

NOTES

GENERAL
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CONSTRUCTION
5.

CIVIL
6.

STRUCTURAL
7.

REVISIONS

PROJECT:

PROPOSED LAWCOURT BUILDING, ISIOLO

Drawing title

ROOF FLOOR PLAN

Client THE JUDICIARY

Project Job No.		Drawing No.	
	Name	Signed	Date
Drawn	Arch J.S. OUNDO		FEB 2016

APPROVED

Arch. JOHN OKELLO CHIEF ARCHITECT

THE JUDICIARY OF KENYA

DIRECTORATE OF BUILDING SERVICES

ELEVATION (03)
Scale 1:100

0. Story (5) 1:125

ELEVATION (04)
Scale 1:100

0 Story (5) 1:125

NOTES

GENERAL
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CONSTRUCTION
5.

CIVIL
6.

STRUCTURAL
7.

REVISIONS

PROJECT:

PROPOSED LAWCOURT BUILDING, ISIOLO.

Drawing title

ELEVATIONS

Client THE JUDICIARY

Project job No.		Drawing No.	
	Name	**Signed**	**Date**
Drawn	Arch J.S. OUNDO		FEB 2016

APPROVED

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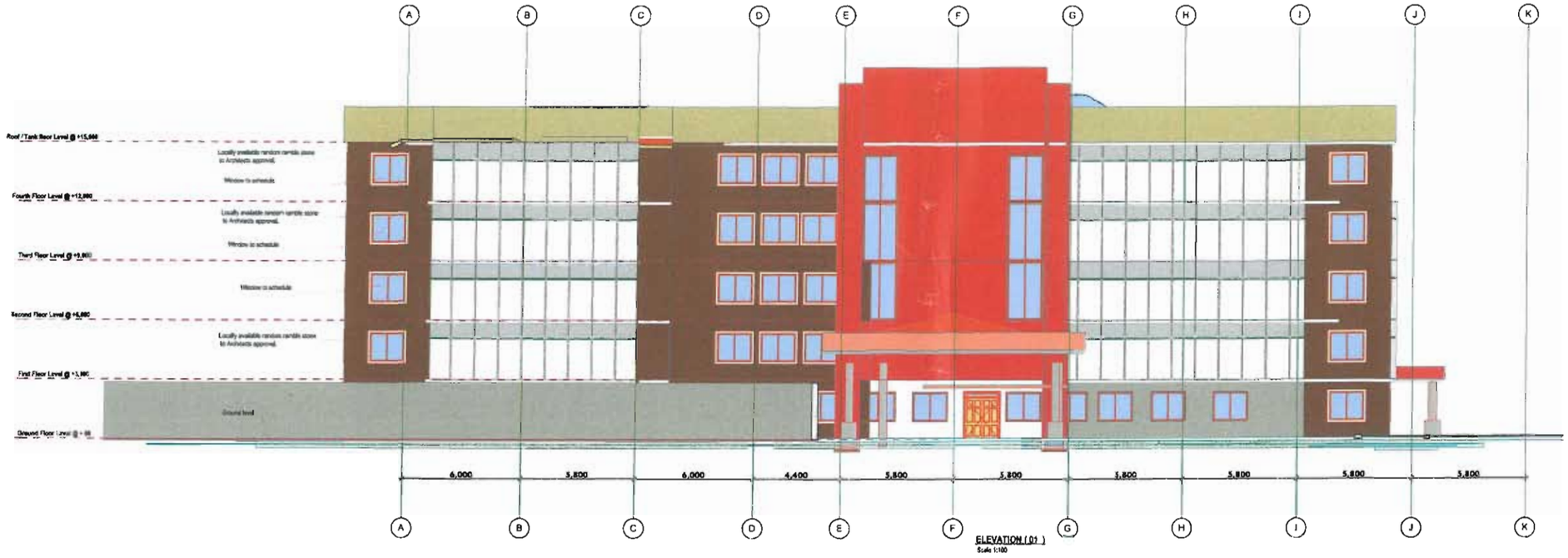
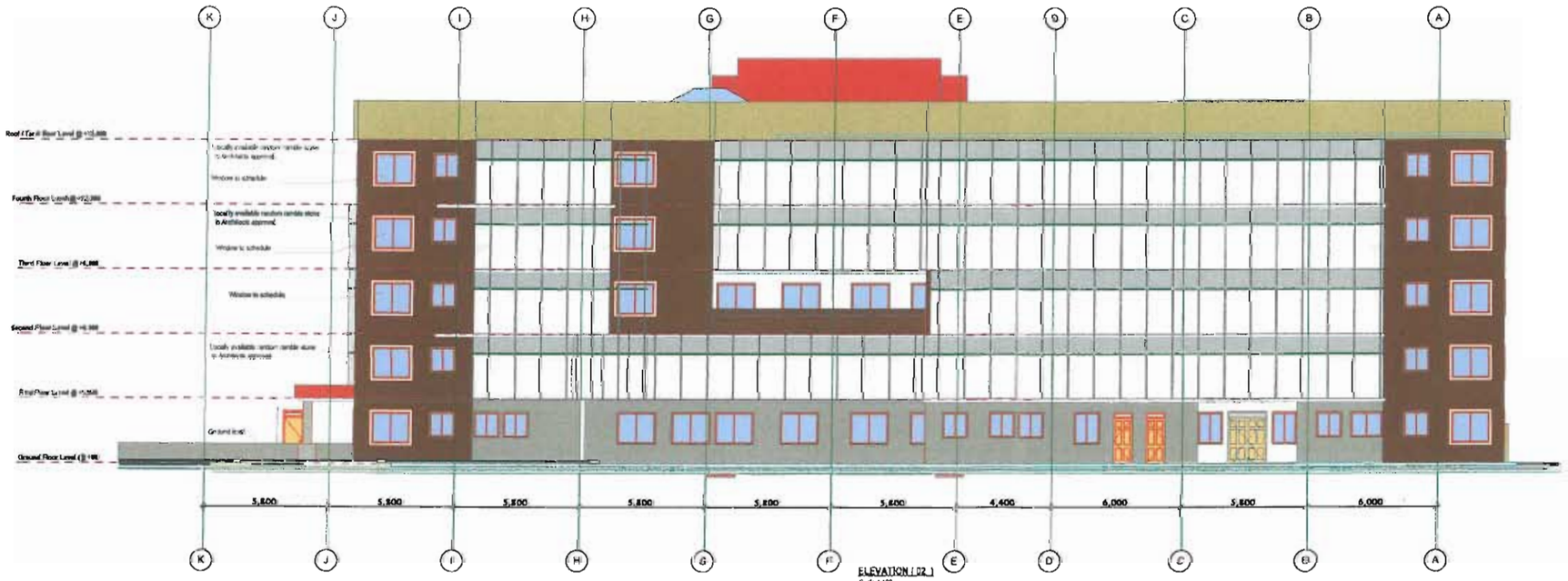
THE JUDICIARY OF KENYA
DIRECTORATE OF BUILDING SERVICES



ELEVATION (01)
Scale 1:100



ELEVATION (02)
Scale 1:100

NOTES

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CONSTRUCTION
5.

CIVIL
6.

STRUCTURAL
7.

REVISIONS

PROJECT:

PROPOSED LAWCOURT BUILDING, ISIOLO.

Drawing title

ELEVATIONS

Client THE JUDICIARY

Project job No.		Drawing No.	
	Name	Signed	Date
Drawn	Arch J.S. OUNDO		FEB 2016

APPROVED

Arch. JOHN OKELLO — CHIEF ARCHITECT

THE JUDICIARY OF KENYA
DIRECTORATE OF BUILDING SERVICES

0 Story (5) 1:50:15

NOTES

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CONSTRUCTION
5.

CIVIL
6.

STRUCTURAL
7.

REVISIONS

PROJECT:

PROPOSED LAWCOURT BUILDING, ISIOLO.

Drawing title

3D

Client THE JUDICIARY

Project job No.		Drawing No.	
	Name	**Signed**	**Date**
Drawn	Arch J.S. OUNDO		FEB 2016

APPROVED

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THE JUDICIARY OF KENYA
DIRECTORATE OF BUILDING SERVICES

0 Scale 1:58.15

NOTES

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CONSTRUCTION
5.

CIVIL
6.

STRUCTURAL
7.

REVISIONS

PROJECT:

PROPOSED LAWCOURT BUILDING, ISIOLO.

Drawing title

3D

Client THE JUDICIARY

Project Job No.		Drawing No.	
	Name	Signed	Date
Drawn	Arch J.S. OUNDO		FEB 2016

APPROVED

Arch. JOHN OKELLO — CHIEF ARCHITECT

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