

Safeguards Compliance Memorandum

Project Information

Project Name	Lake Naivasha Ecosystem Based Management
GEF Focal Area	Biodiversity and Land Degradation
Safeguards Categorization	Medium Risk (B)

Project Description

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.

Project Location and Salient Physical Characteristics Relevant for the Safeguards Analysis

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.

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 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.

Safeguards Standard	Triggered	Explanation
Natural Habitats	Yes	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.
Indigenous People	Yes	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. Consequently, an Indigenous Peoples Planning Framework has been prepared as part of the ESMF to conform to WWF's Environment and Social Safeguards Framework.
Restriction of Access and Resettlement	Yes	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. A Process Framework has been 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	Yes	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.
Pest Management	Yes	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, 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 has been prepared as part of the ESMF to conform to WWF's Environment and Social Safeguards Framework.
Cultural Resources	No	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.

Summary of Key Safeguards Issues

Describe any safeguard issues and impacts associated with the proposed project. Identify and describe any potential large scale, significant and/or irreversible impacts:

The project is expected to result in positive social outcomes by enhancing rural livelihoods, strengthening community resilience to climate change, and empowering communities in the governance of natural resources. Adverse social impacts are expected to be minor as long as certain precautions are taken. The following are the key potential social impacts associated with the project:

1. Restrictions in access to land and natural resources: Project activities will include the development and updating of Integrated Landscape Management Plans and related management of priority areas for ecosystem management and restoration, which may result in conflicts over land use and access to water and other natural resources between different user groups and residents. This is compounded by the risk that local people and communities affected by the project are unaware of their rights and/or lack the capacity to claim them.
2. Inter-personal and inter-community conflicts due to the selection of beneficiaries of the project, as well as due to surveillance of forest areas by community scouts: Since only some of the affected community members will benefit from certain activities, conflicts and tensions may arise as a result of beneficiary selection processes. In addition, inter-personal and inter-community conflicts may also arise from the engagement of community scouts for the surveillance of restoration sites in degraded forest areas.
3. Health risks related to the misuse of agrochemicals by farmers: The project will establish model farms and organize field days. Limited knowledge on safe use and handling of pesticides may lead to the misuse of agrochemicals by farmers and consequent health risks.

Describe measures taken by the Project Team to address safeguard policy issues. Provide an assessment of borrower capacity to plan and implement the measures described:

The project team identified the following mitigation measures for the safeguards concerns listed above.

1. Restriction in access to land and natural resources:
 - a. Organize target group consultations with vulnerable and marginalized groups to ensure that the voices of all stakeholders group are actively represented and heard in the development of the Integrated Landscape Management Plan.
 - b. Collect in-depth data on specific impact of land-use change and infrastructure developments on women, IPs and other marginalized groups.
 - c. Explicitly invite women's and IP rights groups to consultations.
 - d. Base any change or new demarcation of boundaries for land use or access on free and prior informed consultations.
 - e. Compensate for the negative impacts the demarcation of land boundaries might have on source of economic income or other types of livelihoods of affected communities.
 - f. Develop and implement a basin-wide communication strategy that explicitly ensures that information is adapted to each target audience (such as women, youth, IPs) and disseminated by means accessible to these groups.

- g. Carry out awareness raising and capacity building activities on land and resource management rights and regulations.
- 2. Inter-personal and inter-community conflicts due to the selection of beneficiaries of the project, as well as due to surveillance of forest areas by community scouts:
 - a. Inclusive development of criteria for beneficiary selection, to be clearly outlined and widely published among community members in a manner that is easy to understand and accessible.
 - b. Community scouts will be adequately vetted and trained in conflict avoidance and resolution over access to land and resources, as well as human-wildlife interactions.
 - c. Communities affected by access restriction will be socialized to the presence of these scouts and engaged at regular points in the process to facilitate constructive discussion around any issues that might arise
- 3. Health risks related to the misuse of agrochemicals by farmers:
 - a. Capacity building and training activities to ensure proper handling of pesticides.

To ensure appropriate implementation and oversight, the project team will establish a Safeguards Specialist within the Project Management Unit.

Identify the key stakeholders and describe the mechanisms for consultation and disclosure on safeguard policies, with an emphasis on potentially affected people:

Project stakeholders include the following:

National Government Entities and Corporations: Ministry of Environment and Forestry (MoE&F); Ministry of Public Service, Gender and Affirmative Actions; Ministry of Tourism and Wildlife (Departments of tourism), Ministry of Agriculture, Livestock and Fisheries (MoAL&F); National Environment Trust Fund (NETFUND); Water Resources Authority (WRA); National Environment Management Authority (NEMA); Kenya Forest Service (KFS); Kenya Wildlife Service (KWS); Kenya Fisheries Services; Kenya Coast Guard Services; Kenya Agricultural and Livestock Research Organization (KALRO); Kenya Plant Health and Inspectorate Service (KEPHIS); Agriculture and Food Authority (Horticultural Crop Directorate (HCD); Kenya Water Tower Agency (KWTa); The Kenya police service; The National Gender and equality commission.

Government departments for Nakuru, Nyandarua and Narok counties: Department of Agriculture; Department of Education, Children, Gender Affairs, Culture and Social Services; Department of water, energy, environment, climate change and natural resources management; the Naivasha Water and Sanitation Company (NAIVAWASCO). which is a county government entity that manages the waste in the county.

Local communities: These comprise the main beneficiaries and other organized interest groups. They include the Water Resource User Associations (WRUAs), Beach Management Units (BMUs), Community Forest associations (CFA), Nakuru County Tourism Association – Naivasha Branch, farmer groups and producer organizations, Farmer groups, Community saving and lending groups (VSLA/Chamas) and People Living with Disability groups (PLWD). The Indigenous communities

include the Maasai Community from Narok County. They come to the project area only during severe drought.

Others: NGOs, including Rhino Ark, WWF Kenya and Hand in Hand International as well as The Dedan Kimathi Foundation and Eburu Rafik; *donors and multilaterals*, including World Bank, Sweden's government agency for development cooperation (SIDA), African Development Bank, European Union (EU) and BMZ Germany, the German Agency for International Cooperation (GIZ) and International Fertilizer Development Center (IFDC) are donor agents that support sustainable farming practices and conservation of the Lake Naivasha Basin; *private sector*, including , micro-finance institutions and Savings and Credit Co-operative (SACCOs), Komaza, the Lake Naivasha Growers Group, the Saw millers' association, Boda Boda (motorbike) association, Private Geothermal generating companies (e.g Oserian), Kenya Electricity Generating Company (KENGEN) and Agro dealers.

Consultations: The project development team consulted several stakeholders throughout the project development process, including target communities in WRUA and CFA, government ministries, private sector, and NGO's/CSO's. The team also developed a Stakeholder Engagement Plan to ensure appropriate and consistent involvement of project stakeholders in every stage of the project implementation, and to support effective communication and working relationships. The Project Management Unit (PMU) will ensure that the views and inputs of stakeholders are taken into consideration throughout project implementation.

Disclosure: An executive summary of the ESMF (including the IPPF and PF), together with the full SEP and ESMF versions, have been made available on the websites of NETFUND and of the WWF GEF Agency. In addition, the Executing Entity (NETFUND), in collaboration with ESSF experts from WWF-Kenya, held an ESMF Disclosure training for all the relevant stakeholders and implementing partners at Panorama Hotel in Naivasha, Kenya. Imarisha Lake Naivasha (who is implementing Component 1 of project) held a one-day session with stakeholders from the public, private and civil sectors, while the Kenya Forest Service (who will collaborate with NETFUND on implementation of Component 3) held a series of ESMF sensitization meetings with community forest association representatives and community members who depend on the forest resources and neighboring villages. Lastly, the County Government of Nyandarua has held disclosure activities (forums) with representation of NETFUND.

Monitoring and Compliance

Have satisfactory calendar, budget and clear institutional responsibilities been prepared for the implementation of measures related to safeguard policies? **Yes [X]** No [] NA []

Have costs related to safeguard policy measures been included in the project cost? **Yes [X]** No [] NA []

Does the Monitoring and Evaluation system of the project include the monitoring of safeguard impacts and measures related to safeguard policies? **Yes [X]** No [] NA []

Have satisfactory implementation arrangements been agreed with the borrower and the same been adequately reflected in the project legal documents? **Yes [X]** No [] NA []

Have relevant safeguard policies documents been sent to WWF-US? Yes [X] No [] NA []
Have relevant documents been disclosed in-country in a public place in a form and language that are understandable and accessible to project-affected groups and local NGOs? Yes [X] No [] NA []

Disclosure Requirements

Environmental and Social Management Framework, including a Process Framework, an Indigenous Peoples Planning Framework, and a Pest Management Plan.	
Stakeholder Engagement Plan	
Date received by WWF-US	February 15 th , 2023
Date Disclosed on WWF-US website	February 15 th , 2023
<i>In Country Disclosure</i>	
Date Disclosed on NETFUND's website	<p>April 4th, 2023 – executive summary https://www.netfund.go.ke/download/lake-naivasha-basin-ecosystem-based-management/</p> <p>May 22nd, 2023 – SEP and ESMF https://www.netfund.go.ke/download/lake-naivasha-basin-ecosystem-based-management10589stakeholder-engagement-plan/</p> <p>https://www.netfund.go.ke/download/lake-naivasha-basin-ecosystem-based-management10589environmental-and-social-management-frame-workprocess-framework-and-indigenous-peoples-framework/</p>
Date Disclosed in relevant localities	<p>Naivasha, April 6th; Geta Forest Station, May 2nd; North Kinangop Forest Station, May 3rd; South Kinangop Forest Station, May 4th (2023).</p> <p>Nyandarua, May 23rd – 25th</p> <p>Physical copies of the ESMF were shared to the KFS Station, Imarisha Naivasha and County Government Offices</p>

Approvals

Soledad Altrudi, Safeguards Specialist	<div>DocuSigned by: <i>Soledad Altrudi</i> AB1E52888E67493...</div>	Date: 5/31/2023
Brent Nordstrom, Safeguards Compliance Officer	<div>DocuSigned by: <i>Brent Nordstrom</i> DD6030B6C7E2446...</div>	Date: 5/31/2023