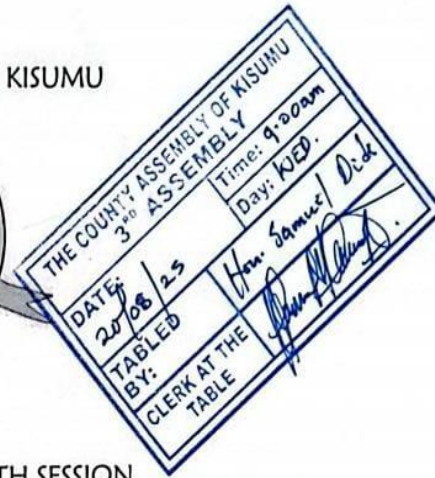


COUNTY ASSEMBLY OF KISUMU



THIRD ASSEMBLY – FOURTH SESSION

---

COMMITTEE ON WATER, ENVIRONMENT, NATURAL RESOURCES AND CLIMATE CHANGE.

REPORT ON THE PUBLIC PARTICIPATION ON THE CONSIDERATIONS OF THE KISUMU COUNTY QUARRYING CONTROL BILL, 2024.

---

Presented by  
HON. SAMUEL DEDE  
JUNE, 2025.

DIRECTORATE OF COMMITTEE SERVICES,  
CLERKS CHAMBERS,  
KISUMU COUNTY ASSEMBLY

## 1.0 INTRODUCTION

### 1.1 PREAMBLE

Mr. Speaker and Hon. Members,

### 1.2 MANDATE/LEGAL FRAMEWORK

The Committee executes its mandate in accordance with the provisions of Standing Orders No. 193 (4), (5) and further Orders No. 193 (Second Schedule) from which it draws its mandate to look into and investigate 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 forest and control of air pollution, noise pollution, other public nuisance and outdoor advertising.

Climate change.

### 1.3 MEMBERS OF THE COMMITTEE

Mr. Speaker and Hon. Members,

The following are the current members of the committee.

- |                          |               |
|--------------------------|---------------|
| 1. Hon. Samuel Dede      | Chairperson   |
| 2. Hon. Mickey Ochieng   | V/Chairperson |
| 3. Hon. Geoffrey Warindu | Member        |
| 4. Hon. Maurice Ngeta    | Member        |
| 5. Hon. Millicent Omuya  | Member        |
| 6. Hon. Pamela Oyoo      | Member        |
| 7. Hon. Peter Obaso      | Member        |
| 8. Hon. Habil Nyasuna    | Member.       |
| 9. Hon. Emilly Oginga    | Member        |

#### Secretariat

- |                       |                   |
|-----------------------|-------------------|
| 1. Mr. Benard Abuodha | - Clerk Assistant |
| 2. Mr. Silas Kapesa   | - Sergeant at Arm |
| 3. Mr. Fanuel Okode   | - Hansard         |

## 1.5 ACKNOWLEDGEMENTS

Mr. Speaker Sir and Hon. Members,

The committee extends its sincere gratitude to all stakeholders who participated in the proceedings. Their active cooperation and invaluable contributions have been essential in the compilation of this report. The committee recognizes the significant role these stakeholders have played in shaping the proposed bill, ensuring a collaborative and thorough process.

Furthermore, the committee expresses its deep appreciation to the offices of the Speaker and the Clerk of the Assembly for their unwavering support. Their assistance has been pivotal in facilitating the engagement of officers in various wards, enabling the collection of public views on the proposed bill and ensuring that the voices of the residents are adequately represented.

Additionally, the committee wishes to convey its heartfelt thanks to Hon. Nereah Okombo, Deputy Speaker of the Kisumu County Assembly, for her exceptional leadership and vision in spearheading the drafting of the Kisumu County Quarrying Control Bill, 2024. Her steadfast dedication and commitment to ensuring the sustainability and regulation of the quarrying industry in Kisumu County have been instrumental in the development of this crucial piece of legislation.

Lastly, the committee takes this opportunity to extend its sincere appreciation to the members and the secretariat of the standing committee for their tireless efforts and commitment in thoroughly considering and deliberating on the proposal. Their diligence and focus have greatly contributed to the successful progression of this important initiative.

On behalf of the committee and pursuant to the provisions of Standing Order No. 193 (5) (a), it is my duty and privilege to present to the County Assembly, the Committee's report on proposed Kisumu County Quarrying Control Bill, 2024.

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

HON. SAMUEL DEDE.

CHAIRPERSON

## **TERMS OF REFERENCE (TORS)**

### **1. Legislative Review**

Analyze the key provisions of the Quarrying Control Bill, 2024.

Examine the objectives and rationale of the Bill in the context of national policy on natural resources, environmental conservation, and sustainable development.

Assess the compatibility of the Bill with existing legislation (e.g., Environmental Management Acts, Mining Acts, Land Laws).

### **2. Regulatory Impact Assessment.**

Evaluate the potential legal, economic, environmental, and social impacts of the proposed Bill.

Identify gaps or ambiguities that may hinder effective implementation.

Review the enforcement mechanisms proposed in the Bill and assess their practicality.

### **3. Institutional Framework.**

Assess the roles and mandates of institutions proposed under the Bill (e.g., Quarrying Regulatory Authority or equivalent).

Evaluate the institutional capacity for monitoring, licensing, and enforcement.

### **4. Stakeholder Engagement**

Identify key stakeholders, including:

National and county governments

Quarry operators and industry associations

Environmental and community-based organizations

Affected communities

Document stakeholder views, concerns, and recommendations regarding the Bill.

### **5. Environmental and Social Safeguards.**

Analyze the provisions for environmental impact assessments (EIAs), restoration of degraded land, and community benefit-sharing.

Evaluate the Bill's alignment with environmental best practices and international environmental standards.

## **6. Economic Considerations.**

Assess the Bill's impact on the quarrying sector, employment, and revenue generation.

Evaluate proposed licensing fees, levies, and penalties in terms of economic viability and fairness.

## **7. Governance and Transparency.**

Examine provisions related to transparency in the issuance of licenses, public participation, and dispute resolution.

Assess mechanisms for accountability and oversight.

## **8. Recommendations and Amendments.**

Propose specific amendments to improve clarity, enforceability, and alignment with policy objectives.

Offer recommendations for phased implementation, institutional strengthening, and development of supporting regulations.

## **BACKGROUND**

Quarrying activities in Kisumu County have historically been vital to the region's construction and infrastructure development. However, the sector has faced challenges due to unregulated operations, environmental degradation, and inadequate benefits for local communities. These issues have prompted the County Government to take decisive action to ensure sustainable and responsible quarrying practices.

To address these challenges comprehensively, Hon. Nereah Okombo, Deputy Speaker, introduced the Kisumu County Quarrying Control Bill, 2024. This legislation aims to regulate quarrying activities to ensure they are safe, fair, and beneficial to local communities and the environment. The Bill seeks to establish a legal framework that promotes responsible quarrying practices, protects the environment, and ensures that the benefits derived from quarrying are equitably shared among all stakeholders.

The introduction of this Bill aligns with broader county development objectives, including optimizing land use, enhancing revenue generation, and fostering sustainable economic growth. By implementing stringent regulations and oversight mechanisms, the County Government aims to mitigate environmental impacts, curb illegal mining activities, and promote transparency and accountability within the quarrying sector.

## **LEGAL FRAMEWORK GUIDING THE PREPARATION OF THE QUARRYING CONTROL BILL, 2024.**

The formulation of the Kisumu County Quarrying Control Bill, 2024 is anchored on a robust legal and policy framework at both the national and county levels. The following instruments provide the legal basis for the regulation, management, and oversight of quarrying activities:

### **1. The Constitution of Kenya, 2010**

*Article 42 guarantees every person the right to a clean and healthy environment.*

*Fourth Schedule (Part 2) grants County Governments the responsibility for "implementation of specific National Government Policies on natural resources and environmental conservation" and "county planning and development," which includes land use and mining regulation at the local level.*

*Article 69(1) obliges the state (including County Governments) to ensure sustainable exploitation, utilization, and management of natural resources.*

### **2. The County Governments Act, 2012**

Empowers County Governments to enact laws necessary for the performance of their functions.

*Section 103–115 outlines the requirements for county planning and development, including land use regulation and environmental conservation.*

### **3. The Environmental Management and Coordination Act (EMCA), 1999 (Revised 2015)**

Provides the principal legal framework for environmental protection in Kenya.

Requires that all quarrying activities undergo an Environmental Impact Assessment (EIA) and comply with approved environmental management plans.

Establishes the National Environment Management Authority (NEMA), which oversees environmental compliance, including quarry rehabilitation and pollution control.

### **4. The Mining Act, 2016**

Although mining is a national function, the Act recognizes the role of County Governments in;

Licensing of small-scale and artisanal mining operations.

Approving location-specific activities such as quarrying for building materials.

Requires public participation and benefit-sharing mechanisms in the use of mineral resources.

## **5. The Physical and Land Use Planning Act, 2019**

Mandates regulation of land use activities, including those related to extractive industries such as quarrying.

Empowers counties to regulate developments to ensure land use compatibility, public safety, and environmental sustainability.

## **6. The National Environment Policy, 2013**

Advocates for sustainable natural resource use, ecosystem integrity, and environmental governance.

Provides guidelines for integrating environmental considerations into all sectors, including mining and quarrying.

## **7. Kisumu County Integrated Development Plan (CIDP).**

The third Kisumu County CIDP sets out the county's development priorities and goals, including sustainable use of natural resources.

The Quarrying Control Bill supports the CIDP by promoting regulated exploitation of natural building materials in a manner that generates revenue while protecting the environment.

## **8. The Public Participation Act, 2018.**

Provides the legal foundation for engaging stakeholders in legislative and policy development processes.

The preparation of this report of the Quarrying Control Bill 2024 involved consultations with residents, industry stakeholders, and civil society organizations in line with this Act and their responses captured under public participation report.

## OVERVIEW OF THE KISUMU COUNTY QUARRYING BILL, 2024

Section	Clause in the Bill	Content of the Bill	Simplified Explanation
Introduction	Long title	This law regulates quarrying activities to ensure they are safe, fair, and beneficial to local communities, operators and the environment.	A law to ensure quarrying is done responsibly, protecting both the community and the environment, and ensuring fair sharing of benefits generated from quarrying activities.
Preliminary	1-2	Provide citations and interpretations of terms used in the Bill.	The preliminary part, gives definition of terminologies which are used in the proposed legislations.
Object of the Act.	3	Regulates quarrying with clear rules. Protects the environment. Ensures fair sharing of benefits. Involves communities in managing quarrying.	The law regulates quarrying activities to ensure they follow clear rules and timelines, protect the environment, and share the benefits fairly among quarry operators, the government, and the local communities.
Guiding Principles	4	Provide for the principles to be followed by all persons affected by this Act.	Outlines on the principles.

Establishment of the Committee	5	A County Quarrying Control Committee will oversee quarrying. Members include: County officials (environment, finance, infrastructure). Health officers. Community, civil society, and quarry operator representatives.	The County Quarrying Control Committee will oversee quarrying. It includes officials from County Government departments, health officers, community reps, civil society, and quarry operators.
Main Duties of the Committee	8	Ensure fair sharing of quarry profits with local communities. Monitor safety and Environmental rules.	The Committee will ensure fair distribution of profits, monitor safety and environmental compliance, maintain a register of operators, advise the government,

Section	Clause in the Bill	Citizen-Friendly Version	Simplified Explanation
		Keep a register of quarry operators. Advise on quarrying policies. Oversee community development funds. Recommend transport routes for quarry materials. Promote environmental restoration.	oversee community development funds, and promote land restoration post-quarrying.

Administration of quarrying activities.	13 - 17	<p>Licensing</p> <p>No quarrying without a County license.</p> <p>Licenses only for approved sites.</p> <p>Consider safety, environment, and community.</p> <p>Fees and Levies</p> <p>Quarry operators must pay fees.</p> <p>Fees fund public services and community projects.</p>	<p>Licensing: Quarry operators must have a County license. Licenses are granted based on safety, environmental, and community considerations.</p> <p>Fees: Quarry operators will pay fees to fund public services and community projects.</p>
What If a License is Denied or Revoked?	18	<p>A license may be denied or revoked if:</p> <p>Quarrying harms, the environment or community.</p> <p>False information is provided.</p> <p>Laws or conditions are not followed.</p> <p>Operators will be given a chance to explain before cancellation.</p>	<p>The County Government may deny or cancel a license if quarrying harms, the environment or community, false information is provided, or conditions are not followed. Operators will have an opportunity to explain before cancellation.</p>
Community Benefits	22 - 25	<p>Quarry operators must sign a Benefit-Sharing Agreement with the County Government, which includes:</p> <p>Monetary/non-monetary</p>	<p>Quarry operators must sign a Benefit-Sharing Agreement, ensuring benefits like schools, hospitals, and roads for the community, funding for</p>

Section	Clause in the Bill	Citizen-Friendly Version	Simplified Explanation
---------	--------------------	--------------------------	------------------------

		<p>benefits for the community (e.g., schools, hospitals, roads).</p> <p>Funds for community projects managed by a local forum.</p> <p>Regular public meetings to discuss quarry profits.</p>	<p>community projects, and regular public meetings on how profits are used.</p>
Protecting the Environment		<p>Quarry operators must:</p> <p>Restore the land after quarrying.</p> <p>Set aside a security deposit for restoration.</p> <p>Follow environmental rules to prevent pollution or harm to water sources and wildlife.</p>	<p>Quarry operators are required to restore the land after quarrying, set aside a security deposit for restoration, and follow environmental rules to protect water sources and wildlife.</p>
What If You Have Concerns?	25	<p>If you have concerns about quarrying:</p> <p>Report to the Local Community Benefit Sharing Forum or Quarrying Control Committee.</p> <p>Attend public meetings to give feedback.</p>	<p>Concerns can be raised with the Local Community Benefit Sharing Forum or the Quarrying Control Committee. Public meetings will allow residents to give feedback on quarrying activities.</p>
Why This Law Is Important		<p>This law ensures that quarrying in Kisumu County:</p> <p>Benefits local people, not just operators.</p> <p>Protects the environment.</p> <p>Promotes transparency in management and profit sharing.</p>	<p>The law ensures that quarrying benefits the local people, protects the environment, and promotes transparency in how quarrying is managed and profits are shared.</p>

Offences	28	<p>Who is guilty?</p> <p>Fails to give required information.</p> <p>Makes or knows they are making false statements. Punishment:</p> <p>Individual: Up to Ksh. 200,000 fine, 3 years' jail, or both.</p> <p>Company: Up to Ksh. 1 million fine or up to Ksh. 5 million for</p>	<p>Who is guilty?</p> <p>Fails to provide required information or knowingly makes false statements.</p> <p>Punishment:</p> <p>Individuals face fines up to Ksh. 200,000 or 3 years' jail, or both.</p> <p>Companies face fines up to Ksh. 1 million or Ksh. 5 million for repeated offences.</p>
----------	----	--	--

Section	Clause in the Bill	Citizen-Friendly Version	Simplified Explanation
		<p>Repeated offences.</p> <p>License Cancellation: Continuous breach may lead to cancellation of license.</p>	<p>License Cancellation: Continuous breaches could lead to license revocation.</p>
Rehabilitation of Quarry Sites	29	<p>Before Closing:</p> <p>Submit a Rehabilitation Plan six months before closure.</p> <p>Fence the site and plant trees.</p> <p>Fill or drain holes or excavations.</p>	<p>Before Closing:</p> <p>Quarry operators must submit a plan to restore the site, fence it, and plant trees six months before closing the quarry.</p> <p>Fill or drain excavation sites.</p>
Environmental Considerations	30	<p>Build dams or gabions in designated areas.</p> <p>Keep 200 meters between dams.</p> <p>Use only designated roads.</p> <p>Rehabilitate sites as per the law.</p> <p>Harvest only from riverbeds, not riverbanks.</p>	<p>Quarrying must follow these environmental rules:</p> <p>Build designated dams or gabions.</p> <p>Keep 200 meters between dams.</p> <p>Use designated roads.</p> <p>Rehabilitate sites as required by law.</p>

		Conduct Environmental Impact Assessments.	Harvest minerals only from riverbeds.  Conduct Environmental Impact Assessments.
Social Considerations	30 (b)	Loader Requirements: Must be 18+ and from the local community.  Pay loaders at least the minimum wage.  Loaders should form groups for self-regulation.  Support Local Projects: The licensee should assist in community projects.	Social rules include:  Loaders must be 18+ and local.  Loaders must be paid at least the minimum wage.  Loaders must form self-regulating groups.  Licensees must help with local projects.
Riverbed Harvesting Guidelines	31	Leave enough material to retain water.  No quarrying on riverbanks.  Use designated sites for loading minerals.  Stay 100 meters away	Quarrying rules for riverbeds:  Leave enough material for water retention.  No quarrying on riverbanks.  Use designated loading sites.  Stay 100 meters away from

Section	Clause in the Bill	Citizen-Friendly Version	Simplified Explanation
		<p>from infrastructure.</p> <p>5. No quarrying during heavy rains.</p>	<p>infrastructure.</p> <p>5. No quarrying during heavy rains.</p>
Regulations	32	<p>The CEC Member will issue rules to:</p> <p>Set fees and procedures for licenses.</p> <p>Manage the Quarry Benefit Sharing Fund.</p> <p>Share revenue fairly between sub-counties.</p>	<p>The County Executive Committee Member will make regulations to:</p> <p>Set fees for licenses.</p> <p>Manage the Quarry Benefit Sharing Fund.</p> <p>Ensure fair revenue sharing between sub-counties.</p>

## **EXECUTIVE SUMMERY**

The report provides a detailed overview of public feedback on the proposed Kisumu County Quarrying Control Bill, 2024. Collected from all 35 wards during public participation sessions held from December 6<sup>th</sup> to 10<sup>th</sup>, 2024, the feedback reflects community concerns, suggestions, and viewpoints. The aim was to ensure the proposed legislation is inclusive, transparent, and aligned with the needs of the people it is intended to serve.

### **1. KISUMU EAST SUB COUNTY.**

#### **KAJULU WARD.**

#### **PUBLIC SUBMISSIONS**

The proposed bill was passed unanimously by the public, with no additional recommendations or amendments suggested.

#### **KOLWA CENTRAL WARD.**

#### **PUBLIC SUBMISSION**

NEMA should be involved during the public participation process for the regulation of this Act to ensure that all environmental impacts are properly addressed. Both the Act and its regulations at quarrying sites must take into account the protection and preservation of the environment.

After lengthy deliberations and thorough discussions, the participants unanimously passed the bill.

#### **NYALENDA A WARD.**

#### **PUBLIC SUBMISSION**

Measures should be put in place to mitigate the effects of insecurity within gazette quarry areas.

The licensee should rehabilitate all excavation sites immediately after excavation, rather than waiting for six months after the license expires.

Committees to be established should include youth and persons with disabilities (PWDs).

A dedicated committee should be established to handle compensation matters.

Clear guidelines should be provided for managing controlled access points.

Five representatives from local communities should be included, not just two in the quarrying controlled committee.

Monthly awareness and sensitization forums should be held to discuss both the positive and negative impacts of quarrying.

There should be a clearly defined criteria for selecting local members to the executive quarry control committee.

#### **MANYATTA B WARD.**

##### **PUBLIC SUBMISSION**

The proposed bill was passed unanimously by the public, with no additional recommendations or amendments suggested.

#### **KOLWA EAST WARD.**

##### **PUBLIC SUBMISSION**

The proposed bill was passed unanimously by the public, with no additional recommendations or amendments suggested.

## **2.CENTRAL KISUMU SUB COUNTY**

#### **KONDELE WARD.**

##### **PUBLIC SUBMISSION**

It was proposed that quarrying areas should not automatically be gazetted but should rather be recommended in the bill. This recommendation is intended to protect the interests of small-scale quarrying operators, enabling them to continue their operations without the stringent regulations typically imposed on gazetted areas.

Participants suggested that the bill should include clear guidelines regarding the eligibility and suitability of members who can participate in the local benefit-sharing forum. This would ensure that those involved in the forum are properly qualified, promoting

transparency, fairness, and accountability in the allocation of benefits derived from quarrying activities.

Members stressed the importance of government intervention in the event of accidents during quarrying operations. They recommended that the bill include provisions requiring government involvement in accident response, ensuring that adequate support and resources are provided to those affected by such incidents.

It was suggested that each sub-county affected by quarrying operations should have a designated representative for quarrying activities. This would ensure that the concerns and needs of local communities are adequately addressed at the sub-county level, enhancing communication and fostering better community engagement.

Community members also recommended that the government establish a clear set of criteria to effectively mobilize the community to attend public participation sessions. Well-defined mobilization strategies would help ensure broad community involvement, allowing diverse viewpoints to be heard and considered during the legislative process.

#### **MIGOSI WARD,**

##### **PUBLIC SUBMISSION**

The County Assembly Departmental Committee should organize a stakeholder engagement with quarry owners in Kisumu County to address outstanding issues before the Bill is presented to the House for ratification.

#### **KALOLENI SHAURIMOYO WARD**

##### **PUBLIC SUBMISSION**

###### **Establishment of a Transparent Committee.**

One member of the community suggested that a committee should be established and selected by members of the local community to ensure transparency in the decision-making process. This committee would play a vital role in overseeing the implementation of the Bill, ensuring that the interests of the local community are well-represented and that the operations of the quarrying sector are conducted in an accountable and transparent manner. The suggestion aims to empower the community and provide them with a direct voice in the management of quarrying activities that affect their environment and livelihoods.

###### **Clarity on Minerals and Community Involvement.**

Another concern raised was that minerals had not been sufficiently described or clearly referenced within the Bill. Community members felt that the Bill should specifically identify

which minerals are subject to regulation and extraction. Furthermore, it was proposed that the Cabinet Secretary should actively engage with local communities to assist in identifying the minerals that exist in their areas. This collaboration would not only enhance local knowledge but also ensure that the extraction and regulation of minerals are done in a manner that reflects the community's needs and resources. This engagement would also help to protect local interests and avoid conflicts over the exploitation of local mineral resources.

### **Equitable Sharing of Quarrying Benefits.**

A resident expressed concerns over the equitable distribution of benefits derived from quarrying activities, particularly because heavy lorries used in the transport of quarrying materials often damage local roads, limiting access for residents. The community member suggested that the benefits from quarrying should be distributed fairly, with a portion of the revenue earmarked for road maintenance and repair. Given the damage caused by these heavy trucks, the local roads should be rehabilitated to maintain accessibility for the community, and the revenues from quarrying should be used to address this critical infrastructure issue. This would ensure that the community directly benefits from the quarrying activities in terms of improved infrastructure.

### **Criteria for Identifying Committee Members.**

There was a suggestion to clarify the criteria to be used in selecting members of the various committees established under the Bill. The public wanted to know what specific qualifications, skills, or experiences would be required to ensure that committee members are competent and capable of carrying out their responsibilities. The criteria for committee selection should be transparent and fair, with an emphasis on local representation and expertise, ensuring that the community's interests are well-represented and decisions are made by informed individuals.

### **Approval of Benefits by County Assembly vs. Local Communities.**

Participants also raised a question regarding the approval process for benefits derived from quarrying activities. They questioned why the County Assembly is responsible for approving the distribution of benefits, rather than allowing local communities to have a direct say in how these benefits are allocated. Many felt that the local community should have a more active role in deciding how the benefits from quarrying should be distributed, particularly since the community is directly impacted by the operations. They called for more local involvement in the decision-making process, to ensure that the benefits are used in ways that truly meet the needs of the community.

## **Imposition of a Percentage on Licenses and Levies.**

The members of the community proposed that a percentage should be clearly specified in the Bill, outlining how much should be imposed on licenses and levies for quarrying activities. This would help to provide clarity on the financial obligations of quarry operators and ensure that a fair and consistent system is applied across all operators. By setting clear percentage rates for levies and licenses, the Bill would create a transparent framework that ensures the community receives appropriate compensation for the use of local resources.

## **RAILWAYS WARD**

### **PUBLIC SUBMISSION**

#### **Increase in the Number of Local Community Representatives in the Quarry Control Committee**

A key proposal from the community was that the number of representatives from the local community in the Quarry Control Committee should be increased from two to five. The public expressed the view that having five representatives would allow for more adequate and equitable representation, ensuring that various interests within the community are better reflected. This change would provide a more inclusive voice for the community, especially considering the varying perspectives of stakeholders such as landowners, youth, women, persons with disabilities (PWDs), and other vulnerable groups within the local community. It was emphasized that increasing the number of representatives would foster greater community participation and ensure that the decision-making process is more democratic and representative of the diverse needs of the people.

#### **Inclusion of a Recall Clause for Committee Members.**

Another important suggestion was the inclusion of a recall clause in the Bill. This provision would allow the local community to remove or recall a committee member if they are found to be ineffective or fail to represent the community's interests adequately. The public felt that this would help ensure accountability among committee members and provide the community with a mechanism to ensure that only those who are truly dedicated and competent in their roles remain on the committee. This proposal aims to ensure that the

committee functions in a manner that is in the best interests of the local community and that any member who is not fulfilling their responsibilities can be held accountable.

Establishment of an Umbrella Association for Small-Scale Miners  
The public also proposed that the Bill should include provisions for the establishment of an umbrella association to safeguard the interests of small-scale miners within the local community. The association would serve as a collective body to represent and advocate for the needs of small-scale quarry operators, ensuring that they are not marginalized in favor of larger operators. This umbrella association could play a critical role in providing support, resources, and training for small-scale miners, as well as ensuring that they are able to navigate the regulatory framework effectively. It would also provide a platform for advocacy and dialogue between small-scale miners and the relevant authorities, fostering a more equitable and inclusive mining sector.

## **MARKET MILIMANI WARD**

### **PUBLIC SUBMISSION**

The proposed bill was passed unanimously by the public, with no additional recommendations or amendments suggested.

## **3.KISUMU WEST BSUB COUNTY**

### **WEST KISUMU WARD**

#### **PUBLIC SUBMISSIONS**

The public proposed the deletion of Section 31(5) of The Kisumu County Quarrying Bill, 2024. They argued that during the rainy season, sand is typically mined due to the running water, and therefore, they do not support Section 31(5) (which states: 'No quarrying shall take place during heavy rains.

### **CENTRAL KISUMU WARD.**

#### **PUBLIC SUBMISSIONS**

Members of the public did not raise any concern.

## **NORTH KISUMU WARD,**

### **PUBLIC SUBMISSIONS**

THAT, the % (percentage) Sharing of Revenues realized from Quarry Activities should be apportioned to areas where the activity is carried out

THAT, before licensing of Quarry Activities to resource exploiters, Geological surveys should be carried out to ascertain the viability of this activities in a given area.

THAT, Enforcement should be enhanced on Riverbed Harvesting as these site are usually over-exploited leaving those sited vulnerable to natural calamities and flooding.

THAT, the clauses on Condition for leaving a Quarry Site should be strictly monitored as exploiters depart from these sites without adhering to the laid down procedures.

THAT, clause 30 on Environmental and Social Consideration on access to roads leading to quarry Sites. This should be properly designated to curb straying of heavy commercial vehicles using other feeder roads no designated for these activities.

THAT, the collateral amount required by exploiters to be deposited as condition for leaving the site should be hefty to deter over exploitation and breach of those conditionality's.

THAT, Enforcement should be a key activity on these quarry activities to ensure that laws are adhered to the letter.

## **SOUTH WEST KISUMU WARD**

### **PUBLIC SUBMISSIONS**

Members of the public unanimously supported the Bill.

## **4.NYANDO SUB COUNTY**

### **AHERO WARD.**

### **PUBLIC SUBMISSIONS**

Members of Ahero Ward expressed general agreement with the proposed Kisumu County Quarrying Control Bill, 2024; however, they put forward several recommendations for amendments to enhance the bill's effectiveness and fairness. The key proposals raised by the members are as follows:

**Construction of Weigh Bridges:** It was suggested that weigh bridges should be constructed at quarry sites to prevent overloading of trucks. This measure would ensure that transportation complies with weight regulations, minimizing damage to roads and promoting environmental sustainability.

**Timelines for Quarrying Activities:** Participants emphasized the need for the bill to include specific timelines to address and prevent illegal quarrying activities. Clear deadlines would help ensure that quarrying operations are carried out within a legal framework and reduce the potential for unlawful practices.

**Clear Criteria for Identifying Quarries:** There was a call for the bill to explicitly define the criteria to be used in identifying quarries. This would provide clarity and ensure that quarry operations are properly regulated from the outset.

**Public Review of Regulations:** It was recommended that regulations related to quarrying should be returned to the public for consultation before they are enacted. This would allow the community to provide further input and ensure the regulations are well-informed and aligned with public interest.

**Equitable Payment of Quarry Levies:** Members suggested that both quarry operators and transporters should contribute equally to the quarry levies. This would ensure that all parties involved in quarrying activities bear responsibility for the costs associated with their operations.

**Community-Based Committees:** It was proposed that committees established to oversee quarrying activities should be composed of members from local communities. This would foster better representation and ensure that the concerns of residents are taken into account in the decision-making process.

**Assessment Before License Issuance:** Participants recommended that an assessment should be conducted before licenses are granted to quarry operators, particularly those planning to establish quarries in residential areas. This assessment would ensure that the environmental and social impact of quarrying operations is carefully considered before any licenses are issued.

**Support for Local Quarries:** Lastly, members highlighted the importance of recognizing local quarries as legitimate operations and urged that licenses be issued to them. This would provide an opportunity for local businesses to operate legally and contribute to the local economy, while still adhering to regulatory standards.

## **KABONYO KANYAGWAL WARD.**

### **PUBLIC SUBMISSIONS**

#### **Stringent Implementation of Mining Site Rehabilitation.**

The public expressed the need for the Bill to include stricter provisions for the rehabilitation of mining sites once quarrying activities are completed.

#### **Frequency of Environmental Impact Assessments (EIA).**

The public raised the concern that the Bill should clearly define how often Environmental Impact Assessments (EIA) should be conducted at quarrying sites.

#### **Mandatory Fencing of Quarry Sites.**

Another key concern raised by the public was the need for mandatory fencing of all quarrying sites.

## **EAST KANO WAWIDHI.**

### **PUBLIC SUBMISSIONS**

They had no concern on the Bill because it's not affecting their area.

## **KOBURA WARD**

### **PUBLIC SUBMISSIONS**

The proposed bill was unanimously passed by the public without any recommendation after a length deliberation.

## **AWASI ONJIKO WARD.**

### **PUBLIC SUBMISSIONS**

NEMA officials should not be included in the committees to avoid conflicts of interest.

Mineral excavation companies should be prohibited from purchasing land and should instead lease it.

The bill primarily impacts local mineral loaders rather than large companies.

The law regulating quarrying in riverbeds should be amended.

A clear policy on compensation should be established.

Proper mechanisms should be put in place to identify quarrying zones.

The number of committees established should be limited.

There should be specified criteria for selecting local members to the executive quarry control committee.

## **5. MUHORONI SUB COUNTY**

### **MUHORONI-KORU WARD**

#### **PUBLIC SUBMISSIONS**

#### **Establishment of Quarrying Control Committee (Section 5)**

In relation to the composition of the Quarrying Control Committee outlined in Section 5, it was suggested that the representation of the committee members should be adjusted to promote gender equality. Currently, the Bill stipulates that each local community is represented by one member on the committee. However, the public proposed that this number should be increased to two representatives to ensure gender balance. This change would allow for equal representation of both men and women in the committee, ensuring that both perspectives are taken into account when making decisions regarding quarrying activities and their impact on the community. By increasing the number of representatives and ensuring gender parity, the Bill would promote a more inclusive and equitable decision-making process.

#### **Functions of the Committee in Benefit Sharing Agreements (Section 23A)**

In relation to the functions of the committee responsible for implementing benefit-sharing agreements (outlined in Section 23A), the public proposed an amendment to the wording of the section. Specifically, the word 'negotiate' should be replaced with 'impose' when referring to the 30% benefit share allocated to the local community.

### **OMBEYI WARD.**

#### **PUBLIC SUBMISSIONS**

Members of the public did not raise any concern.

## **MIWANI WARD**

### **PUBLIC SUBMISSIONS**

#### **Differentiation between domestic and commercial Use.**

The public suggested that the Bill should clearly differentiate between domestic and commercial use of quarrying materials. This differentiation would help in establishing appropriate regulations and ensuring fair levies are applied based on the type of use. Additionally, it was recommended that tonnage limits for both domestic and commercial uses should be clearly defined to guide levy collection, ensuring that small-scale or personal users are not unfairly burdened by the same charges as large-scale commercial operators. This would also promote transparency in the calculation and application of levies.

#### **Allowance for Distance from Property Boundaries.**

Members of the public proposed that the Bill should specify the distance (in miles) from property boundaries that quarrying activities are allowed. This would establish clear boundaries between quarrying operations and neighboring properties, minimizing disputes and ensuring that quarrying activities do not encroach upon or negatively impact nearby landowners or communities. Clearly defined zones would provide protection to residents and prevent unauthorized encroachment on private property.

#### **Minimum Allowances for Committee Members.**

The public suggested that the Bill should explicitly state the minimum allowances for members of the various committees involved in quarrying regulation and oversight. Clear guidelines on allowances would ensure transparency and fairness, preventing potential exploitation or ambiguity regarding compensation for committee members. These allowances should be reasonable, reflecting the responsibilities of the committee members, while maintaining public accountability in the allocation of resources.

#### **Inclusion of Persons with Disabilities (PWDs) and Youth.**

It was emphasized that the Bill should include provisions to ensure the inclusion of Persons with Disabilities (PWDs) and youth in the quarrying regulation process. This inclusion would promote diversity and ensure that the voices of these often marginalized groups are heard. The community expressed a strong desire for policies that empower PWDs and

youth to participate in decision-making, and that they be given equal opportunities to benefit from the economic activities related to quarrying.

### **Criteria for Election of Committee Members (Part F).**

The public also suggested that the Bill should outline clear criteria for the election of committee members, particularly for those specified in Part F of the Bill. This would ensure that committee members are selected based on merit, qualifications, and a transparent process. Defining the election criteria would help prevent any biases or conflicts of interest, ensuring that the individuals elected are capable of effectively representing the interests of the community and overseeing quarrying operations in a fair and impartial manner.

### **Inclusion of a Waiver Clause for Offenses.**

It was proposed that the Bill should include a waiver clause for minor offenses or infractions committed during quarrying activities. This would allow for a degree of flexibility in the enforcement process, ensuring that individuals or companies who may have committed an offense due to genuine oversight or circumstances beyond their control are not penalized harshly. The waiver would also serve as a means of encouraging compliance with regulations, as quarry operators and individuals would be given a chance to correct minor violations without facing severe penalties. However, it was emphasized that the waiver should be applied only under specific, clearly defined circumstances to prevent abuse.

## **MASOGO NYANGOMA WARD**

### **PUBLIC SUBMISSIONS**

#### **Part 1 – Preliminary.**

Under the interpretation section, specifically the term "authorized officers," the members of the public suggested that Ward Administrators should also be included among the authorized officers. This is because Ward Administrators have immediate and direct contact with the communities and are more familiar with local issues, making them crucial in the enforcement and implementation of quarrying regulations. Therefore, the definition of "authorized officers" should be amended to read as follows: *"Authorized officers" means environmental officers, county enforcement officers, ward administrators, any person acting under the authority of the licensing officer, or any other person acting under the provisions of this Act.*

## **Part 5 - Benefit Sharing Agreement.**

**Local Community Benefit Sharing Forum 25(1)** The members of the public suggested that the number of members in the local community Benefit Sharing Forum should be increased from 5 to 7 members. This expansion would allow for broader representation of the community and ensure that diverse voices are included in decision-making processes related to quarrying benefits.

### **CHEMELIL TAMU WARD.**

#### **PUBLIC SUBMISSIONS**

The members of the public did not raise any concern and they supported the bill unanimously.

### **6.SEME SUB COUNTY**

#### **WEST SEME WARD.**

#### **PUBLIC SUBMISSIONS**

The community expressed hope that the bill, once enacted, would introduce clear regulations to address these issues, including provisions for quarry operators to contribute to road maintenance and infrastructure development. The bill is seen as a timely and necessary step toward ensuring that the benefits of quarrying are more equitably distributed, with attention given to the welfare of local residents and the maintenance of essential public infrastructure.

#### **EAST SEME WARD**

#### **PUBLIC SUBMISSIONS**

The members did not raise any issues.

#### **NORTH SEME WARD**

#### **PUBLIC SUBMISSIONS**

**Sensitization through the Chief's Administration Officer:** Members recommended that the sensitization process regarding quarrying activities should be conducted through the office of the Chief's Administration Officer. This would ensure that the message reaches a broader section of the community in a more organized and efficient manner, especially in rural and hard-to-reach areas.

**Involvement of the Administration in Public Participation:** It was suggested that the local administration should be actively involved in public participation sessions, rather than limiting participation to community members alone. Involving the administration would provide an opportunity for a more holistic discussion and ensure that all relevant government bodies are aligned with the views of the public.

**Government Intervention in Case of Accidents:** A key concern raised by members was whether the government would intervene in the event of accidents occurring during quarrying operations. Participants wanted clarity on the measures in place to protect workers and community members, as well as what support would be provided in case of accidents related to quarrying activities.

**Inclusive Mobilization for Public Participation:** Members emphasized the importance of ensuring that the process of mobilizing people for public participation is inclusive, particularly for people living with disabilities. They recommended that the government develop specific criteria or strategies to facilitate the participation of disabled individuals, ensuring that their voices are heard and their ideas are included in the decision-making process.

**Licensing for River Residue Harvesters:** There was a question raised regarding whether individuals who collect river residues for quarrying or construction purposes would also be required to obtain licenses. Community members sought clarification on whether these individuals would be treated under the same regulations as formal quarry operators.

**Recognition of SACCOs before Licensing:** It was proposed that a specific Savings and Credit Cooperative (SACCO) should be recognized and validated before quarrying licenses are granted. This would ensure that quarry operators have a formal and structured financial mechanism in place, promoting better management of quarrying activities and ensuring accountability.

**Representation for Affected Sub-Counties:** Participants stressed the importance of having at least one representative from each sub-county affected by quarrying activities. This would ensure that all areas impacted by quarrying operations are adequately represented in discussions and decision-making, leading to more balanced and fair outcomes.

## **CENTRAL SEME WARD**

### **PUBLIC SUBMISSIONS**

The members of the public did not raise any concern and they supported the bill unanimously.

## **7.NYAKACH SUB COUNTY.**

### **NORTH NYAKACH WARD.**

#### **PUBLIC SUBMISSIONS**

Private Land for Quarrying.

The public suggested that the Bill should also address situations where individuals lease or give their private land for quarrying activities. Many members of the community have been adversely affected by such practices, especially when quarrying operations lead to environmental degradation, disruption of local livelihoods, or damage to infrastructure. It was recommended that the Bill should include provisions to regulate the process of leasing land for quarrying, ensuring that individuals are fully informed of the potential impacts and that safeguards are put in place to protect both landowners and the surrounding community.

#### **Clause 5: Inclusion of Chief Officer of Agriculture in the Committee.**

The public recommended that the Chief Officer for Agriculture be included as a member of the relevant committee overseeing quarrying activities. This addition would provide important expertise on the potential impact of quarrying on agricultural activities, ensuring that the committee can make informed decisions that balance quarrying operations with the needs of the agricultural sector. This inclusion would also foster greater collaboration between the agriculture and quarrying sectors in addressing issues such as land degradation and the preservation of local farming.

#### **Clause 25: Accountability of Elected Officials and Special Meetings.**

The public suggested that Clause 25 should include provisions for holding elected officials accountable in cases where they fail to serve the interests of the community. Members emphasized that individuals in positions of leadership should be obligated to act in the best interests of the people they represent.

The public recommended that the criteria for electing the 5 committee members should be clearly outlined in the Bill. This would ensure that the election process is transparent, fair, and based on established guidelines. Clear composition guidelines should also be included to ensure that the committee represents the diversity of the affected communities and includes individuals with relevant expertise. Additionally, the suggestion was made that the Chief/Administration Officer be included as an ex-officio member of the committee, given their role as law enforcers and their integral position within the local administration.

## **Restriction of Vehicle Movement Times.**

In response to concerns about safety and theft, the public suggested that the Bill should include restrictions on the timing for the collection and movement of vehicles to and from quarrying areas. Specifically, it was recommended that quarrying activities involving vehicle movements should only occur between 6:00 AM and 6:00 PM, to mitigate the risk of criminal activity, such as theft, that had been experienced in the past. This would help ensure safer operations and minimize disruptions in the community, particularly during the night.

## **Maintenance of Access Roads.**

The public emphasized the importance of maintaining the access roads to quarrying areas. It was pointed out that for quarrying to be successful and sustainable, the infrastructure supporting quarrying operations must be in good condition. The local Assembly was urged to ensure proper oversight of road maintenance, holding quarry operators accountable for their role in road upkeep, especially given that heavy quarry trucks can cause significant damage to local roads if not properly managed.

## **Protection and Empowerment of the Committee.**

The public recommended that the elected committee overseeing quarrying activities should be adequately protected, supported, and empowered to carry out their functions effectively. The committee should have access to the necessary resources and authority to perform oversight, enforce regulations, and ensure that quarrying operations are carried out responsibly. Protection of committee members is also essential to prevent undue influence or threats, ensuring that they can make unbiased decisions in the interest of the community.

## **SOUTH EAST NYAKACH WARD.**

### **PUBLIC SUBMISSIONS**

#### **Use of Personal Land for Quarrying Materials.**

One member of the community raised the concern that, as a landowner, they wish to extract materials from their own land to build a house. The question was whether they would be subjected to the same regulatory processes and procedures outlined in the Bill as larger-scale quarry operators. The community member sought clarity on whether there would be different regulations or exemptions for individuals extracting materials for personal use as opposed to commercial extraction. They requested that the Bill specify the

conditions under which small-scale personal quarrying could be conducted without the need for the same stringent licensing and levy requirements that apply to commercial quarrying operations.

### **Designation of Land as a Quarry Site.**

Another concern raised was related to the situation where a landowner's property is designated as a quarry site by the county. The landowner sought clarity on the process to be followed if their land is designated for quarrying. Specifically, they wanted to know if they would be compensated for the use of their land as a quarry site and what the procedures would be for this designation. The public member emphasized the need for the Bill to clearly address compensation mechanisms for landowners affected by such designations, ensuring that they are fairly compensated for any loss of use or value of their property.

### **Inclusion of National Administration in the Quarry Control Committee.**

Several participants suggested that the National Administration, particularly the Chief or other relevant officers, should be included as members of the Quarry Control Committee. They emphasized the importance of involving local administration in the decision-making process, as they have the best understanding of community dynamics, local issues, and the context in which quarrying activities take place. The inclusion of such officials would help ensure that the Bill is implemented with full consideration of local needs and concerns.

### **Composition of the Local Community Benefit Sharing Forum.**

There was a suggestion that the composition of the Local Community Benefit Sharing Forum should be more inclusive and reflective of the community. The public proposed that the five members to be chosen by the local community (as mentioned in the Bill) should include a range of representatives to ensure that all segments of the community are represented. Specifically, the following individuals should be included:

### **Appointment of Quarry Control Committee Members.**

In Part II (f) of the Bill, it was stated that the Executive Committee Member (CEC) would appoint the seven members of the Quarry Control Committee. However, the public proposed that this provision should be amended. They suggested that the Local Community should be responsible for appointing the members of the committee, ensuring greater community involvement and ownership of the process. This would also help to

ensure that the committee members are more directly accountable to the communities they represent.

### **Clarification on the Appointment Process.**

The community also sought clarification on the process by which the Executive Committee Member would choose the seven members of the Quarry Control Committee. They requested more detailed guidelines on the criteria and process that would be used to select these members, to ensure fairness and transparency. Clear procedures for selecting committee members would help prevent any potential biases or conflicts of interest and ensure that qualified individuals are appointed to oversee quarrying activities.

### **Use of the Ward Manager's Office to Identify Committee Members.**

It was suggested that the Ward Manager's Office should be utilized to identify the seven members of the Quarry Control Committee. The community felt that the Ward Manager's office, being closely tied to local governance and community affairs, would be well-positioned to identify suitable candidates for the committee. This approach would also help ensure that the selection process is grounded in the local context and reflects the needs and priorities of the specific community affected by quarrying activities.

### **Levy on Companies Producing Finished Quarry Products.**

There was a proposal that companies involved in quarrying and processing raw materials into finished products should also be levied. The public suggested that companies that add value to the raw materials by transforming them into finished products, such as construction materials or aggregates, should contribute to the local community's benefit-sharing initiatives. This would ensure that all aspects of the quarrying value chain are contributing fairly to the local economy and to the regulation of the industry.

### **Quantification of Quarry Materials for Licensing and Levy.**

The public expressed a desire for the Bill to clearly specify the amount of quarry materials that would require a license and be subject to levies. This would provide clarity for both quarry operators and the regulatory authorities, ensuring that the levy system is transparent and that operators are aware of the volume of materials they are allowed to extract and the corresponding fees they will need to pay. Clear quantification would also help in preventing over-exploitation of resources and in ensuring that the levies collected are in proportion to the scale of operations.

## SOUTH WEST NYAKACH WARD,

### PUBLIC SUBMISSIONS

THAT, before licensing Quarry Activities to resource exploiters, geological surveys should be conducted to ascertain the viability of these activities in a given area.

THAT, the relevant department, while considering the registration of exploiters, should classify exploiters into various categories, notably local and international exploiters.

THAT, before the County enters into any Benefits Sharing Model, it must first seek input from the local community on which projects should be funded from the revenues realized from Quarry Activities.

THAT, the County should consider local Quarry Owners and establish a clear approach for treating local quarry owners who lease their quarries to third-party operators.

THAT, the composition of the Quarry Control Committee should adhere to the 1/3 gender representation rule and include persons with disabilities (PWDs), youth, and women.

THAT, the percentage of revenue shared from Quarry Activities should be allocated to the areas where the activities are carried out.

THAT, in the Bill, the County should insert a clause that compels Quarry Exploiters who leave quarries unattended at the termination of quarry activities to be recalled to ensure the rehabilitation of the site.

THAT, the Security Deposit should be made punitive to deter Exploiters from breaching Clause 20(2).

## WEST NYAKACH WARD.

### PUBLIC SUBMISSIONS

#### **Part 2 - Establishment of the Quarrying Control Committee.**

The members of the public proposed the following amendments to enhance the effectiveness and fairness of the Quarrying Control Committee:

##### **Recall Clause for Committees.**

It was suggested that a recall clause be included for both the Local Benefit Sharing Forum Committee and the Quarrying Control Committee. This would allow for the removal of members who fail to perform their duties adequately or act in the best interest of the community. The recall clause would ensure accountability and allow for the replacement of ineffective or non-compliant members, thereby maintaining the integrity and efficiency of both committees.

##### **Exclusion of Active Politicians from Quarrying Activities.**

Under the Conduct and Disclosure of Interest section, particularly in Section 11, the public suggested that active politicians should be prohibited from being involved in quarrying activities while in office. This proposal is aimed at preventing conflicts of interest and unfair competition, as politicians in office may have the advantage of using their political influence to gain preferential treatment or monopolize quarrying opportunities. Excluding them from involvement would help ensure a level playing field for all stakeholders and foster fairness in the industry.

##### **Part 5 Benefit Sharing Agreement.**

The public made a suggestion regarding the composition of the Local Benefit Sharing Forum:

It was proposed that the Bill should include clear guidelines on the suitability of individuals to occupy positions in the Local Benefit Sharing Forum. This would ensure that members of the forum are properly qualified and able to represent the community's interests effectively. The inclusion of these guidelines would help in creating a transparent, accountable, and well-structured forum, ensuring that the decisions made are in the best interests of the local population.

## Part 8 - Miscellaneous Provisions

### Section 31 - Riverside Harvesting

Under the section on Riverside Harvesting, the public proposed an important amendment to protect infrastructure and the environment:

Section 31 should be amended to read:

*"No quarrying shall take place within 100 meters of either side of any physical infrastructure, including bridges, roads, railway lines, or dykes, unless it is recommended desilting due to blockages of the bridges and culverts."*

This amendment is aimed at protecting vital infrastructure from damage caused by quarrying activities. Quarrying near bridges, roads, and other infrastructure poses a significant risk of undermining the stability and safety of these structures. The provision to allow for desilting only in cases of blockages would ensure that quarrying is not carried out irresponsibly near sensitive areas while still allowing for necessary maintenance to ensure the continued functioning of infrastructure.

### COMMITTEE OBSERVATIONS FROM PUBLIC PARTICIPATION.

#### 1. Inclusion of Chief Officer.

The Chief Officer for Lands, Physical Planning, Housing, and Urban Development should be included as a member of the Quarrying Control Committee. The Chief Officer holds a strategic mandate in overseeing land use planning, zoning, settlement development, and urban infrastructure, all of which are closely linked to quarrying activities.

#### 2. Representation of People Living with Disabilities (PLWD).

It was recommended that individuals representing the interests of People Living with Disabilities be included in the committee to ensure their concerns are adequately addressed.

#### 3. Guidelines for Member Selection and Qualifications.

Clear and comprehensive guidelines for the selection of committee members under Clause 8(f) should be outlined, including specific qualifications required for prospective members.

#### 4. Recall Clause for Committee Members.

A provision allowing for the recall of committee members should be incorporated into the report to ensure accountability and transparency.

## **5. Compensation for Accident Victims.**

Clear guidelines should be established regarding the compensation of individuals affected by accidents at quarrying sites, ensuring that affected parties are adequately supported.

## **6. Classification of Minerals.**

There should be a clear and detailed classification of minerals within the Bill, which will provide clarity on the types of minerals being regulated under the proposed legislation.

## **7. Development of Weigh Bridges.**

The report should address the need for the development of weigh bridges along the routes from quarrying sites to ensure proper measurement of materials being transported.

## **9. Timelines for Quarrying Activities.**

Clear timelines for the commencement, duration, and completion of quarrying activities should be established to promote efficiency, compliance, and environmental sustainability.

## **10. Maximum Number of Meetings and Emergency Meeting Provisions.**

The committee discussed and established a gap on the maximum number of meetings to be held per year. Additionally, provisions were not made for the scheduling of emergency meetings, to be convened as necessary when urgent matters arise that require immediate attention outside the regular meeting schedule.

## **11. Proposal for Including the Department of Agriculture in the Quarrying Control Committee.**

A proposal was made to include the Department of Agriculture as a member of the Quarrying Control Committee. This inclusion aims to bring in the expertise of agricultural professionals, ensuring that the committee considers the potential impact of quarrying activities on agriculture and the environment, as well as finding ways to mitigate such impacts.

## **12. Outlining Operational Hours at Quarrying Sites.**

The bill should clearly specify the operational hours for activities at quarrying sites. This is to ensure that quarrying operations are conducted within a regulated timeframe to reduce noise, environmental impact, and disruption to local communities outside stipulated time.

### **13. Issuance of Licenses to Exploiters for Personal Use.**

There was a discussion regarding the issuance of licenses to quarrying exploiters for personal use.

### **14. Inclusion of a National Government Representative in the Quarrying Control Committee.**

A recommendation was made to include a representative from the national government in the Quarrying Control Committee. This representative would serve to ensure that the committee's decisions are in alignment with national policies and regulations, and that the interests of the federal government are properly represented in matters related to quarrying activities.

### **SUBMISSION FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES.**

Consider including the following in the Quarrying Control Committee;-

- I. The County Director of Environment-NEMA
- II. The County director in charge of matters Natural Resources- County of Kisumu
- III. The County Commissioner – County Officer
- IV. Department of Mines and Geology- Regional Director

Give provision that the Environmental Impact Assessment Report accompanying for Quarrying applicants should be;- discussed, reviewed and approved by the County Environment Committee before being presented to the Quarrying Control Committee with Minutes of approval or otherwise. Give provision that Subsequent Annual Environment Audits reports of active sites to be presented for review to the proposed County Mining Control Committee on an annual basis not later 1<sup>st</sup> November of each year.

Give provisions for heavy penalty to quarrying or sand harvesting for industrial purposes without a permit.

The best-suited person is the CECM Lands and Physical planning in consultation with the CECM in charge of matters natural resources when it comes to designation of Mining site because of zoning issues.

In addition, don't mention Directorate of Environment in isolation instead name it as Environment and Natural Resources.

The bill should be clear on artisanal quarrying by individuals, the qualifications for licencing quarrying groups/company, the transfer of quarrying licence. The bill is also at some point talking about minerals, which are squarely a preserve of national government.

**PROPOSED AMENDMENTS ON THE KISUMU COUNTY QUARRYING CONTROL BILL (ANNEX 1.)**

Clause	Observation	Proposed Amendment	Rationale
Clause 1: Citation	Inconsistency between title ( <i>Bill vs Act</i> ); omission of the word <i>Control</i> weakens regulatory purpose. Thornton recommends consistent citation.	Delete “ <i>Kisumu County Quarrying Act, 2024</i> ” and substitute therefor “ <i>Kisumu County Quarrying Control Act, 2024.</i> ”	Ensures consistency between short title, long title, and substance
Clause 2: Interpretation	<ul style="list-style-type: none"> <li>(i) “Rehabilitation” definition vague;</li> <li>(ii) No reference to Persons with Disabilities;</li> <li>(iii) Inconsistent use of “executive committee member” / “CEC Member.”</li> </ul>	<p>(a) Redefine <i>rehabilitation as follows: “rehabilitation” means restoration of land affected by quarrying to a safe, environmentally sustainable, and economically usable condition in accordance with EMCA, 1999.</i></p> <p>(b) Insert: “<i>Persons with Disabilities</i>” has the meaning assigned under Article 260 of the Constitution and the <i>Persons with Disabilities Act, 2003.</i></p> <p>(c) Standardize all references to <i>Executive Committee Member.</i></p>	Precision in definitions avoids ambiguity
Clause 3: Objects of the Act	Objectives are broad and aspirational; no express linkage to national laws. Crabbe emphasizes objects should be precise and enforceable.	Insert new paragraph (f): “ <i>to ensure compliance with the Public Finance Management Act, 2012, the Environmental Management and Co-ordination Act, 1999, the</i>	Aligns County law with national legislation (Constitution Art. 191).

		<i>Mining Act, 2016, and any other applicable national legislation in the regulation of quarrying activities.”</i>	Provides enforceable legal guidance for regulators and licensees.
<b>Clause 4: Guiding Principles</b>	Lacks explicit constitutional values (Art. 10). Thornton advises embedding constitutional principles in guiding provisions.	Insert new paragraph (g): <i>“adherence to the national values and principles of governance under Article 10 of the Constitution of Kenya.”</i>	Anchors the Act in constitutional values: integrity, sustainable development, and public participation. Strengthens legal interpretation and compliance.

Clause	Observation	Proposed Amendment	Rationale
<b>Clause 5 – Establishment of the Quarrying Control Committee</b>	- Membership currently includes Chief Officer for Infrastructure, but quarrying is more closely tied to Lands/Physical Planning. - No mandatory representation of Persons with Disabilities (PWDs).	(a) Delete <i>“Chief Officer in the Department responsible for Infrastructure”</i> and substitute <i>“Chief Officer in the Department responsible for Lands, Physical Planning, Housing and Urban Development.”</i>  (b) In Clause 5(1)(f)(i), after <i>“five persons”</i> insert: <i>“including at least one person representing Persons with Disabilities.”</i>	- Enhances technical oversight by including Lands/Physical Planning. Ensures inclusivity and compliance with Articles 27 and 54 of the Constitution.
<b>Clause 6 – Tenure of Office</b>	Provides for 3-year tenure renewable once. Silent on staggering appointments, risking simultaneous expiry of all members, which may paralyze the Committee.	Add new sub-clause: <i>“(4) The Executive Committee Member shall ensure that the appointments of members under section 5(1)(f) are staggered to avoid simultaneous expiry of terms.”</i>	Promotes institutional continuity and avoids governance gaps

Clause	Observation	Proposed Amendment	Rationale
Clause 7 – Vacancy in the Committee	- Clause 7(2)(d) merges incapacity and general unfitness, reducing clarity. - No provision disqualifying persons convicted of serious offences.	(a) Amend by Splitting Clause 7(2)(d) into two:  (d) <i>“is incapacitated by prolonged physical or mental illness;”</i> (e) <i>“is otherwise unable or unfit to discharge the functions of the office.”</i>  (b) Insert new Clause 7(2)(f): <i>“is convicted of a criminal offence punishable by imprisonment for more than six months or a fine exceeding ten thousand shillings.”</i>	- Separating provisions enhances clarity and precision - Criminal disqualification ensures accountability and integrity in line with public service standards.
Clause 8 – Functions and Powers of the Committee	Functions are broad but lack explicit reference to compliance with national mining/environmental laws.	Insert new sub-clause (q): <i>“ensure that quarrying activities comply with national laws including the Mining Act, 2016, the Environmental Management and Co-ordination Act, 1999, and the Public Finance Management Act, 2012.”</i>	Strengthens legal alignment with national framework.
Clause 9 – Secretariat Composition	Includes Director of Infrastructure, which is not directly relevant to quarrying oversight.	Delete <i>“Director for the time being responsible for Infrastructure”</i> and substitute <i>“Director for the time being responsible for Lands, Physical Planning, Housing and Urban Development.”</i>	Ensures technical relevance of Secretariat membership
Clause 10 – Functions of the Secretariat	Functions are sound but do not expressly require compliance with County Governments Act and other laws.	Add new paragraph (k): <i>“ensure compliance with the County Governments Act, 2012 and all applicable public finance, planning, and environmental laws in the execution of its functions.”</i>	Enhances accountability and harmonization with constitutional and statutory obligations.

Clause	Observation	Proposed Amendment	Rationale
Clause 11 – Conduct and Disclosure of Interest	Provides for conflict of interest but lacks sanctions for breach.	Add new sub-clause (3): <i>“Any member who contravenes this section shall cease to hold office and may be further subjected to proceedings under the Public Officer Ethics Act, 2003.”</i>	Introduces enforceable sanctions.
Clause 12 – Cessation of Membership	Currently vague and overlaps with Clause 7. Thornton recommends clear and non-overlapping triggers.	Replace Clause 12 with:  <i>“A member of the Committee or Secretariat shall cease to hold office if— (a) they resign in writing; (b) they are transferred, reassigned, retired, or dismissed; (c) they are convicted of an offence under Clause 7(2)(f); (d) they are found in breach of conflict of interest provisions; or (e) their term expires and is not renewed.”</i>	Provides clarity and avoids duplication with Clause 7.

Clause	Critique	Proposed Amendment	Rationale
Clause 13 – Imposition of Fees and Levies	- Committee empowered to determine fees without express compliance with PFM Act, 2012. - Risks conflict with national financial laws.	Insert new sub-clause (4): <i>“All fees and levies imposed under this Act shall comply with the provisions of the Public Finance Management Act, 2012, particularly sections 159–161.”</i>	Ensures legality of fiscal measures. Financial provisions must expressly align with parent financial legislation.
Clause 14 – County Revenue Board	Provides for collection and reporting but does not expressly require public accountability.	Add new sub-clause (4): <i>“The Revenue Board shall publish annual reports on fees and levies collected under this Act, which shall be tabled before the County Assembly.”</i>	Promotes transparency and legislative oversight. Financial accountability provisions must be explicit.

Clause	Critique	Proposed Amendment	Rationale
Clause 15 – Licensing	Provides licensing requirement but lacks explicit timelines for issuance or refusal.	Insert new sub-clause (3): <i>“The Executive Committee Member shall determine all applications within sixty days of receipt.”</i>	Predictability in licensing process avoids administrative abuse. Licensing frameworks must include procedural fairness.
Clause 16 – Limitation on Licensing	Clause repeats Clause 15(1). Duplication reduces clarity.	Merge Clause 16 into Clause 15 by consolidating all licensing requirements in one provision.	avoid duplication and ensure economy of language.
Clause 17 – Application for License	Provides procedure but lacks requirement for environmental clearance.	Insert new sub-clause (6): <i>“An application for a license shall not be approved unless accompanied by an Environmental Impact Assessment license issued under the Environmental Management and Coordination Act, 1999.”</i>	Aligns with EMCA, 1999; avoids parallel licensing regimes.
Clause 18 – Grounds of Refusal	Grounds are broad and subjective (“any other factors”). Risks excessive discretion.	Amend sub-clause (1)(i) to read: <i>“any other factors which, in the opinion of the Executive Committee Member, are inconsistent with public safety, public health, or environmental sustainability.”</i>	Narrows discretion, ensuring decisions are reasonable and reviewable. Thornton: avoid open-ended provisions.
Clause 19 – Surrender of License	Provides for surrender, suspension, or revocation but lacks appeal mechanism.	Insert new sub-clause (5): <i>“A person aggrieved by a decision of the Executive Committee Member under this section may appeal to the County Physical and Land Use Planning Liaison Committee within thirty days.”</i>	Ensures due process and fairness. Crabbe: all discretionary powers must include appeal safeguards.

Clause	Critique	Proposed Amendment	Rationale
Clause 20 – Security for Rehabilitation	Present in Part III but relates to site restoration. More suited to Environmental Protection Part.	Relocate Clause 20 to the new Part IV – Environmental Protection and Rehabilitation.	Improves logical arrangement.
Clause 21 – License Not Transferable	Provides prohibition but lacks clarity on inheritance or corporate restructuring.	Amend to add: <i>“Provided that in the case of corporate restructuring or succession, the transferee may apply for a fresh license under this Act within six months of change in control.”</i>	Balances regulatory control with commercial realities. House Manual: licensing provisions must accommodate legal succession.

**PART IV — ENVIRONMENTAL PROTECTION AND REHABILITATION** *(new part to be inserted)*

Clause	Observation	Proposed Amendment	Rationale
Clause 20 – Security for Rehabilitation <i>(currently misplaced in Part III)</i>	Rehabilitation security is mentioned but vaguely worded; lacks clear standards, timelines, and compliance with EMCA, 1999.	(a) Relocate Clause 20 into Part IV. (b) Redraft sub-clause (1)(a): <i>“Every licensee shall deposit a security in a form prescribed by regulations, sufficient to cover full rehabilitation costs, as determined by an Environmental Impact Assessment under the Environmental Management and Co-ordination Act, 1999.”</i> (c) Insert new sub-clause (3): <i>“The rehabilitation security shall be reviewed every three years.”</i>	- Logical restructuring - Ensures rehabilitation is measurable and aligned with EMCA. - Review provision ensures adequacy of funds over time.
Clause 29 – Conditions Before Leaving a Quarry Site	Misplaced under Miscellaneous; content belongs under rehabilitation.	(a) Relocate Clause 29 into Part IV. (b) Amend to add new sub-clause (1)(d): <i>“carry out</i>	- Improves logical structure (Crabbe – order of provisions must mirror

Clause	Observation	Proposed Amendment	Rationale
<i>(currently under Miscellaneous)</i>	Provisions are narrow and omit community participation.	<i>rehabilitation in accordance with an approved closure plan developed in consultation with the local community and the County Environment Department.”</i>	lifecycle of regulated activity). - Embeds public participation (Constitution Art. 69, County Governments Act s. 87).
<b>New Clause – Environmental and Social Impact Assessments</b>	Bill is silent on mandatory ESIA before quarrying despite EMCA requirements.	Insert new Clause 21: <i>“No license shall be issued under this Act unless the applicant has obtained an Environmental Impact Assessment license from the National Environment Management Authority in accordance with the Environmental Management and Co-ordination Act, 1999.”</i>	Ensures compliance with EMCA; prevents duplication and conflict with national legislation (House Manual – harmonize with parent law).
<b>New Clause – Monitoring and Audits</b>	Current Bill lacks provision for ongoing environmental audits.	Insert new Clause 22: <i>“Every licensee shall undertake an environmental audit every two years, submitted to the County Government and NEMA, and ensure implementation of recommendations therein.”</i>	Introduces accountability and continuous monitoring (Thornton – require measurable compliance mechanisms).
<b>New Clause – Community Rehabilitation Fund</b>	Bill provides for benefit-sharing but not a dedicated environmental rehabilitation fund.	Insert new Clause 23: <i>“The County Executive Committee Member shall establish a Quarry Rehabilitation Fund into which a percentage of levies collected under this Act shall be deposited and used exclusively for restoration of abandoned quarry sites.”</i>	

Clause	Critique	Proposed Amendment	Rationale
Clause 22 – Benefit Sharing Agreement	Requires agreements but lacks clarity on scope and minimum terms (e.g. non-monetary benefits, dispute resolution).	Insert new sub-clause (3): <i>“Every benefit sharing agreement shall specify— (a) the monetary and non-monetary benefits to the community; (b) timelines and modes of benefit delivery; (c) dispute resolution mechanisms; and (d) monitoring and reporting obligations.”</i>	Provides enforceable standards. Thornton: benefit-sharing clauses must be precise, not aspirational.
Clause 23 – Functions of the Committee in Benefit Sharing Agreements	Misplaced in order— functions come before composition. Public feedback recommended reordering.	Reorder clauses so that composition of benefit-sharing committees precedes functions.	Logical sequencing (Crabbe – arrangement must mirror implementation process).
Clause 23 (content)	Committee’s functions are broad but lack explicit duty to ensure compliance with constitutional equity and inclusivity.	Amend paragraph (a) to read: <i>“negotiate the terms of a benefit-sharing agreement with an affected entity on behalf of the local community, ensuring equity, inclusivity, and compliance with Articles 10, 56, and 69 of the Constitution.”</i>	Embeds constitutional principles of participation and equity.
Clause 24 – Approval of Benefit-Sharing Agreement	Provides for County Assembly approval, which is strong, but does not set timelines.	Insert new sub-clause (3): <i>“The County Assembly shall consider a proposed benefit-sharing agreement within ninety days of submission.”</i>	Ensures predictability and prevents indefinite delay (House Manual – time limits safeguard due process).
Clause 25 – Local Community Benefit-sharing Forum	Provides for local forums but: (i) excludes public officers, yet doesn’t specify community vetting process; (ii)	(a) Amend sub-clause (1): <i>“...comprising of not less than five and not more than seven persons elected by the residents of the local community.”</i> (b)	- Expands representation for inclusivity. - Adds gender/PWD requirement (Constitution, Articles

Clause	Critique	Proposed Amendment	Rationale
	allows 5 members only, may be too restrictive; (iii) lacks gender or PWD representation requirement.	Insert new sub-clause (1A): <i>“In constituting the Forum, due regard shall be given to gender equity and representation of Persons with Disabilities.”</i> (c) Insert sub-clause (8): <i>“Elections of Forum members shall be supervised by the County Public Service Board to ensure fairness and transparency.”</i>	27 & 54). - Adds accountability in elections (Crabbe – clarity in selection processes).
<b>Clause 25(7) – Allowances</b>	Provides for sitting allowances but is silent on ceilings. Risk of unsustainable burden on County.	Amend to read: <i>“...sitting allowances shall be paid in accordance with guidelines issued by the Salaries and Remuneration Commission and subject to budgetary limits approved by the County Assembly.”</i>	Prevents abuse and anchors payment in SRC oversight and Assembly control.

Clause	Critique	Proposed Amendment	Rationale
<b>Clause 26 – Enforcement of Safety</b>	- Provides for notices by authorized officers but does not specify appeal or review process. - References “authorized officer” inconsistently (see Clause 2 definitions).	(a) Standardize “authorized officer” as defined in Clause 2 throughout the Act. (b) Insert new sub-clause (7): <i>“A person aggrieved by a notice or order under this section may appeal to the County Environment Tribunal within thirty days.”</i>	- Consistency in terminology (House Legislative Counsel Manual – precision). - Appeal provision ensures due process (Crabbe – discretion must be subject to oversight).
<b>Clause 27 – Investigations</b>	- Powers of entry, seizure, and audit are broad but lack safeguards against abuse. - No requirement for warrant or written	(a) Insert new sub-clause (3): <i>“No entry shall be made into private premises without the consent of the occupier or a warrant issued by a court of competent jurisdiction, unless the</i>	- Prevents abuse of power, protects constitutional rights to privacy and property (Article 31, Constitution). - Ensures accountability of

Clause	Critique	Proposed Amendment	Rationale
	authorization for intrusive searches.	<i>premises are open to the public or are a quarrying site under license.” (b) Insert new sub-clause (4): “Any officer exercising powers under this section shall produce written authorization from the Executive Committee Member.”</i>	enforcement officers (Thornton – balance enforcement with rights).
General Issue	- No provision for cooperation with national agencies (e.g. NEMA, Directorate of Occupational Safety and Health Services).	Insert new Clause 28: <i>“The County Government shall collaborate with national agencies responsible for environment, mining, and occupational safety in enforcement of this Act.”</i>	Aligns county law with national regulatory framework (Constitution Art. 191 on concurrent jurisdiction).
General Issue	- No penalties for obstruction of enforcement officers.	Insert new Clause 29: <i>“Any person who obstructs or hinders an authorized officer in the performance of their duties under this Act commits an offence and is liable on conviction to a fine not exceeding one hundred thousand shillings or imprisonment for a term not exceeding six months, or both.”</i>	Ensures compliance with enforcement measures. Crabbe: penalties must accompany obligations for effectiveness.

Clause	Critique	Proposed Amendment	Rationale
Clause 28 – Offences	- Drafting creates overlap: sub-clause (2)(b) and sub-clause (3) both prescribe corporate penalties but with different maxima (Ksh. 1M vs 5M). - Penalties are inconsistent with the	(a) Consolidate penalties as follows: - Natural persons: fine not exceeding <b>Ksh. 500,000</b> or imprisonment not exceeding <b>2 years</b> , or both. - Body corporate: fine not exceeding <b>Ksh. 2 million</b> . - Continuing offences: additional daily	- Ensures consistency with EMCA and Mining Act. - penalties must be <b>proportional</b> and <b>deterrent</b> .

Clause	Critique	Proposed Amendment	Rationale
	<p><b>Environmental Management and Co-ordination Act (EMCA, 1999)</b> and risk constitutional challenges on proportionality. - Offences are narrow (false statements, failure to furnish info) but omit common quarry offences (illegal quarrying, non-compliance with rehabilitation orders, operating without license).</p>	<p>fine of Ksh. 50,000. (b) Expand offence list to include: (i) undertaking quarrying without a valid license; (ii) failure to carry out rehabilitation as ordered; (iii) obstruction of authorized officers.</p>	
General drafting issue	<p>The Bill lacks a “general penalty” clause for offences not specifically provided.</p>	<p>Insert new Clause 29: “A person who contravenes any provision of this Act for which no specific penalty is provided commits an offence and is liable, on conviction, to a fine not exceeding one hundred thousand shillings or imprisonment for a term not exceeding six months, or both.”</p>	<p>Provides a legal safety net for enforcement.</p>
General drafting issue	<p>No provision for corporate liability attribution (directors/managers).</p>	<p>Insert new Clause 30: “Where an offence under this Act is committed by a body corporate, every director or officer responsible for management of the body corporate shall be deemed to have committed the offence unless they prove that the offence was committed without their consent or</p>	<p>Aligns with best practices in corporate criminal liability.</p>

Clause	Critique	Proposed Amendment	Rationale
		<i>connivance and that they exercised due diligence.”</i>	

Clause	Critique	Proposed Amendment	Rationale
<b>Clause 32(1) – Power to make regulations</b>	- Grants CEC Member broad authority without oversight. - Risks creating a “Henry VIII clause” (executive can amend or override law via regulations). Thornton warns against this.	Redraft Clause 32(1) to read: <i>“The Executive Committee Member may, with the approval of the County Assembly, make regulations for the better carrying into effect of the provisions of this Act.”</i>	Ensures legislative control over delegated authority.
<b>Clause 32(2) – Matters for regulations</b>	- Broadly lists areas (fees, elections, fund administration, etc.). - Does not expressly require compliance with the Statutory Instruments Act, 2013.	Insert new sub-clause (3): <i>“Regulations made under this section shall comply with the Statutory Instruments Act, 2013, including requirements for public participation, regulatory impact assessment, and tabling before the County Assembly.”</i>	Anchors delegated legislation in statutory safeguards.
<b>Clause 32(2)(f) – Revenue sharing formula</b>	- Delegating revenue-sharing formula to regulations may be unconstitutional, since revenue allocation touches on public finance (PFM Act, Constitution Art. 207).	Delete paragraph (f) and replace with: <i>“The revenue sharing formula between sub-counties that share a quarry resource shall be provided for in this Act or by a resolution of the County Assembly.”</i>	Retains Assembly’s control over financial matters. Constitution: only law or Assembly resolution can govern public finance.
<b>General drafting issue</b>	No requirement for periodic review of regulations.	Insert new sub-clause (4): <i>“Regulations made under this section shall be reviewed at least once every five years to ensure relevance and effectiveness.”</i>	Provides for updating regulations to meet evolving industry and environmental needs.

## GENERAL RECOMNDATION OF THE COMMITTEE.

After a thorough review of the proposal, and upon comparing its provisions with the Environmental Management and Coordination Act (EMCA), 1999, as well as the Sand Harvesting Regulations, 2021, the committee recommends that the House adopt this report to facilitate the inclusion of the proposed amendments in the Bill, thereby enabling it to serve its intended purpose.

## CONCLUSION

The Proposed Quarrying Control Bill 2024 represents a critical step forward in ensuring that quarrying activities across Kisumu County are conducted responsibly, sustainably, and in alignment with environmental and public safety standards. By establishing clearer regulatory frameworks, enhancing oversight, and promoting accountability among operators, this Bill addresses long-standing gaps that have negatively impacted our communities, ecosystems, and infrastructure.

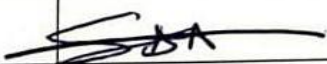
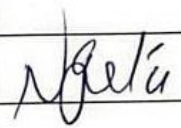

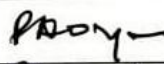
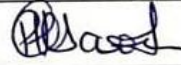
The measures proposed not only protect our natural resources and the health of affected populations but also provide greater certainty and fairness to legitimate quarrying businesses. It is a balanced and forward-looking piece of legislation that reflects both economic and environmental imperatives.

In light of the urgent need to manage quarrying operations more effectively and to safeguard the well-being of current and future generations, I urge all Members to lend their full support to the Quarrying Control Bill 2024 report. Your endorsement will demonstrate a firm commitment to responsible governance, environmental stewardship, and the sustainable development of our nation.

May I call Hon..... to second the motion.

ADOPTION SCHEDULE FOR THE REPORT ON THE PUBLIC PARTICIPATION ON THE CONSIDERATIONS OF THE KISUMU COUNTY QUARRYING CONTROL BILL, 2024.

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

No.	NAME	POSITION	SIGNATURE
	Hon. Samuel Dede	Chairperson	
	Hon Mickey Ochieng	Vice Chairperson	
	Hon Maurice Ngeta	Member	
	Hon. Emilly Oginga	Member	
	Hon Habil Nyasuna	Member	
	Hon. Geoffrey Warindu	Member	
	Hon. Pamela Oyoo	Member	
	Hon Peter Obaso	Member	
	Hon. Millicent Omuya	Member	