THE COUNTY ASSEMBLY OF KISUMU
3RD ASSEMBLY
DATE: 7/03/2023 Time: 2:30p.m
Day: Tuesday
TABLED BY: Hon. Samuel Dedeh
CLERK AT THE TABLE A. Obonyo.

THE COUNTY ASSEMBLY OF KISUMU

THIRD ASSEMBLY – SECOND SESSION

COMMITTEE ON WATER, ENVIRONMENT AND NATURAL RESOURCES.

REPORT ON THE STATEMENT RAISED BY HON. BENSON ADEGA ON THE WATER PROBLEM IN BUKNA, KAJULU WARD.

PRESENTED BY

HON. SAMUEL DEDE

MARCH, 2023

COMMITTEE SERVICES,

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Abbreviations

WENR	Water, Environment and Natural Resources
PMC	Project Management committee
KIWASCO	Kisumu Water and Sewerage Company
CECM	County Executive Committee Member
WHO	World Health Organization
KENBS	Kenya Bureau of Standards
LVWATSAN	Lake Victoria Water and Sanitation

1.0 PREFACE

1.1 Background Information

Mr. Speaker and Hon. Members,

Pursuant to Article 43 (d) of the Constitution of Kenya 2010, every person has the right to clean and safe water in adequate quantities. Access to clean and safe water is critical to individuals and families living in Kenya. However, many families living in the informal settlements and rural and peri-Urban areas are unable to access this precious commodity making it hard for them to lead a normal life like other Kenyans as they have to cope with the water shortage and other problems that come with it.

It's worth taking note that most people residing in the rural and peri-urban areas mainly depend on rivers, shallow wells, unprotected springs and other underground water sources. The mentioned sources, however, are quite unreliable due to the current climate change. For instance, during the dry season, some of these water sources run dry, forcing the residents mostly women and young girls to walk long distances and spend more time in search of water and with this we all know the repercussions.

It is in this regard that, Pursuant to Standing order no. 41 2(b) the Kajulu Ward Member of the County Assembly presented a Statement before this House highlighting some water issues within the said ward. The Statement was committed to the WENR Committee to further look into the matter.

1.2 Mandate of the Committee

Mr. Speaker and Hon. Members,

The Committee draws its mandate pursuant to the provisions of the Standing Order 193(5), the Committee on Water, environment and Natural Resources shall among other supervisory duties:-

(a) Investigate, inquire into and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned department.

(b) Study the programme and policy objectives of the department and the effectiveness of the implementation.

(c) Study and review all County legislation referred to it.

(d) Study, assess and analyze the relative success of the department as measured by the results obtained as compared with their stated objectives.

(e) Investigate and inquire into all matters relating to the assigned department as they may deem necessary, and as may be referred to them by the County Assembly.

(f) To vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 187(Committee on Appointment).

(g) Make reports and recommendation to the County Assembly as often as possible, including recommendation of proposed legislation.

Further, pursuant to the provision of the Standing Order 193(Second schedule), the Committee is mandated to inquire into, investigate and report on;

All matters relating to the provision of clean water for domestic use; implementation of specific national government policies on natural resources and environmental conservation, including soil and water conservation and forestry and control of air pollution, noise pollution, other public nuisance and outdoor advertising.

1.3 Committee Composition.

PURSUANT to Standing Order No. 193(6) of the Kisumu County Assembly Standing Orders, the Committee on water, Environment and Natural resources is composed of the following Members;

1. **Hon. Samuel Dede**	**Chairperson**
2. **Hon Mickey Ochieng**	**Vice Chairperson**
3. Hon Maurice Otieno Ngeta	Member
4. Hon Emily Oginga	Member
5. Hon Jennipher Obonyo	Member
6. Hon Lumumba Owade	Member
7. Hon Reuben Rakwach	Member
8. Hon Vincent Jagongo	Member
9. Hon Mildred Ajumbo	Member
10. Hon Ken Ouko	Member
11. Hon Seth Okumu	Member
12. Hon Mariam Abeid	Member
13. Hon James Were	Member
14. Hon Nancy Matara	Member
15. Hon Adonijah Odari	Member

Secretariat

1. Allan Otieno	-	Assistant clerk
2. Fanuel Okode	-	Hansard
3. Silas Kapesa	-	Sergeant-at-Arms

1.4 Acknowledgement

Mr. Speaker and Hon. Members.

I would like to express my special gratitude to all members of the Committee on Water, Environment and Natural Resources for their valuable contributions during this exercise that sought to look into the issue affecting our people and Kisumu County at large.

The Committee also extends special thanks to the offices of the Speaker, Clerk of the Assembly and the secretariat for their input which made the committee activities a success.

I therefore humbly submit this report for consideration by the House on behalf of the Committee on Water, Environment and Natural Resources.

Signature:.....Date:.....

Hon. Samuel Dede

COMMITTEE CHAIRPERSON

1.5 Procedure Adopted

Mr. Speaker and Hon. Members,

During the long recess, the Committee on Water, Environment and Natural Resources had three special sittings approved by the Speaker to deliberate on the statements and also carry out the site visits. The committee also wrote a letter dated 16th January, 2023, **(annex 1)** to the Department in regard to the issues raised in the statement by the Honorable member.

2.0 COMMITTEE FINDINGS AND OBSERVATION

2.1 Four-ways water project

Mr. Speaker and Hon. Members,

The Four-ways water project is located at the Bukna area in Kajulu ward and comprise of a borehole, a water tank and a small water 'kiosk' where they used to sell the water. At the time of visiting the project, the committee was informed that the water point had not been operational now for quite a long time. It was brought to our attention that the project lasted only one month after which it stalled as no water was coming out of the borehole. The stalling of this project has brought more suffering to the residents as they are forced to walk long distances to Katiega searching for water which in this case is a stream down the valley and is not safe water for consumption.

Mr. Speaker

The stalling of this project is attributed to several factors, it's alleged that the borehole was not sunk deep enough as it was done during the rainy season when the waterbed is near the ground surface leading to water shortage during the dry seasons. The Committee observed that a nearby eucalyptus tree plantation could also be contributing to the drying up of the borehole given that it did not go deep as alleged. The site has also been subjected to vandalism and theft with the electricity installations and the pipes used in the pumping of water having all been stolen.

The committee also established that the project sits on a private land even though the PMC representatives claimed the land had been donated for the purpose of the project. However, the documents legitimizing the agreement could not be availed before the committee.

2.1 Aora-meyor water project

Mr. Speaker and Honorable Members,

The project comprise of a spring/stream of water and a manual borehole pump that broke down and is in dire need of repairs. The stream is characterized by wide gulley erosion with the initial channel constructed for the spring water blocked.

Despite the low water levels, the water point is highly overcrowded with both people and animals leading to commotion and conflict. Some of the residents also bath and wash upstream and the same water is collected at some point along the stream and ferried using donkeys and sold to homes and at the nearby business Centre for consumption.

In addition, the Committee received complains that a nearby Hotel discharges its raw sewer into the water channel thus contaminating the water points putting the residents' health at risk of water borne diseases.

Mr. Speaker,

A report received by the Committee from the department of Water, Environment, Natural resources and Climate change **(annex 2)** on the challenges of clean water faced by the Residents of Kajulu Ward, it informed the committee that the springs in Kajulu Ward and in reference to the mentioned areas has no adequate water and therefore no meaningful amount of water can be tapped from it.

The Aora-meyor Spring has shifted at the eye point thereby leaving the constructed structures hanging and the process of reconstructing the structures may prove futile. The situation is further complicated by the settlements on the catchment areas drastically reducing the discharge. The spring eye has been eroded hence forming a deep gulley posing a challenge for protection to get a good yield of water.

According to the report, the area also has a challenge of good water quality in its aquifers in terms of quality and adequacy. That is, the chemical quality is above the WHO and KENBS

recommended standards and hence not suitable for human consumption and needs further treatment on the same.

2.3 Katiega Water point

Mr. Speaker,

Katiega is an open water collection point that is fed by a small seasonal stream that marks the boundary between the Nandi and Kisumu Counties. Despite it being located far down the valley, the water point is quite crucial to the residents as it's the only water source left after the stalling of the Four-ways project. The access road to katiega is a sloping, rocky footpath that is in a very bad state.

The water is murky in nature clearly indicating that it's not safe for the residents' consumption though most of them are forced to consume it as there is no better option. Conflicts have also been experience at the water point involving the neighboring communities from the neighboring counties.

At the time of the visit, the residents together with the local leadership decried the water problem requesting that a solution to their misery in regards to the precious commodity be prioritized.

2.4 Long term plans for water provision

The Department of Water, Environment, Natural resources and Climate change in its report stated its long term plan to ensure that there is provision of water in the area. The CECM informed the committee that the Lake Victoria South Water Works Development Agency is in the process of doing construction work that will serve this area fully through KIWASCO which is the water service provider. The project is referred to as Lake Victoria Water and Sanitation (LVWATSAN).

The project is supposed to construct a main storage tank at Gee area near Kiboswa market and the water will gravitate and supply the whole of this area. The project has gone through the feasibility studies and design and may take off in due course mid of this year. The source of the water is Lake Victoria.

3.0 RECOMMENDATIONS

Pursuant to the foregoing findings, the committee makes the following recommendations;

1. That, the CECM consider having the water supply project in the FY 2023/2024 budget to enable a wide coverage in terms of piped and safe water for consumption in Bukna area.

2. That, the CECM Water formulates and submits all pending policies and legislations relevant for good water governance to the County Assembly, within 30 days upon adoption of this report, for enactment.

3. That, the CECM undertake to repair or reconstruct the borehole pumps and the sites be fenced with a management committee put in place in the next FY2023/2024.

4. That, the CECM put in place the relevant legislations and policies to ensure that the water catchment areas is protected.
5. That, the CECM do a Cabinet Paper to enable inter-county consultations between Nandi and Kisumu Counties on the development of Katiega water point in the next financial year.

CONCLUSION

Mr. Speaker and Hon Members,

We must acknowledge that Kisumu as a County has made great strides towards ensuring that most of its residents have access to sustainable supply of safe water and this is attributed to the several projects by the County Government. We are hopeful that the remaining areas with such water problems will be put into consideration to enable the people access clean and safe water for their consumption.

It is therefore my honor and privilege, on behalf of the Committee on Water, Environment and Natural Resources to table this report before this Honorable House for consideration.

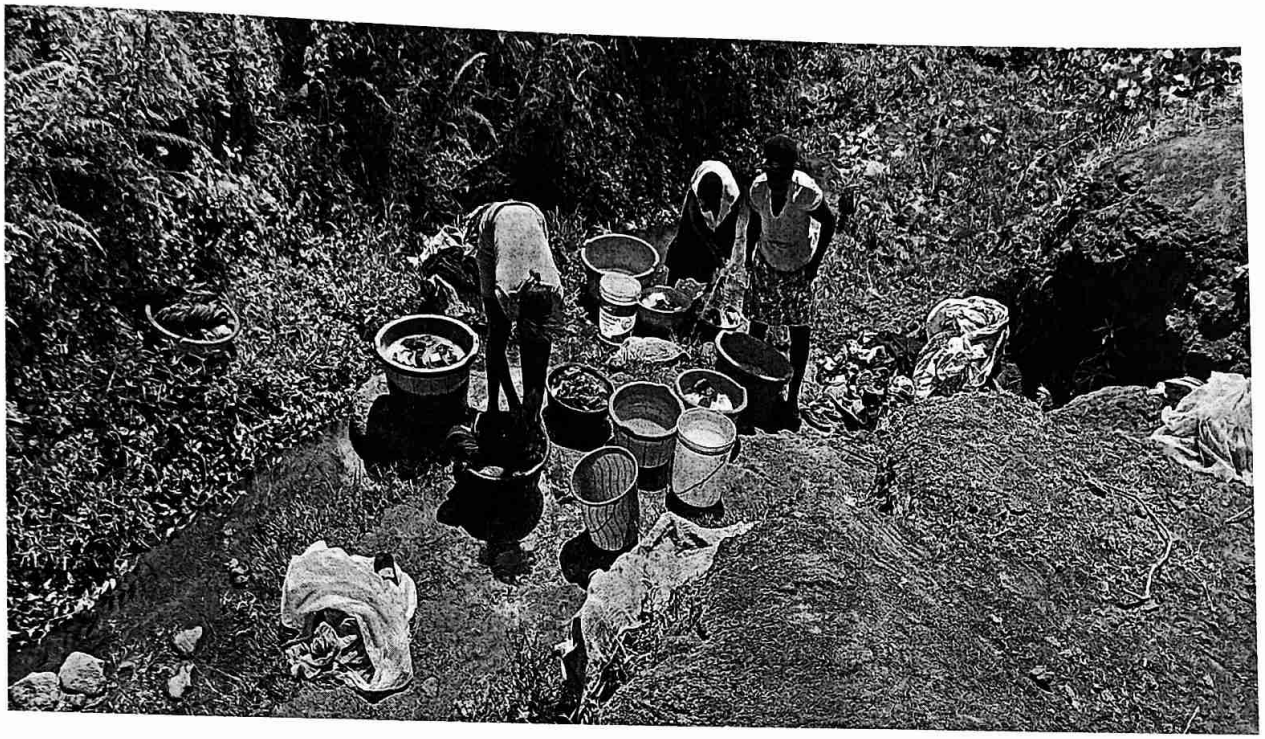
I wish to request the Hon. .....to second this report.

ADOPTION SCHEDULE FOR THE REPORT ON THE STATEMENT RAISED BY HON. BENSON ADEGA ON THE WATER PROBLEM IN BUKNA AREA.

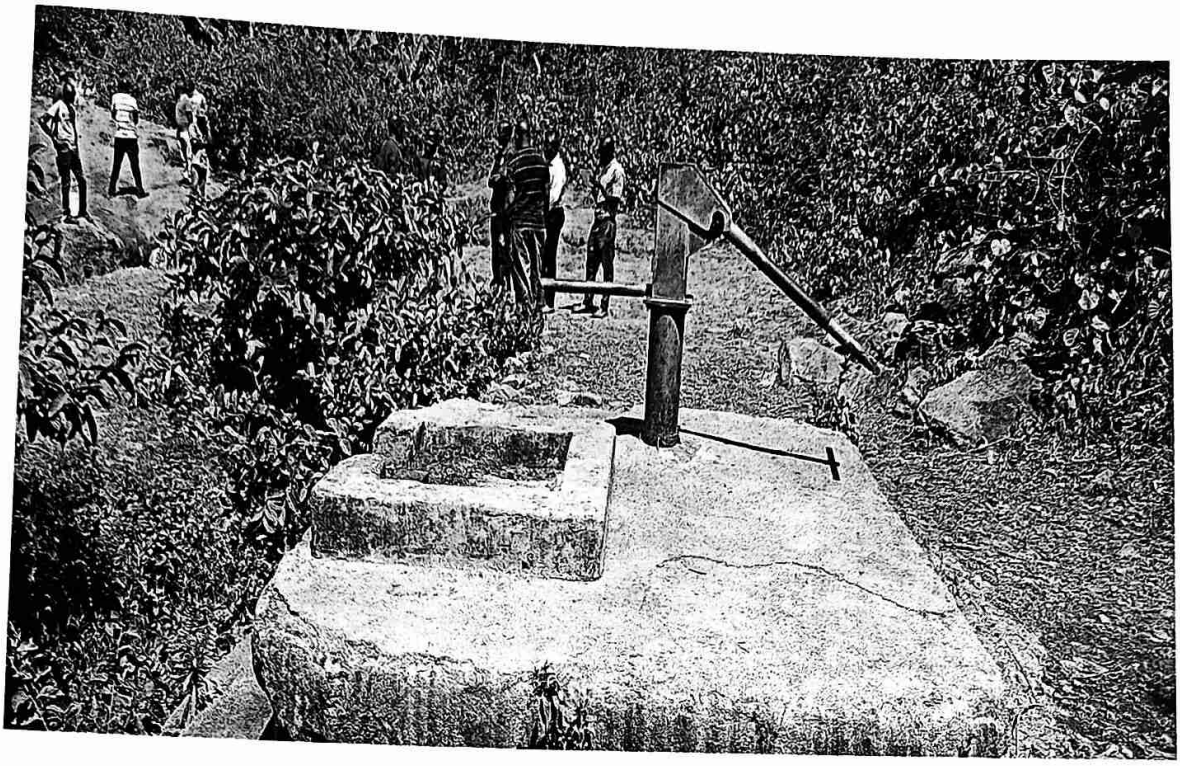
Approved by Members of the Committee on Water, Environment and Natural Resources.

No.	NAME	POSITION	SIGNATURE
1.	Hon. Samuel Dede	Chairperson	
2.	Hon Mickey Ochieng	Vice Chairperson	
3.	Hon Maurice Ngeta	Member	
4.	Hon Emily Oginga	Member	
5.	Hon Jennipher Obonyo	Member	
6.	Hon Lumumba Owade	Member	
7.	Hon Reuben Rakwach	Member	
8.	Hon Vincent Jagongo	Member	
9.	Hon Mildred Ajumbo	Member	
10.	Hon Ken Ouko	Member	
11.	Hon Seth Okumu	Member	
12.	Hon Mariam Abeid	Member	
13.	Hon James Were	Member	
14.	Hon Nancy Matara	Member	
15.	Hon Adonijah Odari	Member	

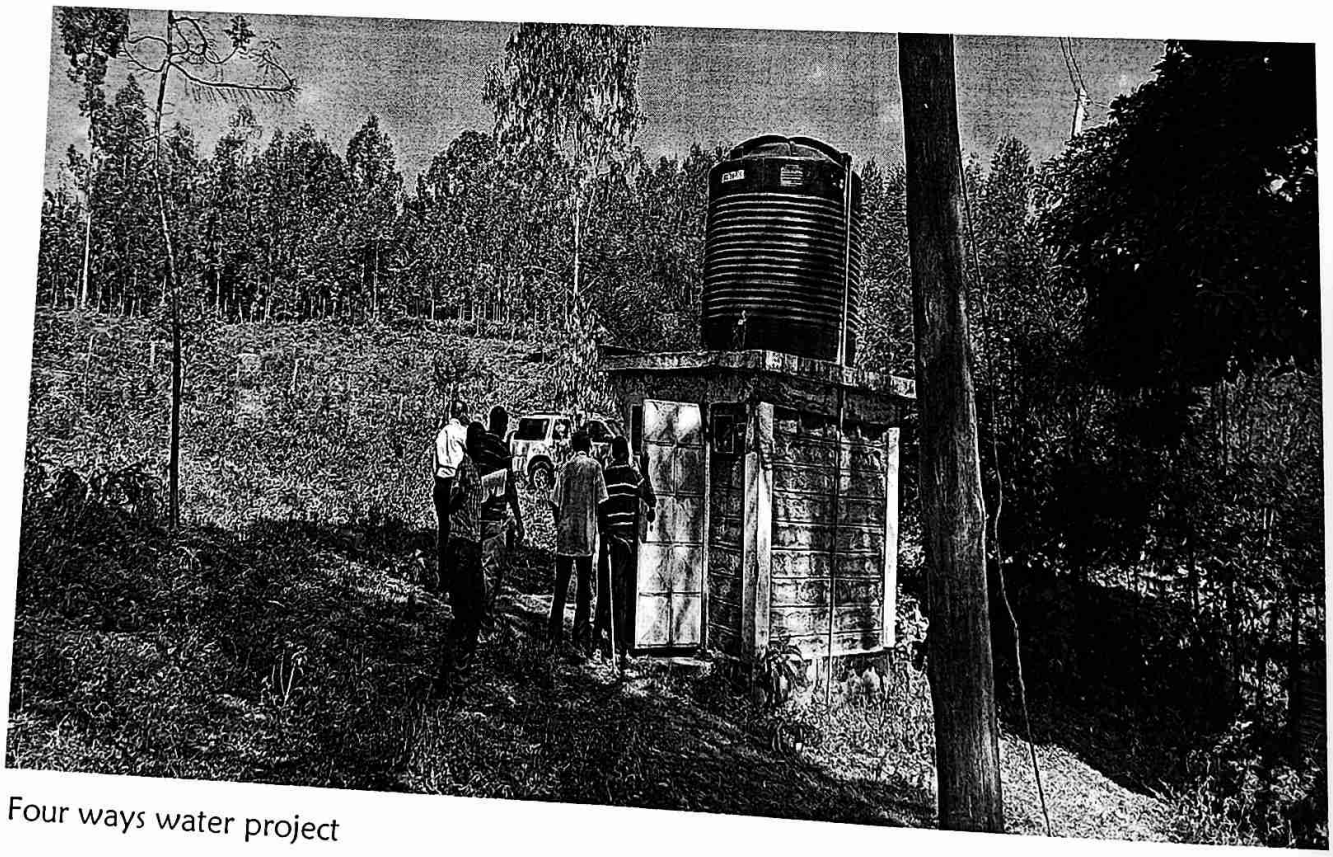
GALLERY



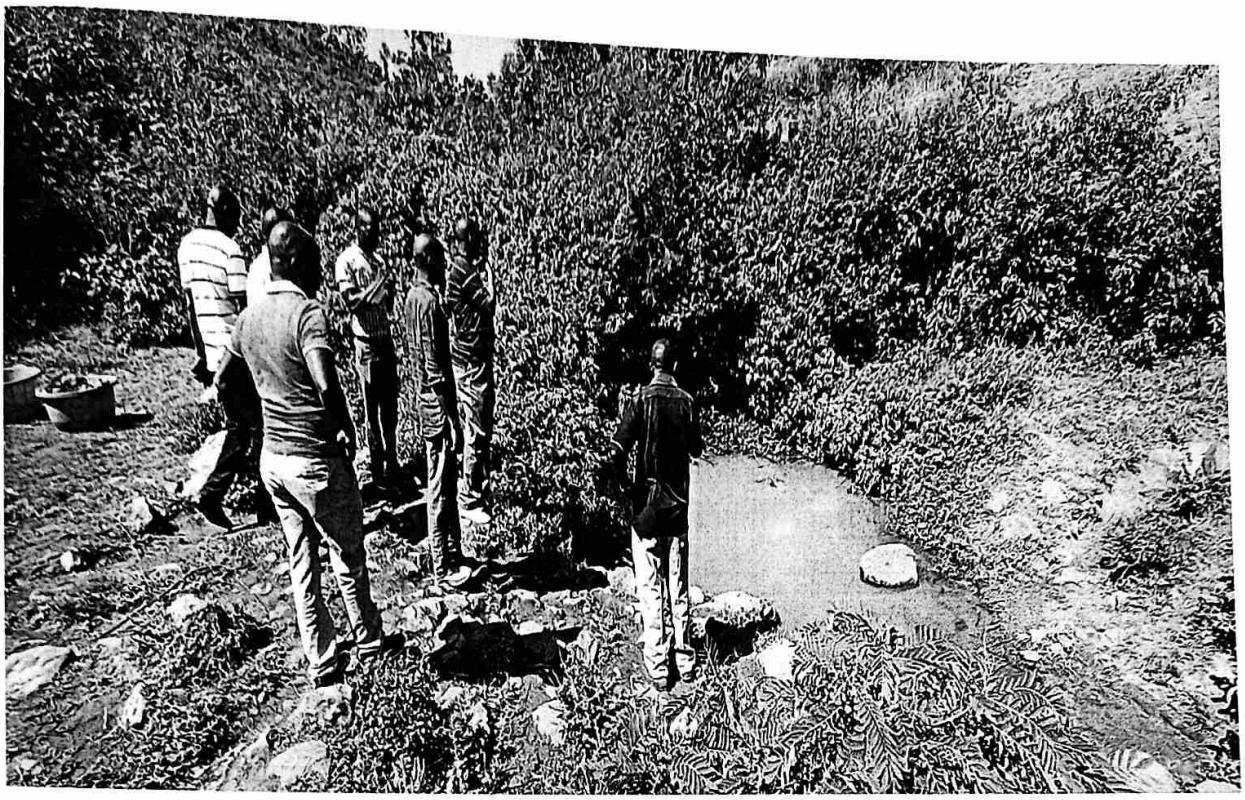
Residents washing along the channel at Aora-Meyor



Manual borehole pump that needs repair at Aora-meyor.



Stalled Four ways water project



Katiega stream

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County Assembly of Kisumu

OFFICE OF THE CLERK

Ref: CAK/CGK/CS/VOL I/1/23(03)

DATE: 16/1/2023

The County Executive Committee Member,
Department of Water, Environment and Natural Resources
County Government of Kisumu.

Thro'
The County Secretary.

RE: REQUEST FOR INFORMATION

The above matter refers:
The Constitution of Kenya, 2010 under Articles 185(3) & 195 (2) (b) and the Kisumu County Assembly Standing Orders No. 174 give the County Assembly or any of its committees the powers to request and or compel production of documents or information.

This is to notify you that three statements (find attached) were raised in the House during its sessions by Hon. Benson Adega, Hon. Ken Ooko and Hon. Samuel Onyango and further committed to the Committee on Water, Environment and Natural Resources.

You are requested to provide a detailed response to these Statements on or before Wednesday 23rd January, 2023.

Kindly treat this matter as URGENT.

.....
NASHON KUSINA OPANGA
FOR: CLERK OF THE ASSEMBLY

Cc:
Hon. Elisha J. Oraro - Speaker of the County Assembly
Hon. Samuel Dede - Chairperson, Water, Environment and Natural Resources.

ATTHEX 2

REPUBLIC OF KENYA

THE COUNTY GOVERNMENT OF KISUMU

Office of The County Executive Committee Member for Water, Environment, Climate Change & Natural Resources

CGK/CECM/WECC&NR/005/VOL.II (3)

30TH JANUARY, 2023

Clerk of the Assembly
County Assembly of Kisumu

Through'

County Secretary

RE: REQUEST FOR INFORMATION

We are in receipt of your letter dated 16th January, 2023 Ref: CAK/CGK/CS/VOL.I/1/23(03) requesting for information on three statements raised by Hon. Benson Adega, Hon Ken Ouko and Hon. Samuel Onyango.

I hereby forward to you the response and attached herein is the approved EIA license and ground breaking of Otonglo-Riat Water Supply Project.

COUNTY EXCEUTIVE COMMITTEE MEMBER
WATER, ENVIRONMENT, CLIMATE CHANGE &
NATURAL RESOURCES
COUNTY GOVERNMENT OF KISUMU

Yanzar M. Agwa
County Executive Committee Member
Water, Environment, Climate Change and Natural Resources

Cc. Ag. Chief Officer – WECC & NR

Former Nyanza Provincial Headquarters Building, 11th Floor Wing 'A'
P. O. Box 2738 – 40100 Kisumu City
Email: marylineagwa@gmail.com

THIRD ASSEMBLY-FIRST SESSION

A REPORT TO THE ASSEMBLY ON CHALLENGES OF CLEAN WATER IN PART OF KAJULU AREAS AS REQUESTED BY COUNTY ASSEMBLY

1. The springs in Kajulu and in reference to the mentioned areas has no adequate water and therefore no meaningful amount of water can be tapped from it.

   Aora –Meyor Spring has shifted at the eye point thereby leaving the constructed structures hanging and the process of reconstructing the structures might prove futile. The situation is again complicated by settlements on the catchment areas drastically reducing the discharge. The spring eye has been eroded hence forming a deep gulley posing a challenge for protection to get a good yield of water.

2. This area has a challenge of good water quality in its aquifer's in terms of quality and adequacy .That is, the chemical quality is above the **WHO&KENBS** recommended standard and hence not suitable for human consumption .It needs further treatment on the same.

3. **Long term plans for provision of water in the area**

   Lake Victoria South Water Works Development Agency is in the process of doing construction works that will serve this area fully through **KIWASCO** (Water Service Provider) .This project is called **Lake Victoria Water and Sanitation** (**LVWATSAN**) project. The project is supposed to construct a main storage tank at **Gee Area** (Near **Kiboswa** Market) This water will gravitate and supply the whole of this area. The project has gone through the feasibility studies and design and may take off in due course mid of this year. The source of water is Lake Victoria.

SPEAKER OF THE KISUMU COUNTY ASSEMBLY
NOV 2022
SIGN:.....

COUNTY ASSEMBLY OF KISUMU

THIRD ASSEMBLY –FIRST SESSION

STATEMENT REQUEST BY HON. BENSON ADEGA

Hon. Speaker,

Pursuant to Standing Order 41(2,a, b), I rise to seek a Statement from the Chairperson of the Committee on Water, Environment and Natural Resources about the water crisis in Bukna area (Katiega, Kobuya and Aora-Meya) in Kajulu Ward.

Hon. Speaker, the perennial water problem in these areas had occasioned some short term interventions by the County Government that led to provision of water tankers as temporary water collection point at Fourways area that has since come to an end. The Bukna water project that was meant to offer a long-term solution equally stopped working thus disadvantaging a huge number of domestic, institutional and industrial water users in the area putting lives of a huge number of people including women and children at risks. This is despite the fact that Kajulu Ward is home to several water catchment areas including the KIWASCO water reservoir serving large parts of Kisumu City with clean and safe water at the expense of residents of Kajulu.

In the statement, the Chairperson should;

1. Give details why the Bukna water points including Fourways-Kobuya water project, Katiega, and Aora-Meya water projects are not functional and plans for construction, or repair and operationalization in order to provide water to neighboring communities

2. Explain why the water catchment areas in Kajulu including Aora-Meya catchment area cannot be gazetted and protected for sustainable development and water provision

3. Provide details of the long-term plans for sustainable provision of water to residents of Kajulu ward.

SIGN: ..... DATE: 17th NOV, 2022

HON. BENSON ADEGA. MCA

KAJULU WARD