

WWF Environmental and Social Safeguards - Risk Categorization Memorandum

Version 2.1 November 2020

Project Name: Lake Naivasha Ecosystem Based Management	Date: 12/27/2022
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Executing Agency/ies: National Environment Trust Fund (NETFUND)

Landscape Categorization on E&S Risks:

High Risk - (A) ___ and/or (Special Consideration) ___ /Medium Risk (B) X / Low Risk (C)___

Substantive Safeguard Standards Triggered:	Yes/ TBC	No
Natural Habitats	X	
Pest Management	X	
Indigenous Peoples	X	
Restriction of Access & Resettlement	X	
Community Health, Safety and Security	X	
Physical and Cultural Resources		X

In addition to the Substantive Safeguards above, the four Process Standards apply to all projects:

- **Environmental and Social Risk Management**
- **Consultation and Disclosure**
- **Community Stakeholder Engagement**
- **Grievance Mechanism**

Landscapes categorized as low risk have been screened in accordance to the Standard on E&S Risk Management.

Project Area Context

Located in the eastern Rift Valley in Kenya, the Lake Naivasha Basin (LNB) ecosystem extends over 3,400 km² and is key to biodiversity and provision of water and fertile soil. Its upper water catchment area in the mountains is characterized by rich biodiversity in the Aberdare Forest, home to almost 8,000 plant species and globally significant wildlife such as elephants, black rhino and mountain bongo. Lake Naivasha is the significant feature of the lower catchment, as its freshwater supports a rich ecosystem with hundreds of bird species, papyrus fringes filled with hippos, riparian lands where waterbuck, giraffe, zebra and various antelopes graze, dense patches of acacia forest with buffalos, bushbuck and swampy areas where waterfowl breed and feed. Moreover, the basin's

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fertile soils and freshwater support livelihood activities for the communities living in the area, which include growing of food crops, horticulture farming and floriculture.

Designated as a wetland of international importance in 1990, LNB is presently a sub-national priority hotspot for land degradation in Kenya as it is both an area highly prone to erosion due to steep gradients as well as the target of poor land use practices that have led to siltation of streams and rivers. These have been made worse by population growth and the shrinking of land sizes, which have led people to encroach on riparian land by cultivating in the steep slopes, especially in the middle and upper catchments. Furthermore, overgrazing and illegal logging have caused further land degradation and deforestation in the lower, middle and upper catchments, particularly riparian zones around streams in the headwaters and around the Lake itself.

Overall, the pollution of water bodies resulting from farmlands, settlements and industries within the catchments is causing significant problems for the health of Lake Naivasha and the livelihoods of the people who depend on its resources. This is compounded by climate change, an environmental threat that affects the LNB ecosystem by changing rainfall patterns thus affecting farming activities as well as biodiversity.

The proposed project interventions will take place in both the upper catchment in Nyandarua county, under the jurisdiction of the Wanjohi and Kianjogu Water Resources Users Associations (WRUAs), and around Lake Naivasha itself, in Nakuru county, under the jurisdiction of the Naivasha WRUA. As a whole, the project objective is to restore forest ecosystems and reduce land degradation in the LNB catchment for increased protection of Lake Naivasha's water resources, biodiversity, and associated ecosystem services to support the local and national economy. The project components include:

1. Strengthening the enabling conditions for integrated natural resources management in LNB, which entails an inter-sectoral and multi-stakeholder planning and management across the basin.
2. Market and financial mechanisms for implementation of the Lake Naivasha Basin Integrated Management Plan (LNBIMP), which involves improving access to financing for restoration and improved land management activities and to markets for sustainable agricultural produce.
3. Improved land management in upper LNB, including improving the capacity of LNB smallholder farmers to transition to sustainable practices and implementing management interventions in the Lake's riparian lands to enhance water and biodiversity protection
4. Knowledge Management and Monitoring and Evaluation, which primarily refers to informing effective adaptive project management and long-term support for LNB.

Summary of Key Safeguard Issues

Natural Habitats: At this point, there are no planned activities that would negatively impact natural habitats. However, this standard has been triggered because the project entails on-the-ground activities, including restoration activities on key riparian degradation areas (such as demarcation) and small-scale irrigation infrastructure, even if these are geared towards reducing the unsustainable use and extraction of natural resources. Consequently, further environmental impact assessments will be needed as the specific activities and locations

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become better defined to determine which safeguard measures, if any, need to be in place to ensure no lasting damage to natural habitats or the people that rely on them occur.

Pest Management: This standard has been triggered because, while the project will not procure any pesticides, it may promote the use of registered biopesticides and conventional pesticides in class III and IV. Specifically, because the project will adopt an integrated pest management approach (which considers cultural, mechanical, physical and chemicals methods), the use of these pesticides will be minimized to promote environmental conservation and human health, and ensure economical management of pests. Thus, the project will build knowledge regarding the advantages and disadvantages of their use and, where appropriate, will train farmers on application rates, techniques and equipment, disposal of empty containers and remaining/unused pesticides mixtures. Due to these activities, a Pest Management Plan will be prepared as part of the ESMF to conform to WWF's Environment and Social Safeguards Framework.

Indigenous Peoples: This standard has been triggered because there are different ethnic groups and clans present that can be identified as Indigenous Peoples, including but not limited to the Maasai who live in Narok county and cross over to neighboring counties like Naivasha looking for pasture and water during severe droughts. Although the Kenyan government does not formally recognize the Maasai as indigenous, they are considered so under WWF and GEF policies. Furthermore, more information on the presence and resource use of other pastoralist communities is needed, including but not limited to the Samburu and Turkana. Consequently, an Indigenous Peoples Planning Framework will be prepared as part of the ESMF to conform to WWF's Environment and Social Safeguards Framework.

Restriction of Access and Involuntary Resettlement: The project does not support involuntary resettlement of persons directly or indirectly nor will proceed with any restriction of access activities without consulting the communities as guided by the relevant regulations and laws of Kenya and WWF US policies. However, this standard has been triggered because this project is concerned with land management, which often results in changes of access. As such, more information is needed to determine the extent of these potential access restrictions and the risk they might pose, if any, if no mitigation measures are taken. A Process Framework will be prepared as part of the ESMF to conform to WWF's Environment and Social Safeguards Framework to ensure community rights are respected.

Community Health, Safety and Security: This standard has been triggered at this stage as a precaution because, although the project's activities have not been fully defined yet, some of the envisaged ones (such as on-farm practices and post-harvest activities, as well as the installation of small-scale irrigation infrastructure) represent potentially negative environmental and health impacts, as well as implications for labor standards, if these are not done correctly and the risks are not minimized. As the specific activities and their locations become better defined, further environmental impact assessments will be carried out before development of infrastructure begins. Additionally, there has been a reported increase in conflict between humans and hippos in Lake Naivasha, likely as a result of infrastructure development for tourism purposes and encroachment on riparian land by farmers. The project does not expect to develop on-the-ground activities in Lake Naivasha itself, which is where this conflict primarily plays out. Nonetheless, if this were to change, the ESMF will identify and list measures for mitigating human wildlife conflict.

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Physical and Cultural Resources: This standard has not been triggered because, while the Aberdare Range (which includes sites proposed as World Heritage) is near the project site, the project itself will not interfere with the historical sites present nor do the projected activities pose a risk to cultural resources. Furthermore, the sites with historical and cultural relevance, such as the Mau Mau caves used by freedom fighters during the struggle for independence that can be found within the Aberdare Range, are already protected either as state forest or national park. Furthermore, although there is a known cultural belief shared by some community members that burning patches of the forest during a drought will attract rainfall, this was not significantly picked up by the stakeholder engagement conducted thus far. Nevertheless, continuous community engagement will contribute to gaining more insight into this practice.

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Summary of Cross Cutting Issues; (Human Rights, Gender Equality and Women's Rights, Children's Rights, Conflict Sensitivity and Climate Change).

Human Rights: There are no major risks foreseen resulting from project activities, but human rights violations are a concern in the country. Near the project area, there are allegations of harassment and detainment of activists expressing concern over large infrastructure projects and forced evictions of Maasai people from the Mau Forest. While the project aims to improve stakeholder engagement and to improve the capacity of smallholder farmers to transition toward sustainable agricultural practices, it also recognizes that special attention needs to be paid to ensuring that women and other marginalized and vulnerable people (such as the Maasai) have access to the resources required to preserve their livelihoods. Finally, there are literacy and access to information concerns in the region: there may be people and communities who are unaware of their rights, have expressed difficulty in filling out forms and/or live in somewhat isolated rural settings. The project will consequently conduct multiple stakeholder engagements to sensitize the local people on the project activities and the rights they have, all of which will be detailed in a separate Stakeholder Engagement Plan.

Gender Equality and Women's Rights: Despite placing gender equality and women's empowerment at the center of Kenya's development strategies and plans, the country still reflects varied gender-based inequalities exacerbated by gender-based violence, including sexual abuse, rape, physical violence, and sexual harassment. The Lake Naivasha Basin evinces complex gender dynamics correlated to gender roles and responsibilities; patterns of power and household decision making; access to and control over assets and resources; and meaningful participation in public decision-making. Project activities will be designed considering the context of the country and area, and to address critical gender imbalances, all of which will be described in the Gender Action Plan.

Children's Rights: The Kenya Forest Service has reported that children in Nyandarua county sneak from school to gather fruits from the forest for sale or to collect firewood on behalf of their parents, which affects their right to education and, in turn, might affect resource use in the future. The project does not target children or adolescents directly and will not affect or otherwise have an impact on these issues. In fact, it is the goal of the project to improve coordination and sustainable production and consumption practices so that benefits will be eventually provided to children's rights, as opposed to risks.

Conflict Sensitivity: Resource competition is increasing in LNB because of climate change, which has led to an uptick in the incidence of resource related conflicts. Some of these are of human nature, such as illegal fishing or grazing from neighboring pastoralist communities, while others are due to the entanglement of wildlife and humans in ever-more limited landing sites, such as dangerous (and sometimes lethal) encounters with hippos. Given this context, though the project aims to improve the sustainability and management of natural resources to eventually reduce conflict, it is likely that raising these issues will cause tensions. Therefore, the stakeholder engagement process needs to be carried out with sufficient diplomacy so that the various groups with diverging interest can be effectively brought together and/or substantively engaged.

Climate Change: The impacts of climate change on this region are quite significant as LNB has experienced both fluctuations and a rapid decrease in its spatial extent, while the catchment has lost significant amounts of water due to erratic weather patterns and prolonged periods of drought. The latter phenomenon has also caused natural loss of vegetation and biodiversity in the upper catchment in Nyandarua county. Altogether, climate

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change will result in added physical and biological stresses to forest ecosystems, including drought, heat, increased evapotranspiration, altered seasonality of hydrology, pests and disease. Thus, the overall objective of the project is to increase the protection of Lake Naivasha's water resources, riparian vegetation, headwater forests and associated ecosystem services to increase beneficiaries' and ecosystems' resilience to climate change, and simultaneously support the local and national economy.

Required Actions for Impact Assessment (ESIA) and Mitigation Framework (ESMF):

On-the-ground consultations and validation of the ESS prescreen will be required for this project in order to create an effective Environmental and Social Management Framework (ESMF). The ESMF will also include an Indigenous Peoples Planning Framework (IPPF), a Process Framework and a Pest Management Plan as well as further screenings on Natural Habitat and Community, Health and Security impacts.

Additionally, a Stakeholder Engagement Plan, a Grievance Redress Mechanism, Gender Assessment and Gender Action Plan will be drafted and submitted with the ProDoc.

DocuSigned by:
Signature: Soledad Altrudi
AB1F52888E67493...

Date: 12/28/2022

Name: Soledad Altrudi

Position: Safeguards Specialist

DocuSigned by:
Signature: Brent Nordstrom
DD6030B6C7E2446...

Date: 12/28/2022

Name: Brent Nordstrom

Position: Senior Director, Integration and Performance