GAZETTE NOTICE NO. 11706

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT

(*Cap.* 387)

INVITATION TO THE PUBLIC COMMENTS ON THE DRAFT STRATEGIC ENVIRONMENTAL AND SOCIAL ASSESSMENT REPORT FOR THE KENYA MARINE SPATIAL PLAN

IN LIGHT of the provisions of section 57 A of the Environmental Management and Co-ordination Act (EMCA), 1999, Regulation 42 and 43 of Environmental (Impact Assessment and Audit) Regulations Legal Notice No. 101 of 2003, the National Environment Management Authority (NEMA) has received a Draft Strategic Environmental and Social Assessment (SESA) report for Kenya Marine Spatial Plan (MSP). The SESA findings are expected to integrate the existing sectoral plans and programs to establish sustainable development mechanisms.

The Kenya Marine Fisheries and Socio-economic Development Project, State Department for Blue Economy and Fisheries (SDBE and F) is the Plan Owner. The MSP planning area covers Kenya's marine and coastal nearshore and offshore waters spanning the land – sea interface from the high-water mark of the five coastal counties namely Kwale, Mombasa, Kilifi, Tana River, and Lamu seaward across Kenya's territorial sea, Exclusive Economic Zone (EEZ), and extended continental shelf. The Plan adopts a twenty-year time horizon from 2025 to 2045, with statutory provision for periodic adaptive review to incorporate climate projections, emerging ocean uses, and monitoring feedback.

The MSP is intended to serve as an overarching framework that aligns development aspirations with ecosystem protection and harmonizes decisions across sectors and governance levels. It does not replace existing regulatory systems; rather, it creates the spatial coherence needed to strengthen them.

The MSP establishes six zoning framework types;

1. Marine Biodiversity Conservation Zone that aims to protect critical habitats, ecological corridors, and climate refugia.

2. Fisheries and Sustainable Use Zone that will accommodate fishing and aquaculture while managing overlaps with conservation and tourism aspects.

3. Cultural Heritage and Tourism Zone that aims to safeguard heritage assets and maintain high-value seascapes.

4. Maritime Transportation and Infrastructure Zone that designate shipping corridors, port areas, and cable protection zones.

5. Renewable Energy Development Zone that guides the siting of offshore energy infrastructure.

6. Multi-Use and Transition Zone that permit managed coexistence and provide buffers between incompatible uses.

The Draft SESA Report assesses the likely environmental, social, economic, cultural, institutional, cumulative and climate-related implications of implementing the Marine Spatial Plan. Key issues considered include marine biodiversity conservation, fisheries and coastal livelihoods, maritime transport and infrastructure, tourism, cultural heritage, renewable energy, pollution control, marine safety and security, climate change resilience, vulnerable groups, and potential conflicts among other competing marine uses.

A summary of the proposed environmental management and monitoring plan for the Kenya Marine Spatial Plan is highlighted in the table below. The proposed mitigation strategies are aimed at minimizing the negative impacts while enhancing the positive ones.

Impacts on	*Mitigations Measures*
Marine biodiversity conservation	• Establish participatory zoning and co-management arrangements involving BMUs, local communities, county governments, conservation agencies and other resource users. • Provide livelihood transition support, including alternative income options, benefit-sharing mechanisms, eco-tourism opportunities and skills development for affected communities. • Strengthen enforcement against illegal fishing, destructive gear use, mangrove degradation, wildlife disturbance and encroachment into protected areas. • Maintain ecological corridors, buffer zones and seasonal restrictions to protect breeding, feeding, nesting and nursery habitats. • Control land-based pollution, sedimentation and hydrological changes affecting mangroves, coral reefs, seagrass beds and nursery areas. • Apply vessel speed controls, routing measures, noise reduction protocols and gear modification to reduce marine mammal disturbance, vessel strikes, entanglement and bycatch. • Implement long-term biodiversity monitoring covering coral reefs, seagrass, mangroves, marine mammals, turtles, sharks and key fish stocks.
Fisheries	• Clearly define and communicate fishing zones, access rights, gear restrictions and seasonal controls through participatory engagement with BMUs and fishing communities. • Protect artisanal and traditional fishing grounds from industrial encroachment through buffer zones, vessel monitoring and enforcement patrols. • Introduce effort controls, catch limits, closed seasons and gear regulations based on scientific stock assessments. • Promote bycatch reduction devices, selective fishing gear and safe release protocols for turtles, sharks and non-target species. • Establish monitoring systems for catch, effort, CPUE, juvenile capture and bycatch across artisanal and industrial fisheries. • Remove ghost gear and regulate potting, trawling and other gear types likely to damage benthic habitats. • Strengthen surveillance against IUU fishing through vessel tracking, port-state controls and regional cooperation. Require aquaculture projects to prepare site-specific ESIA/ESMPs, including effluent treatment, water quality monitoring and biosecurity measures.
Maritime transport and infrastructure	• Subject all major port, dredging, cable, ferry and maritime infrastructure projects to site-specific ESIA and marine ecological assessment. • Apply best-practice dredging controls, including timing restrictions, turbidity monitoring, sediment containment and approved disposal sites. • Avoid routing shipping lanes, dredged material disposal areas and infrastructure corridors through coral reefs, seagrass beds, mangroves and culturally sensitive sites. • Prepare and regularly test oil spill contingency plans, emergency response systems and hazardous cargo management protocols.

Impacts on	*Mitigations Measures*
	• Promote cleaner vessel technologies, low-sulphur fuels, port emission controls and energy-efficient port operations.
	• Introduce vessel routing, speed controls and noise-reduction measures in ecologically sensitive areas and marine mammal corridors.
	• Maintain navigational safety systems, signage, maritime communication and small-craft access planning to reduce accidents and user conflict.
	• Consult fishers, tourism operators and coastal communities before establishing exclusion zones, port security zones or cable protection corridors.
	• Compensate or provide alternative access arrangements where traditional fishing, anchoring or landing areas are permanently restricted.
Tourism and cultural heritage	• Enforce setback lines, coastal development controls and dune/vegetation protection measures in beach tourism areas.
	• Tourism facilities should provide wastewater treatment, solid waste management, storm water control and pollution prevention systems.
	• Protect public beach access, fish landing sites and community use areas in tourism planning and licensing.
	• Map and gazette archaeological sites, shipwrecks, sacred coastal sites and other cultural heritage assets.
	• Establish protective buffers around cultural heritage sites and prohibit dredging, anchoring, trenching or sand mining in sensitive locations.
	• Develop access protocols for sacred sites in consultation with custodians, elders and local communities.
	• Promote low-impact tourism, visitor carrying capacity limits and codes of conduct for diving, boating, beach use and cultural site visitation.
	• Ensure tourism benefits are shared with local communities through employment, local enterprise participation and community-based tourism initiatives.
Renewable energy	• Undertake strategic site screening to avoid critical habitats, fishing grounds, shipping corridors, cultural heritage sites and marine mammal areas.
	• Enforce project-specific ESIA to assess cumulative impact before approval of offshore renewable energy projects.
	• Apply construction timing restrictions to avoid breeding, migration, spawning and peak fishing seasons.
	• Use noise-reduction technologies and marine fauna observation protocols during construction.
	• Establish safety zones that are proportionate and do not unnecessarily exclude fishers or tourism operators.
	• Promote multi-use planning where compatible, including co-location with fisheries, research or conservation where feasible.
	• Develop clear inter-agency coordination procedures for licensing, monitoring and conflict resolution.
	• Enforce decommissioning plans and financial assurance for removal or restoration at the end of project life.
Marine safety and security	• Strengthen maritime surveillance, vessel monitoring, patrols and enforcement across territorial waters, the EEZ and extended continental shelf.
	• Clearly mark shipping lanes, ferry routes, port approaches, exclusion zones and small-craft navigation corridors.
	• Develop safe routing arrangements for artisanal fishers, tourism vessels and small craft near ports, ferry routes and shipping corridors.
	• Maintain emergency preparedness systems for oil spills, search and rescue, vessel accidents and hazardous cargo incidents.
	• Establish communication channels between port authorities, Kenya Coast Guard, BMUs, tourism operators and local communities.
	• Ensure security zones are justified, proportionate and designed to minimize unnecessary livelihood displacement.
	• Strengthen regional cooperation for IUU fishing control, spill response, marine mammal protection, migratory species management and transboundary pollution control.
	• Maintain incident reporting, grievance redress and compensation mechanisms for affected users.
Climate change resilience	• Integrate climate risk screening into all MSP zoning decisions, infrastructure approvals and sector development plans.
	• Protect and restore blue carbon ecosystems, especially mangroves, seagrass beds and coastal wetlands.
	• Maintain ecological buffers, setback zones and nature-based shoreline protection to reduce erosion and storm surge impacts.
	• Use climate-informed siting standards for ports, tourism facilities, aquaculture, energy projects and coastal infrastructure.
	• Promote livelihood diversification for climate-vulnerable fishing and coastal communities.
	• Monitor climate-sensitive indicators such as coral condition, mangrove health, fish stock shifts, shoreline change and extreme weather impacts.
	• Support early warning systems, disaster preparedness and local adaptation planning for coastal communities.
	• Align MSP implementation with Kenya's climate change policy, adaptation plans and blue economy resilience objectives.
Socio-economic activities and resource management	• Reserve and protect landing sites, transit corridors, and fishing access routes for small-scale and artisanal resource users.
	• Integrate community access requirements into marine spatial planning and

Impacts on	*Mitigations Measures*
	development approvals to safeguard traditional resource-use areas and navigation routes. • Promote local content and benefit-sharing arrangements to enhance community participation and equitable distribution of project benefits. • Strengthen regional cooperation and information-sharing frameworks for the management of transboundary marine resources and impacts. • Improve cross-border monitoring, surveillance, and enforcement systems to support sustainable marine resource management.

The full Draft Strategic Environmental and Social Assessment report for the Kenya Marine Spatial Plan is available for inspection during working hours at:

(a) Principal Secretary, Ministry of Environment, Climate Change and Foresty, NHIF Building, 12th Floor, Ragati Road, Upper Hill, Upper Hill, P.O. Box 30126–00200, Nairobi.

(b) Director-General, NEMA, Popo Road, off Mombasa Road, P.O. Box 67839–00200, Nairobi.

(c) County Director of Environment, Kwale County.

(d) County Director of Environment, Mombasa County.

(e) County Director of Environment, Kilifi County.

(f) County Director of Environment, Tana River County.

(g) County Director of Environment, Lamu County.

(h) National Project Co-ordinator, Kenya Marine Fisheries and Socio-economic Development Project (KEMFSED), State Department for Blue Economy and Fisheries (SDBE&F)

Maktaba Kuu Building, Ngong Road, Mezzanine Floor,Wing B, P.O Box 58187–00200, Nairobi.

A copy of the Draft SESA report can be downloaded from *www.nema.go.ke*> Resources>downloads> SEA/SESA Reports>NEMA/SEA/5/30/083.

NEMA invites members of the public to submit oral or written comments within thirty (30) working days from the date of publication of this notice to the Director General, NEMA, to assist the Authority in the decision making process regarding this SESA. Comments can also be e-mailed to info@nema.go.ke clearly indicating: *"Comments on the Draft SESA Report for the Kenya Marine Spatial Plan."*

MAMO B. MAMO,
Director-General.

MR/8217892

GAZETTE NOTICE NO. 11707

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT

(*Cap.* 387)

NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY

ENVIRONMENTAL IMPACT ASSESSMENT STUDY REPORT FOR THE PROPOSED CONSTRUCTION/INSTALLATION AND OPERATION OF AN OPTIC FIBER CABLE (OFC) AND RELATED SERVICES ALONG ISIOLO-MANDERA ROAD.

INVITATION TO PUBLIC COMMENTS

PURSUANT TO section 59 of the Environmental Management and Co-ordination Act, the National Environment Management Authority (NEMA) has received an Environmental Impact Assessment Study Report for the above proposed project.

The proponent, ICT Authority, proposes to install and operate a high-speed optic fiber cable including 74.75km backbone network (main route), 62.018km metro networks (urban areas),194.517km access network connecting a total of 341 institutions consisting of Government institutions, health facilities, schools, technical vocational education and training (TVETS)and community centres along the Isiolo-Mandera Road. The route corridor extends in a northerly-easterly direction from Isiolo Town (Isiolo County) passing through Meru, Garissa, Wajir and Mandera Counties in North eastern, Kenya.

The following are the anticipated impacts and proposed mitigation measures:

Impacts	*Mitigation Measures*
Terrestrial Habitat Alteration	• Use existing utility and transport corridors (road reserves) to avoid critical habitat through site fixed line infrastructure (e.g., fiber optic cable, etc.) and other linear infrastructure rights-of way, access roads, lines, and towers. • Avoid construction activities during breeding seasons and other sensitive periods or times of day. • Develop a biodiversity management plan (BMP) for protected areas as necessary. • Revegetate disturbed areas with native plant species.
Waste and effluent	• Use returnable glass water bottles to reduce plastic waste. • Train workers on proper waste handling/segregation. • Provide labeled hazardous/non-hazardous waste containers. • Engage only NEMA-licensed waste handlers for hazardous/oil waste. • Prohibit waste discharge into drains, natural areas, or watercourses. • Store fuels/oils in secure, bunded, lined areas to prevent spills. • Ensure adequate toilet facilities to prevent open defecation.
Emissions to air	• Conduct regular air quality monitoring. • Wet or chemically treat exposed earthworks; stabilize surfaces post-construction (e.g., vegetation/ground cover). • Regularly wet construction access routes to reduce dust and improve safety. • Minimize material drop heights where feasible. • Maintain construction equipment and generators to reduce emissions. • Provide workers with PPE (including dust masks as needed). • Inform the community of construction schedules.
Noise and vibration	• Enforce best driving practices (drivers to avoid unnecessary acceleration/braking). • Restrict work to authorized hours (no night work; limit work near offices/schools to weekends). • Reduce noise/vibrations (soundproofing, use low-noise equipment, mufflers, enclosures).