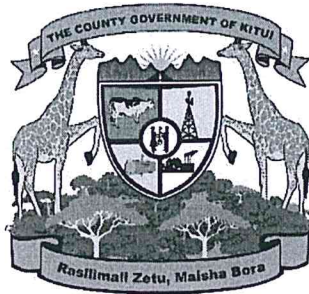


**COUNTY GOVERNMENT OF KITUI**



**THE COUNTY ASSEMBLY**

**SECOND ASSEMBLY – (FIFTH SESSION)**

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**COMMITTEE ON ENVIRONMENT, ENERGY AND MINERAL INVESTMENTS  
DEVELOPMENT**

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**REPORT ON THE SAND HARVESTING SITES IN KITUI COUNTY**

**Clerks Chambers,  
County Assembly Buildings,  
Kitui, Kenya.**

**March, 2021**




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### **Annexes.**

- 1. Members signing and adoption list**
- 2. NEMA sand harvesting guidelines**
- 3. Application letters to harvest and transport sand from Kiromboko**
- 4. Authorization letter to harvest sand harvesting at Kiromboko**
- 5. Cabinet minutes.**

**Report Compiled by:**



**Kennedy Mwendwa**

**Clerk Assistant II**

**(Serving, Committee on Environment, Energy and Mineral Investments Development)**

## **ABBREVIATIONS**

**CECM** - County Executive Committee Member

**NEMA** – National Environmental Authority

**EMCA** – Environmental Management and Coordination Act

**EIA** – Environment Impact Assessment

**TARDA** – Tana and Athi River Development Authority.

**SCR** – Social Corporate Responsibility.

**KCCF** – Kitui County Climate Change Fund

## **1.0 PREFACE**

**Hon. Speaker,** pursuant to Article 185 of the Constitution of Kenya 2010, and Section 8 of the County Government's Act, the County Assembly of Kitui has the mandate to conduct; Legislative, Oversight, and Approval functions on behalf of the County Government of Kitui.

**Hon. Speaker,** Article 185(4) (a) of the Constitution further elaborates that a County Assembly may receive and approve plans and policies for the management and exploitation of County Resources.

**Hon. Speaker,** the Climate Change Act, 2016 section 19 (1) requires county Governments in Kenya to mainstream issues of climate change adaptation and mitigation in their plans and policies. The County Government of Kitui working with the Civil Society organizations (CSOS) and development partners is already implementing a couple of community change projects in the County.

**Hon. Speaker,** the County Ministry of Environment and Natural Resources is spearheading the process to mitigate climate change and also rebuild resilience among the communities of Kitui County. Some of the projects towards compacting climate change the county ministry is doing include tree growing programme and awareness creation on environmental conservation working towards adaptation. The ministry through the stakeholders have developed the Kitui County Climate Change Fund (KCCCF) Regulations to provide guidance on activities and funds appropriated for climate change.

**Hon. Speaker,** aware that there are pertinent issues and disputes surrounding the Management and Exploitation of Natural resources in our County, the Committee on Environment, Energy and Mineral Investments Development constituted by this honorable house was concerned with the nature of these issues and disputes. The committee under Standing Order 190 (5) as well as the Second Schedule is given mandate to investigate and inquire into all matters related to Environment and Natural resources, so as to:

1. Develop Policies on Natural Resources and Environmental Conservation,
2. Create awareness on issues relating to Natural Resources exploitation

**Hon. Speaker,** further Aware the Governor of Kitui County totally banned the transportation and sale of Charcoal through a Gazette Notice NO. 936 Dated 16<sup>th</sup> January 2018, there arose some public outcry that a section of brokers had being engaging on selling Sand without the involvement of the County Government and in the spirit of the above concerns, this committee saw purpose to visit Sand Harvesting sites in Kitui County and share experiences and challenges associated with sand harvesting activities especially in Kiromboko area in Kiomo Kyethani ward, Mwingi West.

**i) Committee Membership**

**Hon. Speaker,** the committee on Environment, Energy and Mineral Investments Development is comprised of the following members;

- |                                       |                   |
|---------------------------------------|-------------------|
| 1. Hon. Jacob Mbaya Kavolonza Musyoka | -Chairperson      |
| 2. Hon. Alex Musili                   | -Vice Chairperson |
| 3. Hon. Johnson Kanandu               | -Member           |
| 4. Hon. Hon. James Munuve             | -Member           |
| 5. Hon. Colleta Kimanzi               | -Member           |
| 6. Hon. Mary Ndumbu                   | -Member           |
| 7. Hon. Charity Mwangangi             | -Member           |
| 8. Hon. Stephen Musili                | -Member           |
| 9. Hon. Waziri Bakari Baraka          | -Member           |
| 10. Hon. Eunice Katheke               | -Member           |
| 11. Hon. Beatrice Vlesi               | -Member           |

**ii) Committee's Mandate**

**HON. SPEAKER,** Standing Order 190(1) establishes for every County Assembly, Sectoral Committees with specific mandates. Under Standing Order 190 (5), the Sectoral Committees are charged with the distinct responsibilities which include;

To;

- i) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- ii) study the program and policy objectives of departments and the effectiveness of the implementation;

- iii) study and review all county legislations referred to it;
- iv) study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- v) investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- vi) to vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 185 (Committee on Appointments) ; and
- vii) Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

**Hon. Speaker,** the committee visited five areas during this exercise:

1. Kiromboko Sand Harvesting site along River Tana, Mwingi West
2. Kwa Masesi Sand Harvesting Site along Tiva River, Kitui Central
3. Kanginga Sand Harvesting site around Tyaa River, Mwingi Central
4. Kivou Sand Harvesting site along Kivou River, Mwingi Central
5. Kamuwongo Sand Harvesting site along Kamuwongo River, Mwingi North

**Hon. Speaker,** This is a report of the committee's deliberations and findings on the same.

## **2.0 ACKNOWLEDGEMENT**

**Hon. Speaker,** the Committee extends its appreciation to the Offices of the Speaker and the Clerk of the County Assembly for the support accorded to it in the execution of its mandate and the opportunity accorded to its Members to undertake the visit.

## **3.0 AUTHENTICATION**

**Hon. Speaker,** on behalf of members of the Environment, Energy, and Mineral Investments Development Committee, I wish to present to the House the report on the visit to the sand harvesting sites in Kitui County, for further consideration and subsequent adoption by the House.

Signed \_\_\_\_\_



**Hon. Jacob Mbaya Kavolonza Musyoka**

**Chairperson, Environment, Energy and Mineral Investments Development.**

#### **4.0 EXECUTIVE SUMMARY**

**Hon. Speaker,** This report documents activities relating to the visit on the sand harvesting sites by the Committee on Environment, Energy and Mineral investments Development.

**Hon. Speaker,** The introduction of this report gives a legal background and the objectives that steered the committee to undertake these visit. The acknowledgement thanks the County Assembly of Kitui for their support and extends gratitude to respondents at the ground.

**Hon. Speaker,** The first part of the report documents activities undertaken by the committee. Being led by the able chairperson Hon. Jacob Mbaya Kavolonza Musyoka (Member for Mui ward), the committee held a series of meetings with several respondents at the ground, including the residents of Kiromboko (Kiomo Kyethani Ward), Tyaa (Mwingi Central), Kamuwongo (Waita Ward), Kivou and Kwa Masesi area (Kyangwithya West), Group leaders for the groups constituting Tana River Sand Harvesting Sacco, the Investor and the Kitui County Executive Committee Member for Environment and Natural Resources.

**Hon. Speaker,** The second part of this report contains Committee general observations, conclusion and recommendations on matters concerning sand harvesting and climate change mainstreaming.

#### **5.0 COMMITTEE FINDINGS**

##### **5.1 KIROMBOKO SAND HARVESTING SITE**

**Hon. Speaker,** the committee inspected Kiromboko sand harvesting site along River Tana. The Committee interrogated several respondents on the ground that include;

- i) The Kiromboko Sand Harvesting Sacco Chairman, Mr. Julius Muoki.
- ii) The TARDA liaison officer, Mr. Munyoki Mwinzi
- iii) The Investor Ms. Esther of Visrom Company and some representatives from the different groups forming the Kiromboko sand harvesting Sacco.

**Hon. Speaker,** the Sand Harvesting Sacco Chair Mr. Muoki confirmed to this committee that there were sand harvesting activities going on in Kiromboko dam. According to Mr. Muoki Kiromboko dam which is along the cutline was donated by TARDA to help the community engage in agricultural activities. However, the dam had a huge sand deposition that had led to low water volume and greatly affected the vegetation cover and biodiversity.



**Hon. Speaker,** the TARDA Liaison officer whose work is to oversee the activities along Tana River and the buffer zone told this Committee that the desilting of the Kiromboko dam was authorized by the County Government Cabinet upon request by TARDA through the ministry of Environment and Natural Resources. NEMA therefore went ahead and gave the Community sand harvesting guidelines. The Community went ahead and formed 17 groups who elected their leaders to represent them during planning meetings.

**Hon. Speaker,** the Community representatives informed this committee that there were no laid down plans and procedures to scoop sand. The investor arrived at the scene in 2018 and never called for a community meeting to set guidelines on how the sand harvesting was to be done in terms of tonnage, payment, SCR and Civic education. The investor arrived and informed the Community that each group should open a bank account that is used to pay them each Kshs 3000 per lorry which is alleged to have come as an instruction by the investor. There was an agreement between the community and the investor to use locals as loaders and a sum of Kshs 3000 to be paid to the loaders. The Community further informed the Committee that the Investors has never engaged any local as a loader but uses tractors to load the lorries.

**Hon. Speaker,** the Community also informed this Committee that they have no influence whatsoever between whatever transactions go in between the investor and the County Government.

**Hon. Speaker,** according to Ms. Esther who was interrogated by this Committee as the investor informed this Committee that she makes a payment of Kshs. 7500 to the County Government, Kshs. 3000 to TARDA and Ksh. 3000 to the community per each lorry ferrying sand from the dam. She uses semi-trailers that have a capacity of 40 tonnes each. The investor claimed that she negotiated with the Governor and TARDA to allow her scoop sand which was allowed until October 2020. Following heavy deposits in the dam the investor wrote a letter to the ministry to be allowed more time to continue scooping sand which was allowed until December 2020. The investor told the Committee that she has 12 Lorries that carry each 3 time a day and the sand is taken to a private sand bank at Bondoni which is later taken to Kiambu County for a project in Karimenu dam.

### **Specific Recommendations.**

- i. The county assembly of Kitui to consider enactment of laws to regulate the sand harvesting. Ensure compliance to this legislation and regulations on sand harvesting is

made mandatory enhanced by enforcement by the Ministry to achieve responsible and sustainable sand harvesting.

- ii. Additionally, these legislations and regulations should be tailor-made for the sand harvesting sector and it should be simplified for an ordinary man to comprehend and adhere to.
- iii. Self-regulation should be encouraged to the extent that it can demonstrate compliance with legislation and regulations.
- iv. TARDA or any other other body or individuals can sponsor "River/stream model" studies to help in identifying the aggradation zones - the suitable areas along the river/stream sites, and guide on quantities suitable for harvesting. This will ensure that the river is protected from bank and bed erosion beyond its stable profile.
- v. In terms of mitigating the environmental effects of sand harvesting, the operations need to be conducted in a more responsible manner, e.g the counties represented here (Kitui, and Embu) can partner and establish SAND BANKS on selected central points especially Kanyonyoo where the sand can be harvested ferried by controlled tonnage vehicles (determined by the road load capacity) and deposited on the agreed sites. Then the sand can be sold from there. This will help in generation of income for the counties and locals from the controlled harvesting of sand.
- vi. The TARDA, CDF and Counties to consider building of surface sand dams along the existing rivers/streams to protect them from erosion and degradation that lead to drying up of the same. The water table in these areas will rise and more sand will be checked.
- vii. As we progress the Ministry of Environment can establish Environmental trust fund in line with Public Finance Management Act, 2012 which empowers county to establish funds that can help support restoration of ecosystems that have been destroyed by the adverse sand harvesting and other sever environmental activities.
- viii. Retain/Reclaim Vegetation Buffer at Edge of Water and against river banks. Riparian vegetation performs several functions essential to the proper maintenance of geomorphic and biological processes in rivers. It shields river banks from erosion and such will help control the access of our rivers from undesignated areas. This means pulling TARDA and the County must partner on this.
- ix. After the above, the County Ministry should erect tonnage control barriers in our link roads and have enforcement officers to man the barriers to ensure that only the authorized vehicles access the designated sites for sand harvesting. These are vehicles

that will be licensed to scoop sand and offload on selected sand banks. Any other vehicle to buy sand from the sand banks.



***Committee members meeting the Investor and a section of the Community representatives at Kiromboko.***

## **5.2 KWA MASESI/NDUMONI SAND HARVESTING SITE**

**Hon. Speaker,** the members inspected the extent of environmental degradation along Tiva River in Ndumoni/ Kwa Masesi area in Kyangwithya West.

They were informed that a case had been filed at the Environment and Lands Court in Machakos seeking the ban of sand harvesting at the river. A ruling was issued stopping further sand harvesting at the river until the hearing and determination of the suit filed.

However, despite the ruling, the sand harvesting trade continued which as a result has led to serious degradation of Tiva River. The river bed has been completely destroyed and parts of the river have dried up.

During the inspection, this Committee met a number of locals including sand loaders and through their spokesperson Mr. John Muthui informed the members as follows;

- i. They started the sand harvesting trade in the year 2004 in a bid to sustain themselves.
- ii. They organised themselves into a self-help group of about 200 members and took out a sand harvesting permit. They were trained on sand harvesting by some environmental officers.
- iii. In the year 2015/16, the self-help group paid about kshs. 100,000 for an environmental impact assessment report which was a requirement before they could continue sand harvesting.

- iv. They claimed that through their sand harvesting proceeds, they have constructed 3 ECDE classrooms, provide the elderly with weekly stipends and even graded part of their road. One of the ECDE classrooms has transitioned to a primary classroom and they have started the Maviani Primary School.
- v. They claimed that the county government has always neglected them since no developments are carried out in the area. They have requested for flood lights, toilets and even levelling of their schools playing fields with no success.
- vi. They depend on the sand harvesting trade for their survival.

### **Specific Recommendations**

- i. The ban on sand harvesting should be fully implemented.
- ii. The OCPD of the area should be transferred immediately since she has completely failed to curb the sand harvesting.
- iii. The community should be sensitized on the benefits of safeguarding the environment and the disadvantages of sand harvesting.
- iv. The County Government through the ministry of Environment should see alternative sources of income for the community since the continued sand harvesting will completely destroy the river in the near future.
- v. The county government in conjunction with the relevant stakeholders and the community should come up with an alternative source of income for the members of the community.
- vi. The relevant county assembly sectoral committee should work in conjunction with that of the Senate to deal with the sand harvesting problem in the area.





***Environmental degradation at Kwa Masesi Sand harvesting site in Kyangwithya West***

**5.3 KYUSYANI SAND HARVESTING SITE**

**Hon. Speaker,** the members inspected the extent of environmental degradation along Tiva River in Kyusyani area, Yatta Kwavonza Ward.

The Committee found Lorries loading sand at the collection point and interviewed the loaders on site.

According to one of the respondents who appeared to be the spokesman and never wanted to disclose his identity, a big number of the members of the Community depend on the sand harvesting trade for survival.

He further informed this Committee that sand harvesting at Kyusyani point is done in a planned manner; and that the community formed the Tiva River Sand harvesting Sacco made up of loaders that controls the manner in which sand is collected from the site. The Committee observed the following;

- i. There is a membership fee of Kshs. 200 for a loader to join the sand harvesting Sacco.
- ii. The Sacco only allows Lorries with a capacity not exceeding 25 tones to ferry sand from the site.
- iii. There is a county government official who is allocated to man and collect revenue at the site and each lorry pays Kshs 2500 to the officer.
- iv. There is also a Sacco representative at the collection point who collects the Community levy.

- v. A single Lorry is fetched at Kshs 8000 whereby, Kshs 3000 is paid to the community and Kshs 5000 paid to the loaders.
- vi. There are no sanitation facilities such as toilets at the collection point.
- vii. The bearers of the river banks don't receive any money from the collections.



***A lorry loading sand at kyusyani site and Members interrogating loaders.***

#### **5.4 KANGINGA SAND HARVESTING SITE**

**Hon. Speaker,** the members inspected the extent of environmental degradation along Kanginga River in Kiomo/ Kyethani Ward.

The Day that the Committee visited this site, there was a Lorry loading sand at the collection point. Members interviewed the loaders on site however they seemed reluctant to give information and somehow became hostile but were contained by members.

According to all respondents interviewed all the loaders at the site depend on the sand harvesting business for survival.

The respondents informed this Committee that there is a county government official who is allocated to man and collect revenue at the exit point and each lorry pays Kshs 2000 to the officer. However, when this Committee visited the site the officer was not on the ground and on probing further the loaders became violent.

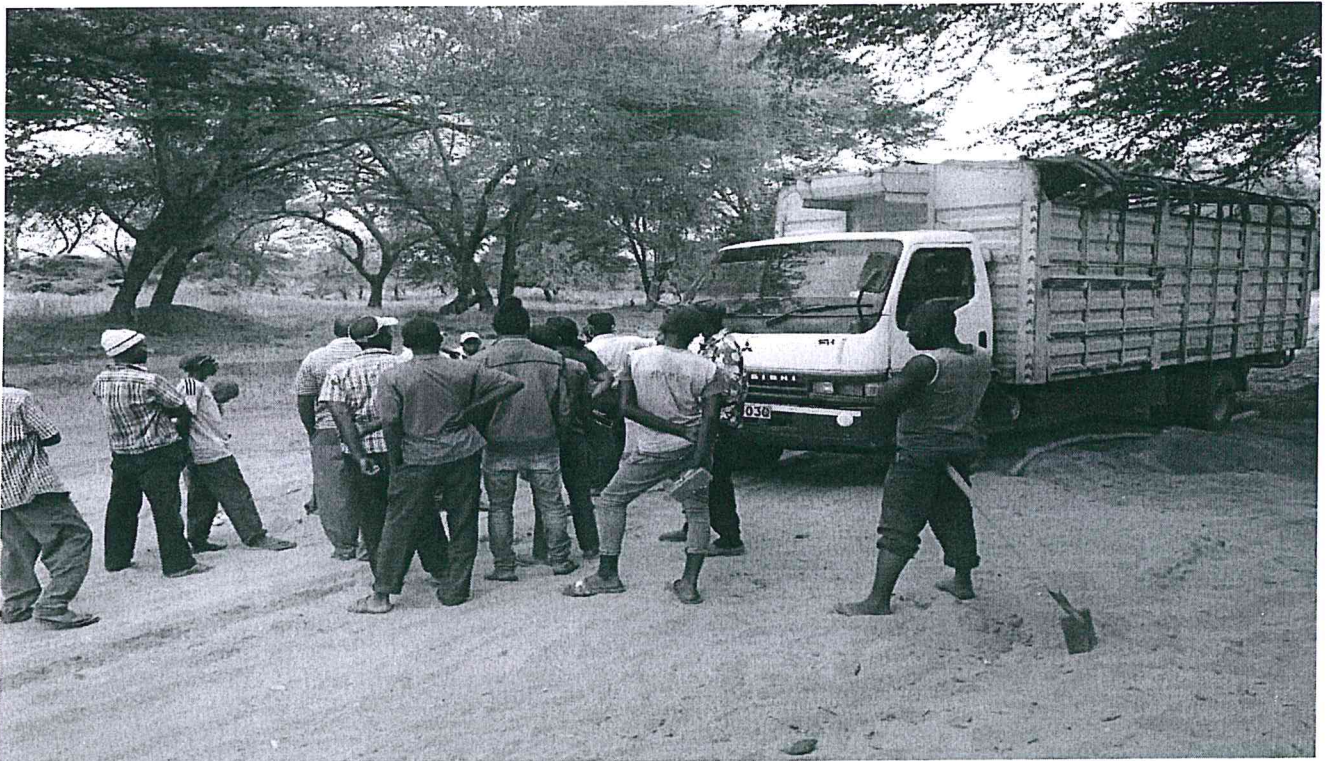
The respondents also informed this committee that before the ban on sale and transportation of sand was put;

- i. The Community had organised themselves into a self-help group of about 150 members who had a saving mechanism and were doing developmental projects in the area.

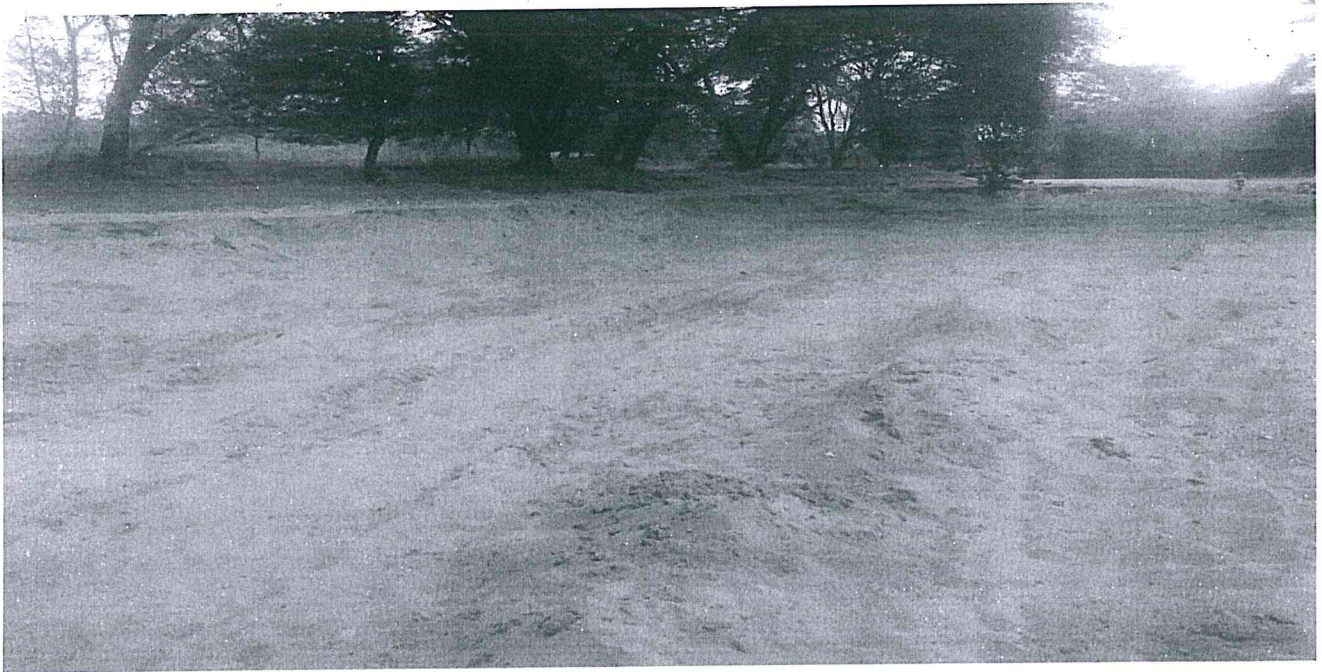
- ii. In the year 2016, the self-help group graded nearby feeder roads and build gabions to curb soil erosion. This was a program spearheaded by the self- help group as a way of paying back to the society.
- iii. The self-help group died immediately the ban was put its no longer there since nothing organized is going on there.

The Committee observed the following;

- i. That there is heavy sand extraction at Kanginga River that is transported outside the County and very little is consumed locally.
- ii. The County Government Official who the respondents purported to be there doesn't collect revenue from all the Lorries. For the instance driver of the lorry that was found loading did not have any receipt as a proof of payment.
- iii. The environment had very much been degraded; the river banks had been eroded, big ditches had been left along the river which posed a danger to human and animal life and river was almost bare.



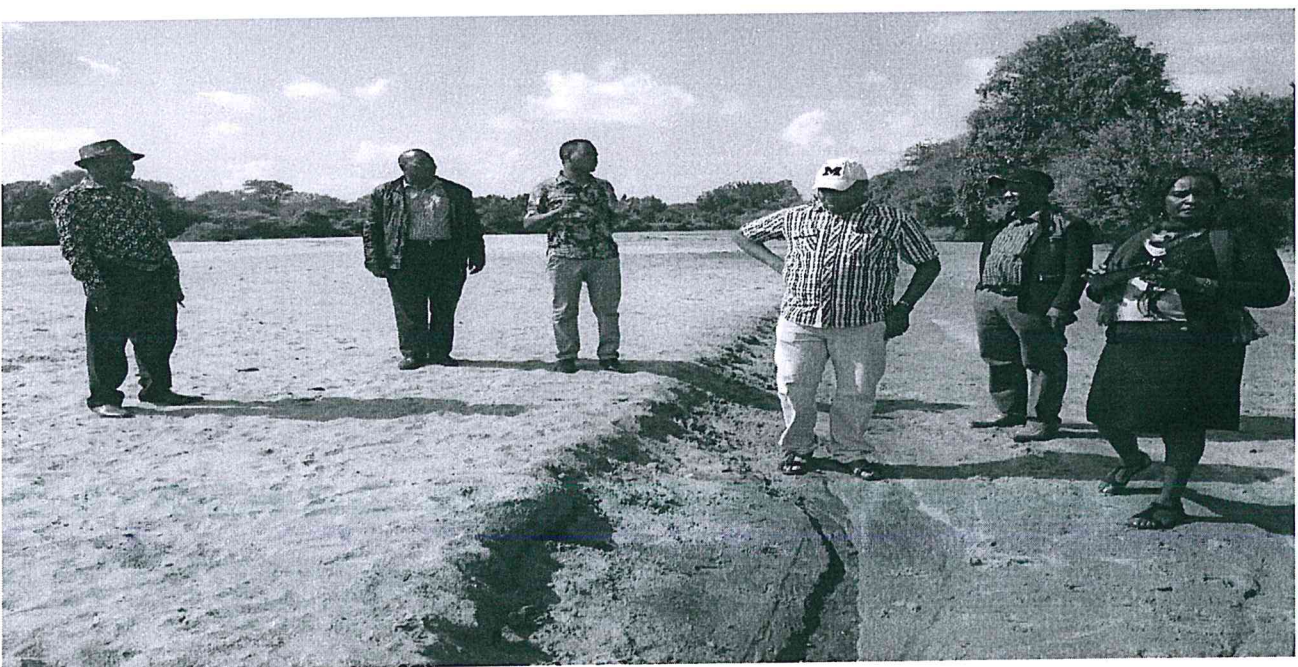
***A lorry loading sang at Kanginga site.***



*Environmental degradation at Kanginga Sand harvesting site*

**5.5 KIVOU AND KAMUWONGO SAND HARVESTING SITE.**

**Hon. Speaker,** the Committee visited Kivou and Kamuwongo Rivers and found out that no sand harvesting activities were going on these sites as indicated in the photographs below. A respondent at Kivou River informed this committee that all sand harvesting stopped immediately the ban was put and announced.







***No sand harvesting activities taking place in Kivou and Kamuwongo***

**Hon. Speaker,** this Committee also wrote to the acting Minister for Environment and Natural Resources to respond on the implementation status of the Governor Executive order on sale and transportation of charcoal and sand.

## **6.0 RESPONSES BY THE MINISTER FOR ENVIRONMENT AND NATURAL RESOURCES**

### **i) Implementation status of the Executive Order dated 16<sup>th</sup> January, 2018 under the gazette notice No. 936 on the ban of transportation and sale of Charcoal and sand**

According to the CECM, the ban is still on, however, use of charcoal and sand within Kitui County is allowed in order to support local building and development projects respectively. The Kitui County enforcement unit carries daily surveillance and inspections and culprits are prosecuted. Attached find the detailed reports on cases and charges.

During the period of ban they have also developed Kitui County Sand Harvesting Management Bill which they will be submitting to County Assembly for ratification.

### **ii) Sand harvesting and transportation in Kiromboko and other areas in Kitui County.**

According to the, CECM, the County Government of Kitui pillar No. 5 is on wealth creation for the residents of Kitui County. This pillar further creates opportunities for employment and businesses establishment and growth. Following the County Government of Kitui resolution vide MIN.38/12/2019 dated 6<sup>th</sup> December, 2019 and Cabinet Memo No. 49/2019 dated 6<sup>th</sup> July, 2019 the cabinet allowed sand harvesting at Kiromboko to allow both sand desilting and transportation as a strategy of desilting Kiambere dam. Further, County Secretary vide a letter dated 19<sup>th</sup> February, 2020 notified CECM, Environment and Natural Resources to implement the cabinet resolution on desilting of Kiambere dam for both wealth creation and enhancement of revenue collection.

However, the County Secretary failed to submit the Memo to the County Assembly for noting and ratification. In order to sensitize members of the public on the cabinet resolutions several public participation and community awareness meetings have been held and the last meeting was held on 17<sup>th</sup> August, 2020. This meeting was attended by CECM, Environment and Natural Resources, Snr. County Government of Kitui officials, Members of Parliament (M.P.s) for both Mwingi West and Mwingi North Constituencies, MCAs for Kiomo/Kyethani, Mumoni and Kyome/Thaana wards and Administration officers including both County and National Government and community members. In this meeting sand harvesting benefit sharing mechanism and a Memorandum of Understanding (MoU) was developed and signed. In the MoU the following was agreed;

- County Government of Kitui shall be levying Kshs. 7,500/= for every sixteen (16) ton truckload of sand harvested per trip.
- Tana and Athi Rivers Development Authority (TARDA) entitled to receive kshs. 2,000/=
- Local community shall each be entitled to be paid Kshs. 3,000/= for every 16 ton truckload of sand harvested per trip.

TARDA is key player in the conservation and management of Kiambere dam. So far four million three hundred and twenty five thousand Kenya shillings (Kshs. 4,325,000.00) have been collected at Kiromboko sand harvesting site. During Covid period between April – August, 2020 no sand harvesting was going on.

According to the CECM, at present sand harvesting has stopped due to the ongoing rains but also the local loaders from the community opposed to the use of machines to load sand and the investor withdrew. The Ministry is in the process of getting another investor(s) who will work with the community amicably.

## **8.0 COMMITTEE GENERAL OBSERVATIONS**

**Hon. Speaker,** the Committee observed the following;

- i) That despite the ban, sand harvesting and transportation is still going on.
- ii) There is no proper mechanism by the Ministry to keep order in the Harvesting sites as the CECM had informed this Committee; that the Kitui County enforcement unit carries daily surveillance and inspection of the sites.
- iii) Sand Harvesting in all the sites is carried and managed by organized group of people whose identity is very much hidden.
- iv) There is no proper way for the concerned Ministry to guarantee the number of tones carried from the sites in a day.
- v) There is communication breakdown between the Executive and the County Assembly on matters of Policy formulation.
- vi) Rivers have been degraded, banks eroded and deep ditches left open posing a danger to the human and animal life.
- vii) Many people around the Sand harvesting sites depend on sand business as a way of survival.
- viii) Rates charged from one site to another differ as for the identified case in Tiva- Kyusyani and Kanginga sites.

- ix) There are no control measures for harvesting sand and therefore done during the day and night.
- x) Sand harvesting has attracted juveniles as sand loaders who have ended up dropping from school.

## **8.0 COMMITTEE RECOMMENDATIONS.**

**Hon. Speaker,** sand harvesting is crucial for the sustenance of livelihood as it provides job opportunities and income and enhances local economy. However, sand needs to be harvested in a more responsible and sustainable manner; Therefore the Committee recommends the following;

- The County Ministry on Environment and Natural Resources is therefore required to enact a Sand utilization and harvesting Act, to guide scooping and usage of sand within and outside the County.
- That the County Secretary is required to henceforth and promptly communicate cabinet resolutions to the County Assembly as required by the County Government Act.
- In order to be in harmony with the local community funds raised on sand harvesting are to be used in repairing road networks.
- The method of identification and procuring an investor is required to be made clear and open to the public.
- The County Government through the relevant ministries is required to come up with sustainability programs such as stop gaps, sub-surface dams and tree planting to reduce on sand erosion to the dam.
- Since the ban in force no County Government official is expected to authorise sand harvesting and transportation outside Kitui County without the authority of the County Assembly.
- The County Government through the relevant ministries is required to continue enhancing alternative livelihood programs in the predominant charcoal burning areas.
- The Ministry concerned is required to put in place public information systems such as local radio stations to keep the public updated on measures being undertaken on the enforcement of the ban.
- The County Government is required to put measures in place to ensure that County resources are protected such as weigh bridges, site offices and officers.
- In matters to do with extraction of natural resources the public is required to be involved and made aware.

## **9.0 CONCLUSION**

In conclusion **Hon. Speaker**, the site visit was a success in respect to the committee planned outcome. It's important for Kitui County create awareness on environmental protection and conservation and to come up with a legal framework to protect the environment and natural resources such as sand.

**Hon. Speaker**, we sincerely hope that the County Government shall not relent in this noble task of protecting the environment and implementing development projects on climate change resilience, not only in this sector, but in all other sectors like agriculture and trade.

**ANNEX 1.**

**We, honorable Members of the Committee on Environment, Energy and Mineral Investments Development, do hereby affix our signatures to this report to affirm our approval and confirm its accuracy, validity and authenticity:-**

**NAME:**

**DESIGNATION**

**SIGNATURE:**

1. Hon. Jacob Kavolonza Musyoka

-Chairperson

2. Hon. Alex Musili

-Vice Chairperson

3. Hon. Johnson Kanandu

-Member

4. Hon. Hon. James Munuve

-Member

5. Hon. Colleta Kimanzi

-Member

6. Hon. Mary Ndumbu

-Member

7. Hon. Charity Mwangangi

-Member

8. Hon. Stephen Musili

-Member

9. Hon. Waziri Bakari Baraka

-Member

10. Hon. Eunice Katheke

-Member

11. Hon. Beatrice Velesi

-Member

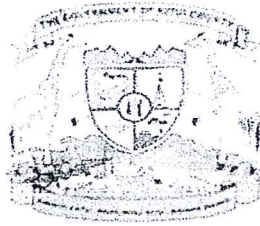




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COUNTY GOVERNMENT OF KITUI

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Tanathi Works Development Agency  
Building Ground Floor  
P.O Box 33 - 90200  
Kitui



**MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES**

**OUR REF:** CGKT/MENR/ADM/8(54)

**DATE:** 24<sup>th</sup> November, 2020

Clerk of Assembly  
County Assembly of Kitui  
**KITUI COUNTY**

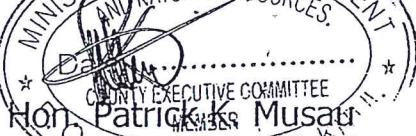
Dear

**RE: SUBMISSION OF THE ADDITIONAL DOCUMENTS TO THE COUNTY ASSEMBLY COMMITTEE ON IMPLEMENTATION**

Following successful meeting held between the Ag. CECM, Environment and Natural Resources and "the County Assembly Committee" on Implementation, attached kindly find additional documents on the following;

- (a) Kitui County Executive Cabinet minutes extracts - approvals for sand harvesting at Kiromboko in Kiambere dam and Athi River.
- (b) Letters of approvals for sand transporters
- (c) Cess receipts paid to the County Government of Kitui Revenue Account
- (d) Executive ban notice dated 16<sup>th</sup> January, 2018.
- (e) Letters of enforcement on illegal sand harvesting at Kanginga, Tiva and Mwitasyano.

Yours sincerely



**Ag. CECM, Environment and Natural Resources**

CC

County Secretary - Kitui County

*Handwritten notes:*  
To Hqs  
Push to the committee  
[Signature]

GAZETTE NOTICE NO. 936

THE CONSTITUTION OF KENYA

THE COUNTY GOVERNMENTS ACT

(No. 17 of 2012)



**BAN ON TRANSPORTATION AND SALE OF CHARCOAL AND SAND**

IN EXERCISE of the powers conferred under sections 30 (2) (1) and 117 (2) (d) of the County Governments Act, 2012, and in line with the provisions in articles 42 (a) and (b) of the Constitution of Kenya, and in consideration of the persistent public outcry over the unsustainable exploitation of the natural resources in the County of Kitui, it is notified to the public that the Governor of the County Government of Kitui has, with immediate effect, banned the transportation and sale of charcoal and sand outside the geographical boundaries of the County of Kitui and revoked all licenses, permits and any other documentation issued authorizing the transportation and sale of charcoal and sand outside the geographical boundaries of the County of Kitui.

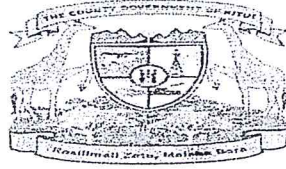
Dated the 16th January, 2018.

CHARITY KALUKI NGILU, MR/4103583 Governor, Kitui County.

# THE COUNTY GOVERNMENT OF KITUI

Cell Phone: 0702615888,  
0702615444, 0731717100

Email: [kituicounty@kenya.go.ke](mailto:kituicounty@kenya.go.ke)



Tanathi Water Services Board  
Building, Ground Floor  
P.O BOX 33 – 90200  
**KITUI**

## OFFICE OF THE COUNTY SECRETARY

19<sup>th</sup> February 2020

CECM - Environment and Natural Resources  
Dear Sir,

### RE: APPROVED CABINET MEMORANDUM

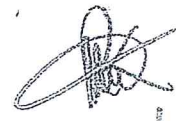
Enclosed please find extracts of minutes discussed and approved in the cabinet meetings for your implementation. They are on the following subjects:

- 1) Min.38/12/2019 cabinet memo to allow sand removal and transportation from Kiambere dam desilting.
- 2) Min.39/12/2019 cabinet memo to allow sand removal and transportation from farms in Athi- river basin.

  
Dr. Joshua K. Chepchieng PhD, Hsc  
COUNTY SECRETARY/HEAD OF PUBLIC SERVICE

CC: H.E the Governor

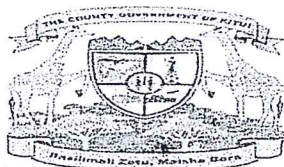
CO-MEMO  
Pls lets move  
fast and effect  
the resolutions  
accordingly

  
20/2/2020  
Ag. CECM

# THE COUNTY GOVERNMENT OF KITUI

Cell Phone: 0702615888,  
0702615444, 0731717100

Email: [kituicounty@kenya.go.ke](mailto:kituicounty@kenya.go.ke)



Tanathi Water Services Board  
Building, Ground Floor  
P.O BOX 33 – 90200  
**KITUI**

## OFFICE OF THE GOVERNOR

### KITUI COUNTY EXECUTIVE COMMITTEE/CABINET MINUTES FOR A MEETING HELD ON 6<sup>TH</sup> DECEMBER, 2019 AT GOVERNOR'S BOARDROOM AT 12:30 P.M

#### MEMBERS PRESENT:

- |                          |   |
|--------------------------|---|
| 1. H.E. Charity K. Ngilu | Governor  |
| 2. H.E. Dr. Wathe Nzau   | Deputy Governor   |
| 3. Dr. Joshua Chepchieng | County Secretary  |
| 4. Ben Katungi           | CECM- Public Service Management & Adm.                  |
| 5. David Musyoki Kivoto  | CECM-Education, ICT & Youth Development                 |
| 6. Patrick Koki Musau    | CECM-Tourism, Sports & Culture                          |
| 7. Philip M. Mumo        | CECM-Trade, Cooperatives & Investments                  |
| 8. Eng. Jacob Kakundi    | CECM-Lands, Infrastructure, Housing & Urban Development |
| 9. Emmanuel Kisangau     | CECM-Agriculture, Water & Livestock Devt.               |

#### ABSENT WITH APOLOGY

- |                       |  |
|-----------------------|--|
| 1. John Muneeni Makau | CECM - Environment & Natural Resources |
|-----------------------|--|

#### IN ATTENDANCE

- |                       |                               |
|-----------------------|-------------------------------|
| 10. Nene Nzyuko       | Manifesto Implementation Unit |
| 11. Odanyiro Wamukoya | Manifesto Implementation Unit |

### MIN.38/12/2019 CABINET MEMO TO ALLOW SAND REMOVAL AND TRANSPORTATION FROM KIAMBERE DAM-DESILTING

The cabinet memo was presented by the CECM, – Public Service Management & Administration. The CECM explained that the ministry was committed to ensuring clean and healthy environment for all citizens of Kitui County. He said that there was need to strengthen the regulation on the utilization of the County natural resources including sand. He also explained that Tana and Athi River Development Authority (TARDA) was

requesting the County Government to allow licensed sand to be ferried from the delting site to destinations outside Kitui County.

The CECM explained the County Government of Kitui was expected to offer the following support:

1. Vet and register the trucks to be used in desilting, removal and transportation of sand
2. Designate, map and enforce specific routes and destinations of removed sand
3. Ensure compliance with the relevant environmental laws
4. Make and enforce collection of a county levy of Kshs. 7,500:00 per sixteen ton truckload of sand harvested per trip
5. Provide other logistical support as may reasonably requested

The CECM further explained the implementation plan and next steps by the ministry as follows:

1. The exercise to commence immediately;
2. To be provided with up to date NEMA licence by TARDA
3. To vet and license transportation trucks to be used;
4. To advise on the scooping method and to enforce adherence to sand harvesting standards and regulations;
5. To monitor the movement of trucks to ensure compliance with the laid down procedure;
6. To advise on the specific routes to be used by the trucks.

The cabinet memo requested the cabinet to approve the following:

1. Proposed intervention to save Kiambere Dam form siltation;
2. The charging of a levy of Kshs. 7,500.00 as fees for sale of sand per sixteen-ton truckload;
3. The payment of Kshs. 3000.00 to the community through a signed community benefir agreement;
4. Direct the County Ministry of Environment and Natural resources to implement this proposal;
5. Direct the County Ministry of Environment and County Treasury to ensure collection of the proposed levy in advance or in anticipation of the respective sand harvesters.

### **Cabinet resolution**

The cabinet memo was approved.

**MIN.39/12/2019 CABINET MEMO TO ALLOW SAND REMOVAL AND TRANSPORTATION FROM FARMS IN ATHI- RIVER BASIN**

The cabinet memo was presented by the CECM Environment and Natural Resources, the CECM explained that the main objective of the cabinet memo was to seek extension of the special lifting of the ban granted vide cabinet memo No. 46 and allow the affected farmers remove the sand deposited on their farms through a structured plan in consultation with the County Ministry of Environment and Natural Resources.

The CECM explained the County Government of Kitui was expected to offer the following support:

1. Establish inventory of flood disaster affected persons.
2. Vet and register the trucks to be used in desilting, removal and transportation of sand
3. Designate, map and enforce specific routes and destinations of removed sand
4. Ensure compliance with the relevant environmental laws
5. Make and enforce collection of a county levy of Kshs. 3,000.00 per sixteen ton truckload of sand harvested per trip
6. Provide other logistical support as may reasonably requested

The CECM further explained the implementation plan and next steps by the ministry as follows:

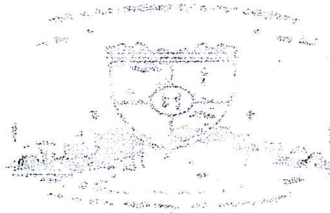
1. The exercise to commence immediately;
2. To establish inventory of the affected farms and farm owners;
3. To make public the procedures to be used in removal of silt and sand from farms;
4. To vet and license transportation trucks to be used;
5. To advise on the scooping method and to enforce adherence to sand harvesting standards and regulations;
6. To monitor the movement of trucks to ensure compliance with the laid down procedure.

The cabinet memo requested the cabinet to approve the following:

1. Proposed intervention to relief farmers and ensure food security;
2. The charging of a levy of Kshs. 3,000.00 as fees for sale of sand per sixteen ton truckload;
3. Direct the County Ministry of Environment and Natural resources to implement this proposal in a manner that does not undermine the current ban;
4. Direct the County Ministry of Environment and County Treasury to ensure collection of the proposed levy.

**Cabinet resolution**

The cabinet Memo was approved.



**MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES**

OUR REF: CGKTI/MENR/ENV/6(132)

DATE: 6<sup>th</sup> October, 2020

Director  
Lamadoria General Agencies Ltd.  
P.O. Box 2022-00232  
RUIRU

Dear Sir/Madam,

**RE: AUTHORIZATION TO TRANSPORT RIVER SAND FROM MBONDONI SAND YARD TO KARIMENU DAM PROJECT SITE GATUNDU NORTH**

I acknowledge receipt of your letter dated 5<sup>th</sup> October, 2020 requesting for authority to transport sand from Mbondoni sand yard to Karimenu Dam Project in Gatundu North.

The County Ministry of Environment and Natural Resources has therefore, on this 06<sup>th</sup> day of October, 2020 granted Lamadoria General Agencies Ltd. an approval of authority of Environment to transport sand from Mbondoni sand yard in Mwingi west Sub-county in Kitui County to project site situated at Karimenu Dam in Gatundu North, Kiambu County. This approval ends on **6<sup>th</sup> December, 2020.**

Lamadoria General Agencies Ltd. has been approved to use below vehicles for the exercise from 6.00am to 6.00pm.

S/No.	Reg. No.
1.	KCZ 044E
2.	KCZ 014E.
3.	KCZ 184E
4.	KCZ 038E
5.	KCZ 010C

S/No.	Reg. No.
6.	KCZ 011E
7.	KCZ 033E
8.	KCZ 012E
9.	KCZ 020E
10	KCZ 017E

Lamadoria General Agencies Ltd. is however, advised to observe Environmental laws. Therefore kindly accord necessary assistance.

Yours Sincerely,

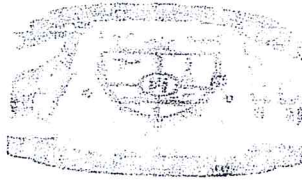
  
Patrick K. Musau

County Executive Committee Member (CECM)  
Ministry of Environment & Natural Resources

CC: CECM, County Treasury

THE COUNTY GOVERNMENT OF KITUI

Cell Phone:  
0702615888/0702615444  
0731717100  
Email:



Kitui Agricultural Training  
Centre  
Nzambani Rock Building  
P.O BOX 33 – 90200  
KITUI

MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES

OUR REF: CGKTI/MENR/SAND HARVEST/Vol./69

DATE: 26<sup>th</sup> February, 2020

Visrom Company Ltd.  
P.O. Box 5546 – 00100  
Nairobi

Red 3m

Dear Kimani,

**RE: AUTHORIZATION TO HARVEST AND TRANSPORT SAND AT KIROBOKO**

Reference is made to your request letter dated 26<sup>th</sup> February, 2020 requesting for authority to harvest and transport sand from Kiroboko site.

You are hereby authorized to harvest and transport 20,000 (twenty thousand trips of sand (16 tonnes truck) from Kiroboko site as requested.

The sand cess is clarified in this addendum in line with Kitui County Government Finance Act 2018/2019 and as approved by cabinet memo vide min 38/12/2019 and min 39/12/2019 stating the total amount per truck as Kshs. 7,500 (seven thousand five hundred only).

Your therefore required to pay the cess directly to the County Government of Kitui Revenue A/C. 1140752855 KCB Kitui branch upon receipt of our invoice.

Further, you are hereby requested to avail the list of vehicles to be used for transportation purposes.



Kindly note that this will strictly be enforced along with other applicable environmental laws, and transportation hours should be between 6.00a.m. and 6.00pm.

Yours sincerely,



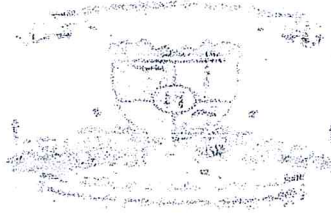
Hon. Patrick K. Musau

Ag. CECM, Ministry of Environment Natural Resources

CC. Director Revenue

# COUNTY GOVERNMENT OF KITUI

Cell Phone: 0702615888/0702615444  
0731717100  
Email: [KituiCounty@kenya.go.ke](mailto:KituiCounty@kenya.go.ke)



Tanathi Works Development  
Agency Building Ground Floor  
P.O BOX 33 – 90200  
Kitui

## MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES

OUR REF: CGKTI/MENR/ENV/6 (133)

DATE: 16<sup>th</sup> October, 2020

Joseph Ndisya  
ID.NO. 26375647

Dear Sir,

### RE: AUTHORIZATION TO HARVEST AND TRANSPORT SAND KIROMBOKO RIVER TO CONSTRUCTION SITE AT KAVENGE AND KANYONYOO

I acknowledge receipt of your letter dated 16<sup>th</sup> October, 2020 requesting for authority to harvest and transport sand from Kiromboko site to Construction site at Kavenge in Kitui West Sub-county Kitui County.

You are hereby authorised to harvest and transport 10trips of sand (20tonnes) from Kirombokc site to your construction site at Kavenge and Kanyonyoo as requested for a period of three (3) months using your vehicles registration no. KCE 678S for the exercise from 6.00am to 6.00pm.

The sand cess payable as per the Kitui County Government Finance Act 2018/2019 is calculated based on your tonnages as follows;

1. 1 tonne & below 500/=
2. 2-3 tonpes 1000/=
3. 4-7 tonnes 2500/=
4. Over 7 fonnes 5000/=
5. Per 16 tonnes 7,500/=

Thus the payable cess for 10trips x 5000= **Kshs.50,000/=** (Fifty thousand Kenya shillings only) payable to Kitui County invoiced by the Ministry of Environment upon viewing and vetting of the vehicle tonnage.

You are hereby advised to pay **Kshs.50,000/=** to the County Government of Kitui Revenue A/C 1140752855 KCB Kitui Branch.

618

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BANK

KCB BANK KENYA LTD. \*  
 TELLER No. 0014  
 10 AUG 2020  
 PAID/RECEIVED  
 KITUI

KCB BANK KENYA LTD. \*  
 TELLER No. 001  
 10 AUG 2020  
 PAID/RECEIVED  
 KITUI

BANK

KCB BANK KENYA LTD.  
CASH DEPT.  
19 AUG 2020  
USER NO. 81450

8

# COUNTY GOVERNMENT OF KITUI

Cell Phone  
0702615888, 0702615444  
0711717100  
Email: [info@kitui.go.ke](mailto:info@kitui.go.ke)



Tanathi Water Services Board  
Building Ground Floor  
P.O BOX 33 – 90200  
KITUI

## MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES

OUR REF: CGKI/MENR/ENV/6/ 108

DATE: 30<sup>th</sup> July, 2020

To : The General Public

Through : Ward Administrator – Kwa Vonza Ward

Ward Administrator – Kyagwithya West Ward

From : Ag. CECM, Ministry of Environment and Natural Resources

### RE: ~~SUSPENSION~~ OF SAND HARVESTING IN TIVA AND MITASYANO RIVERS AND ITS CATCHMENT

Article 69 (1) of the constitution of Kenya outlines the obligations of the state in protecting the environment ensuring sustainable exploitation, utilization, management and conservation of the environment and natural resources and ensuring equitable sharing of the accruing benefits. Further, 69 (2) every person has a duty to cooperate with state organs and other persons to protect and conserve the environment and ensure ecologically sustainable development and use of natural resources". The fourth schedule of the constitution of Kenya ~~also~~ ~~gives~~ ~~counties~~ the mandate to implement policies on natural resource management.

Following a public outcry lodged in my office by the members of County Assembly for ~~Yatta~~ ~~Vonza~~ and Kyagwithya West Wards concerning the unsustainable sand harvesting in Tiva and Mitasyano Rivers and its catchments. The Ministry of Environment, County Government of Kitui has therefore suspended with immediate effect until further notice all ~~sand harvesting~~ activities in Tiva and Mitasyano Rivers and their catchments.

Any person, his or her agents/employees found acting against this suspension will be prosecuted as per the Environmental Laws of Kenya.

Yours sincerely,



Hon. Patrick K. Musau

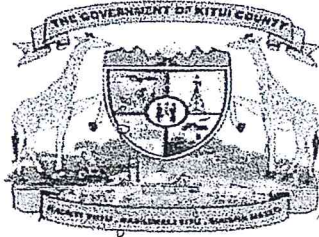
Ag. CECM, Ministry of Environment and Natural Resources

cc.

1. H.E The Governor
2. CECM County Treasury
- ✓ 3. Police County Commander – Kitui
4. Critical Infrastructure Protection Unit Commander – Kitui
5. Sub County Administrator Kitui Rural
6. Sub County Administrator Kitui Central
7. Member of County Assembly – Kwa Vonza
8. Member of County Assembly – Kyagwithya - West
9. Ag. Chief Officer - MENR

# COUNTY GOVERNMENT OF KITUI

Cell Phone:  
0702615888/0702615444  
0731717100  
Email: [Kituicounty@kenya.go.ke](mailto:Kituicounty@kenya.go.ke)



Tanathi Water Services Board  
Building Ground Floor  
P.O BOX 33 – 90200  
KITUI

## MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES

**OUR REF** : CGKTI/MENR/ENV/6/ 109 **DATE**: 5<sup>th</sup> August, 2020

Police Commander,  
County headquarters - Kitui

Dear, *Mw. Tami,*

**RE: SUSPENSION OF SAND HARVESTING IN TIVA AND MWITASYANO RIVERS  
AND IT'S CATCHMENT**

"Article 69 (1) of the constitution of Kenya outlines the obligations of the state in protecting the environment ensuring sustainable exploitation, utilization, management and conservation of the environment and natural resources and ensuring equitable sharing of the accruing benefits." Further, "69 (2) every person has a duty to cooperate with state organs and other persons to protect and conserve the environment and ensure ecologically sustainable development and use of natural resources". The fourth schedule of the constitution of Kenya 2010 gives counties the mandate to implement policies on natural resource management.

Following a public outcry lodged in my office by the members of County Assembly for Yatta/Kwa Vonza and Kyangwithya West Wards concerning the unsustainable sand harvesting in Tiva and Mwitasyano Rivers and its catchments. The Ministry of Environment, County Government of Kitui has therefore suspended with immediate effect until further notice all sand harvesting activities in Tiva and Mwitasyano Rivers and their catchments.

2  
1  
2  
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2  
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Building & Civil Engineering Contractors

REF: HKBK/KM/2019/11R1

The Chief Officer,  
Ministry of Environment,  
County Government of Kitui,  
December 3, 2019

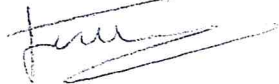
12/13/2019

Dear Sir,

**RE: REQUESTING WRITTEN AUTHORIZATION TO HARVEST SAND FROM TIVA RIVER FOR CONSTRUCTION OF THE KITHOMBOANI MARKET**

We kindly request your office to issue us with a written authorization for harvesting approximately 420 tons of sand from Tiva River commencing December 4, 2019 to September 6, 2021. The sand collected will be for the sole purpose of construction of the kithomboani Market. The registration of vehicle collecting the soil is KCV 019K.

Yours Faithfully,



John Magua

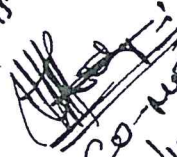
HK Builders

CC

Municipal Manager: J. Muisyo

7

1. Director, Compliance as per sand harvesting guidelines
2. The company to pay GESS in full as per finance Act.
3. Advice my office after GESS has been received.

  
CO-MUNM  
4/12/2019





25/11/2019

25<sup>TH</sup> November, 2019

Ref: RS/201/KI/2019

The Chief Officer,  
County Ministry of Environment and Natural Resources  
County Government of Kitui  
P.O. Box 33-90200  
KITUI

*Approved*  
*[Signature]*  
*CO - MWR*  
*26/11/19*

Dear Sir,

**RE: AUTHORIZATION TO TRANSPORT RIVER SAND**

We wish to apply for an authorization letter to transport river sand.

The sand has been dumped on a site that is along Mbondoni-Kiomo road and supposed to be transported from the site to Karimenu Dam Project site- Gatundu North.

Your assistance will be highly appreciated,

Thank you.

Yours faithfully,

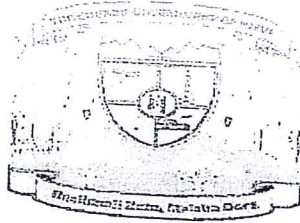
*[Signature]*

Martha Njama  
**MANAGER.**



# THE COUNTY GOVERNMENT OF KITUI

Cell Phone:  
0702615888/0702615444  
0731717100  
Email: [Kituicounty@kenya.go.ke](mailto:Kituicounty@kenya.go.ke)



Kitui Agricultural Training Centre  
Nzambani Rock Building  
P.O BOX 33 – 90200  
**KITUI**

## MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES

OUR REF: CG/KTI/MENR/SAND/61

DATE: 3<sup>rd</sup> February, 2020

William Gachuki Kiarie  
P O BOX 65614 -00627  
Nairobi

### Addendum to Authorization Reference No. CG/KTI/MENR/SAND/58

Dear William,

Reference is made to your letter dated 16<sup>th</sup> January, 2020 requesting for authority to harvest and transport sand from Kiroboko site, and our letter dated 27<sup>th</sup> January, 2020 in response thereof and wish to further advise as hereunder:

The sand cess is hereby clarified in this addendum in line with the Kitui County Government Finance Act 2018/2019 as follows:

6. 1 tonnage and below -	Kshs. 500.00
7. 2 – 3 tonnes	Kshs. 1,000.00
8. 4 -7 tonnes -	Kshs. 2,500.00
9. Over 7 tonnes -	Kshs. 5,000.00
10. Per semi-trailer -	Kshs. 7,500.00

Further to this clarification, the payable cess will be invoiced as per trips and tonnage upon viewing and vetting the motor vehicle to ascertaining the capacity. Kindly note that the tonnage will be strictly enforced along with other applicable environmental laws.

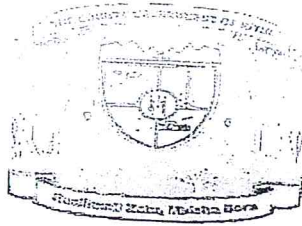
Best Regards,



**Ministry of Environment Natural Resources**

# THE COUNTY GOVERNMENT OF KITUI

Cell Phone:  
0702615888/0702615444  
0731717100  
Email: [Kituicounty@kenya.go.ke](mailto:Kituicounty@kenya.go.ke)



Kitui Agricultural Training Centre  
Nzambani Rock Building  
P.O BOX 33 – 90200  
KITUI

## MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES

OUR REF: CGKTI/MENR/SAND/60

DATE: 3<sup>rd</sup> February, 2020

Moses Ruoro Kiruthi  
P O BOX 35  
Kanjuku  
0723 392 513

### Addendum to Authorization Reference No. CGKTI/MENR/SAND/59

Dear Moses,

### **RE: CLARIFICATION ON SAND HARVESTING AND TRANSPORTATION CESS**

Reference is made to your letter dated 16<sup>th</sup> January, 2020 requesting for authority to harvest and transport sand from Kiroboko site, and our letter dated 27<sup>th</sup> January, 2020 in response thereof and wish to further advise as hereunder:

The sand cess is hereby clarified in this addendum in line with the Kitui County Government Finance Act 2018/2019 as follows:

- |                          |                  |
|--------------------------|------------------|
| 1. 1 tonnage and below - | Kshs. 500.00     |
| 2. 2 – 3 tonnes          | Kshs. 1,000.00   |
| 3. 4 -7 tonnes           | - Kshs. 2,500.00 |
| 4. Over 7 tonnes         | - Kshs. 5,000.00 |
| 5. Per semi-trailer      | - Kshs. 7,500.00 |

Further to this clarification, the payable cess will be invoiced as per trips and tonnage upon viewing and vetting the motor vehicle to ascertaining the capacity. Kindly note that the tonnage will be strictly enforced along with other applicable environmental laws.

Best Regards,



**CECM, Ministry of Environment Natural Resources**

# THE COUNTY GOVERNMENT OF KITUI

Cell Phone:  
0702615888/0702615444  
0731717100  
Email: [Kituicounty@kenya.go.ke](mailto:Kituicounty@kenya.go.ke)



Kitui Agricultural Training Centre  
Nzambani Rock Building  
P.O BOX 33 – 90200  
**KITUI**

## MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES

OUR REF: CG/KTI/MENR/SAND/62

DATE: 3<sup>rd</sup> February, 2020

John Gachecha Kimani  
P O BOX 784-00232  
Ruiru  
0721484849

### Addendum to Authorization Reference No. CG/KTI/MENR/SAND/57

Dear John,

### RE: CLARIFICATION ON SAND HARVESTING AND TRANSPORTATION CESS

Reference is made to your letter dated 16<sup>th</sup> January, 2020 requesting for authority to harvest and transport sand from Kiroboko site, and our letter dated 27<sup>th</sup> January, 2020 in response thereof and wish to further advise as hereunder:

The sand cess is hereby clarified in this addendum in line with the Kitui County Government Finance Act 2018/2019 as follows:

11.1 tonnage and below -	Kshs. 500.00
12.2 – 3 tonnes	Kshs. 1,000.00
13.4 -7 tonnes	- Kshs. 2,500.00
14. Over 7 tonnes	- Kshs. 5,000.00
15. Per semi-trailer	- Kshs. 7,500.00

Further to this clarification, the payable cess will be invoiced as per trips and tonnage upon viewing and vetting the motor vehicle to ascertaining the capacity. Kindly note that the tonnage will be strictly enforced along with other applicable environmental laws.

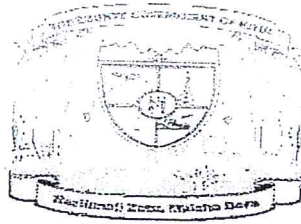
Best Regards,



**CECM, Ministry of Environment Natural Resources**

# THE COUNTY GOVERNMENT OF KITUI

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0731717100  
Email: [Kituicounty@kenya.go.ke](mailto:Kituicounty@kenya.go.ke)



Kitui Agricultural Training Centre  
Nzambani Rock Building  
P.O BOX 33 – 90200  
**KITUI**

## MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES

**OUR REF:** CG/KTI/MENR/SAND/58

**DATE:** 27<sup>th</sup> January, 2020

William Gachuki Kiarie  
P O BOX 65614 -00627  
Nairobi

Dear William,

### **RE: AUTHORIZATION TO HARVEST AND TRANSPORT SAND AT KIROBOKO**

Reference is made to your request letter dated 16<sup>th</sup> January 2020 requesting for authority to harvest and transport sand from Kiroboko site.

You are hereby authorized to harvest and transport 5 trips of sand (16 Tonnes Truck) from Kiroboko site as requested for a period of 2 months (27<sup>th</sup> January 2020 – 30<sup>th</sup> March 2020)

You are allowed to transport the sand using the following vehicles as per the Ministry's records.

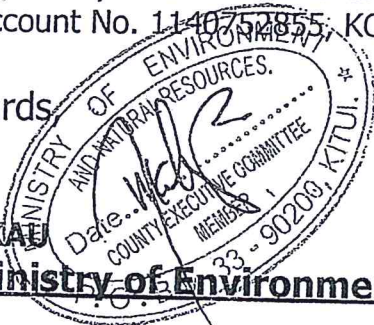
1. KCT 351W and KCV 904M, Isuzu FVZ Make grey in colour. Please Note that transportation of sand should abide by to the National guidelines on sand harvesting guidelines 2007.

You are hereby required to pay Kshs. 5000 per trip for five trips amounting to Kshs. 25,000.00 (Twenty Five Thousand Shillings Only) payable to Kitui County Government Revenue account No. 1140752855, KCB bank Kitui branch.

Best Regards

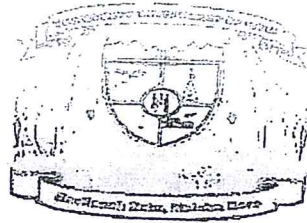
JOHN MAKAU

**CECM, Ministry of Environment Natural Resources**



# THE COUNTY GOVERNMENT OF KITUI

Cell Phone:  
0702615888/0702615444  
0731717100  
Email: [Kituicounty@kenya.go.ke](mailto:Kituicounty@kenya.go.ke)



Kitui Agricultural Training Centre  
Nzambani Rock Building  
P.O BOX 33 – 90200  
**KITUI**

## MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES

OUR REF: CG/KTI/MENR/SAND/57

DATE: 27<sup>th</sup> January, 2020

John Gachecha Kimani  
P O BOX 784-00232  
Ruiru  
0721484849

Dear John,

### RE: AUTHORIZATION TO HARVEST AND TRANSPORT SAND AT KIROBOKO

Reference is made to your request letter dated 16<sup>th</sup> January 2020 requesting for authority to harvest and transport sand from Kiroboko site.

You are hereby authorized to harvest and transport 5 trips of sand (16 Tonnes Truck) from Kiroboko site as requested for a period of 2 months (27<sup>th</sup> January 2020 – 30<sup>th</sup> March 2020)

You are allowed to transport the sand using the following vehicles as per the Ministry's records:

1. KCD 879N and KCD036V, Isuzu FVZ Make grey in colour. Please Note that transportation of sand should abide by the National guidelines on sand harvesting guidelines 2007.

You are hereby required to pay Kshs. 5000 per trip for five trips amounting to Kshs. 25,000.00 (Twenty Five Thousand Shillings Only) payable to Kitui County Government Revenue account No. 1140752855, KCB bank Kitui branch.

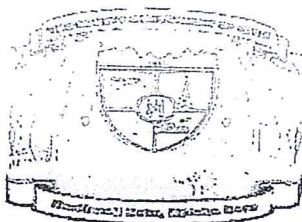
Best Regards



**JOHN MAKALO**  
**CECM, Ministry of Environment Natural Resources**

# THE COUNTY GOVERNMENT OF KITUI

Cell Phone:  
0702615888/0702615444  
0731717100  
Email: [Kituicounty@kenya.go.ke](mailto:Kituicounty@kenya.go.ke)



Kitui Agricultural Training Centre  
Nzambani Rock Building  
P.O BOX 33 – 90200  
**KITUI**

## MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES

**OUR REF:** CG/KTI/MENR/SAND/59

**DATE:** 27<sup>th</sup> January, 2020

Moses Ruoro Kiruthi  
P.O BOX 35  
Kanjuku  
0723 392 513

Dear Moses,

### **RE: AUTHORIZATION TO HARVEST AND TRANSPORT SAND AT KIROBOKO**

Reference is made to your request letter dated 16<sup>th</sup> January 2020 requesting for authority to harvest and transport sand from Kiroboko site.

You are hereby authorized to harvest and transport 5 trips of sand (16 Tonnes Truck) from Kiroboko site as requested for a period of 2 months (27<sup>th</sup> January 2020 – 30<sup>th</sup> March 2020)

You are allowed to transport the sand using the following vehicles as per the Ministry's records.

1. KCJ 173Q Isuzu FVZ Make grey in colour. Please Note that transportation of sand should abide by the National guidelines on sand harvesting guidelines 2007.

You are hereby required to pay Kshs. 5000 per trip for five trips amounting to Kshs. 25,000.00 (Twenty Five Thousand Shillings Only) payable to Kitui County Government Revenue account No. 1140752855, KCB bank Kitui branch.

Best Regards,

**JOHN MAKAU**

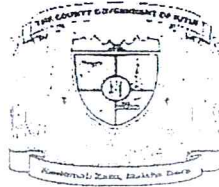
**CECM, Ministry of Environment Natural Resources**





# THE COUNTY GOVERNMENT OF KITUI

Cell Phone:  
0702615888/0702615444  
0731717100  
Email:



Agricultural Training Centre  
Nzambani Rock Building  
P.O BOX 33 – 90200  
KITUI

## MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES

**REF: CGKTI/MENR/ENV/6/38**

**Date: 9<sup>th</sup> December, 2019**

Lamadoria General Agencies Ltd  
P O BOX 2022-00232

**RUIRU**

Dear Sir/Madam,

### **RE: AUTHORIZATION TO HARVEST AND TRANSPORT SAND AT KIROBOKO**

Reference is made to a cabinet decision reached on 6<sup>th</sup> December, 2019 authorizing extension of the period upon expiry of the existing authorization as per the letter dated on 19<sup>th</sup> July, 2019.

The company is hereby authorized to harvest and transport 7000 trucks of semi-trailer from the site for a period of Eight (8) months starting from (December 2019 - August 2020) and pay cess as per issued invoice no **02721** and as per the following conditions:

1. To commence the activity upon depositing of at least Kshs. 2,000,000 (Two Million Shillings Only) within fourteen days (14) as per the date of this letter failure to which this authorization will automatically expire,
2. To undertake sand harvesting exercise as per the Environmental Management Plans spelt out in the site EIA, failure to which this authorization will be inactive,
3. To transport sand with vehicle captured in the truck scheduled submitted to the Ministry Environment and Natural Resources,
4. The sand harvesting exercise to be undertaken as per the National sand harvesting guidelines 2007.

Yours faithfully

**John M. Makau**

**CECM – Ministry of Environment and Natural Resources**

CC:

1. TARDA
2. Chief Officer – Ministry of Environment and Natural Resources ✓
3. County Secretary



*Handwritten notes and signatures:*  
Noted  
17/12/19



NATIONAL SAND HARVESTING GUIDELINES, 2007

ARRANGEMENT OF CLAUSES

PART I – PRELIMINARY

1. Short title
2. Definition of Terms
3. Application
4. Technical Sand Harvesting Committee
5. Riparian Resource Management Association

PART II – SAND HARVESTING

6. Sand Harvesting Sites
7. On-farm sand harvesting and Lakeshore/s Sand harvesting
8. Riverbed harvesting
9. Authority to remove and transport sand
10. Hours for harvesting and transportation of sand
11. Sale of sand
12. Collection of revenue by local authority
13. Suspension, cancellation of Approval
14. Monitoring restoration of designated sand harvesting sites.
15. Arbitration
16. Operational Mechanisms

In exercise of the powers conferred by Section 42 (4) of the Environmental Management and Co-ordination Act, the Director General of the National Environment Management Authority issues the following National Sand Harvesting Guidelines, 2007:

PRELIMINARY

**1. Short Title**

These Guidelines may be cited as the "National Sand Harvesting Guidelines, 2007"

**2. Definition of Terms**

In these Guidelines:

"District Environment Officer" means an officer of the National Environment Management Authority, in charge of a district;

"Designated site" means any area demarcated and endorsed by the Technical Sand Harvesting Committee for the removal, extraction or scooping of sand;

"Director General" means the Chief Executive of the National Environment Management Authority appointed under Section 10 of the Environmental Management and Co-ordination Act No. 8 of 1999.

"EMCA, 1999" means the Environmental Management and Co-ordination Act, 1999

"Riparian Resource Management Association" means an Association registered by the Department of Social Services; established under Clause 5 of these Guidelines.

"Sand" means sedimentary material finer than gravel and coarser than silt with grains between 0.06mm and 2mm in diameter and includes stones, coral, earth and turf but does not include silica sand.

"Sand harvesting", means the removal, extraction, harvesting or scooping of sand from designated sites.

"Sand dealer" means any person(s) approved to harvest, remove, extract, scoop, transport or sell sand as provided for under Clause 6 of these Guidelines so long as such quantity of sand exceeds 2 tonnes.

"Technical Sand Harvesting Committee" means a committee composed of persons drawn from the District Environment Committee and co-opted members from the local community to oversee sand harvesting activities in the district; established under Clause 4 of these Guidelines.

**3. Application**

These Guidelines will apply to all sand harvesting activities in Kenya. This will ensure sustainable utilization of the sand resource and proper management of the environment.

4. Technical Sand Harvesting Committee

- (1) Each District Environment Committee (DEC) will appoint from among its members, a Technical Sand Harvesting Committee to advise and make recommendations to the DEC on sand harvesting activities in the District.
- (2) Membership to the Technical Sand Harvesting Committee (TSHC) will include at least 2 gazetted members of the (DEC).
- (3) The TSHC appointed under sub-clause (1) above will co-opt such members not more than 5 as follows:
  - a) 2 Representatives from each Riparian Resource Management Association;
  - b) 1 representative of transporters;
  - c) 1 local provincial administrator; and
  - d) Any other interested or affected party (1 such person) as may be deemed necessary.
- (4) The District Environment Officer will be the Secretary.
- (5) The TSHC shall appoint one of their members to be chairperson
- (6) The District Environment Committee in consultation with the Director General will prescribe the terms of reference and rules of procedure for the District Technical Sand Harvesting Committee.

The Technical Sand Harvesting Committee (TSHC) will:

1. Be responsible for the proper and sustainable management of sand harvesting within the District in respect of which it is appointed.
2. Be responsible for the designation of authorized sand harvesting sites on riverbeds, lakeshores, seashores, farms, Government or Trust land, subject to the provisions of the Constitution of Kenya, Government Land Act, Trust land Act and Mining Act, Forest Act and any other relevant legislations, and define the extent of each Riparian Resource Management Association's area of operation.
3. Perform any functions as may be prescribed by the District Environment Committee.

The Technical Sand Harvesting Committee will report to the respective District Environment Committee and its operations will be guided by the following environmental and social considerations.

#### 4.1 Environmental Considerations

The Technical Sand Harvesting Committee will ensure that:

- a. Sand dam(s)/ gabion(s) are constructed in designated sand harvesting sites;
- b. Where more than one sand dam/ gabion is to be constructed, they shall be at most 200 metres apart;
- c. Lorries will use designated access roads only to sand harvesting sites;
- d. Designated sand harvesting sites are rehabilitated appropriately by the Riparian Resource Management Association, county council and approved dealer under close monitoring and supervision by the Technical Sand Harvesting Committee in compliance with EMCA, 1999;
- e. Sand harvesting or scooping is restricted to the riverbeds with no harvesting allowed on riverbanks to avoid widening of rivers;
- f. It specifies the area of sand harvesting and the depth to which the harvesting will be done.
- g. The requirements of an environmental impact assessment/environmental audit pursuant to the Environmental Management and Co-ordination Act No. 8 of 1999 have been fulfilled.

#### 4.2 Social Considerations

The Technical Sand Harvesting Committee will ensure that:

- a. Sand loaders are over 18 years of age residing within the local community.
- b. Approved sand dealers will pay a negotiated and agreed wage to sand loaders.
- c. The loaders will organize themselves into recognized groups with clear operational structures for their self regulation. The Riparian Resource Management Association will oversee the operations of the loaders.
- d. Approved sand dealers are encouraged to support local community projects in consultation with the Riparian Resource Management Association.
- e. Subject to the Local Government Act, local authorities are encouraged to invest proceeds of sand cess in environmental conservation activities and local community projects in the District.

## 5. Riparian Resource Management Association

- (i). The DEC will establish such number of local Riparian Resource Management Associations (RRMA) as is necessary which will be registered by the District Social Services Office.
- (ii). Each Riparian Resource Management Association so established and registered will be responsible for sustainable management of sand harvesting activities in its area of operation.
- (iii). The factors to be considered in the establishment of RRMA's will include:
  - (a) Drainage network of the river, lakeshore, seashore or other designated sites along which sand harvesting activities are carried out.
  - (b) Inclusion of interest groups.
  - (c) Viability and sustainability of the Association(s).
- (iv). Each RRMA will be composed of the following members elected by interested community:
  - (a) Riparian landowners
  - (b) 2 women representatives who are not riparian land owners
  - (c) 2 youth representatives who are not riparian land owners
  - (d) 2 elders who are not riparian land owners
  - (e) 2 religious leaders
- (v). Each RRMA will be charged with, among other things, the following responsibilities:
  - (a) Ensuring that before sand harvesting activities are commenced, Environmental Impact Assessment is undertaken in accordance with the provisions of EMCA, 1999.
  - (b) Ensuring that annual Environmental Audits are conducted for closed and active sites.
  - (c) Sustainable management of sand harvesting along riverbeds, lakeshores and sea-shores and other designated sand harvesting sites.
  - (d) Collection of revenue from sand dealers along riverbeds lakeshores and sea-shores and other designated sand harvesting sites.
  - (e) Allocation and transmission of at least 10% of the revenue collected to the Technical Sand Harvesting Committee to facilitate its operations.
  - (f) Allocation of part of the revenue collected from sand dealers for community projects.
  - (g) Ensuring rehabilitation of the sand harvested sites and other environmental damage associated with harvesting and transportation of sand within its area of operation.

## PART II – SAND HARVESTING

### 6. Sand Harvesting Sites

- (i). The Technical Sand Harvesting Committee will designate and document sand harvesting sites from time to time.
- (ii). The sand-harvesting site will be clearly demarcated by the TSHC in consultation with RRMA's.
- (iii). No person will harvest sand from any area not designated as a sand harvesting site by TSHC.
- (iv). Each designated sand harvesting site will have an environmental management plan (EMP) to guide in the rehabilitation of the sites.

## 7. On-Farm Sand Harvesting and Lakeshore/ Seashore Sand Harvesting

On-farm Sand harvesting and Lakeshore/Seashore Sand Harvesting will be carried out as follows.

- (a) Scooping/ harvesting of sand should not exceed six (6) feet in depth.
- (b) Designated sand collection sites should be at least 50 metres from the riverbanks or dykes for on-farm sand harvesting.
- (c) Scooping /harvesting should be done concurrently with restoration of areas previously harvested. Such restoration will be undertaken with guidance from the Technical Sand harvesting Committee.
- (d) The scooping/harvesting should be strictly open-cast harvesting.
- (e) Where underground tunnelling or extraction of sand is to be undertaken, appropriate extraction technology should be applied to safeguard human safety.

## 8. Riverbed harvesting

- (a) Sand harvesting from any riverbed shall be undertaken in a way that ensures adequate reserve of the sand is retained to ensure water retention.
- (b) Sand harvesting will not be allowed on any riverbanks.
- (c) Loading of sand will be done in the designated harvesting sites through controlled access points.
- (d) No sand harvesting shall take place within 100 metres of either side of any physical infrastructure including bridges, roads, railway lines, dykes, among others.

## 9. Authority to remove and transport sand

- 1) Any person who wishes to remove and/ or transport sand will fill an application form available at the District Environment Office.
- 2) Upon the approval of the application, the District Environment Officer will issue the applicant with an approval document.
- 3) The period of the validity of the approval to remove and/ or transport sand will be indicated in the approval document.
- 4) No person will remove or transport sand, or cause sand to be removed or transported, unless such person is in possession of the relevant approval.
- 5) Where a vehicle is used for the transport of sand the approval document will remain in the custody of the driver while the sand is on transit.
- 6) The approval document issued will be made available to any public officer upon request for verification.

**10. Hours for harvesting and transportation of sand**

- i. No person will harvest, extract or scoop sand between the hours of 6pm to 6am.
- ii. No person will transport sand between the hours of 8pm to 6am.

**11. Sale of sand**

- (1) The Technical Sand Harvesting Committee may provide minimum pricing guidelines for sale of sand within the district, but such prices shall take into consideration the requirements of the Restrictive Trade Practices Act and the market forces of the day.
- (2) Any person who sells sand will be required to issue a receipt to the purchaser and keep records of such for periodic inspection by the relevant authorities.
- (3) An appropriate proportion of the sand sales proceeds will be devoted to the rehabilitation of the designated sand harvested sites.

**12. Collection of Revenue by Local Authority**

Subject to the Local Government Act, these Guidelines do not prevent the local authority from receiving revenue or cess owed to it from sand harvesting activities.

**13. Suspension and Cancellation of Approval**

- (1) Where a District Environment Officer has reasons to believe that an approved dealer or a transporter of sand has undertaken activities in violation of the conditions that may be attached to the approval document, the Officer may suspend, or cancel the approval after giving notice of such intended action.
- (2) Any person who is aggrieved by the decision of the District Environment Officer under sub-Clause (1) may within 7 days of notification, appeal to the Technical Sand Harvesting Committee.
- (3) The decision of the Technical Sand Harvesting Committee may further be appealed to the District Environment Committee.

**14. Monitoring Restoration of Designated Sand harvesting sites**

The Technical Sand Harvesting Committee will monitor the rehabilitation of all designated sand harvesting sites and their adjacent environment (access roads, riverbanks, catchment areas among others) to ensure environmental sustainability.

**15. Arbitration**

1. In the event of any disagreement regarding access, ownership, benefit sharing, management approaches in sand harvesting the District Environment Officer will convene the Technical Sand Harvesting Committee to deliberate on the grievances and make appropriate resolution.

2. Any person, who is aggrieved by the resolution of the Technical Sand Harvesting Committee in Clause (1) above, may within 7 days from the date of the resolution appeal to the District Environment Committee.



(3) Any person who is aggrieved by the decision of District Environment Committee may further appeal to the National Environment Tribunal (NET).

#### 16. Operational Mechanisms

The effective implementation of these Guidelines is based on the following operational mechanisms:

- a) Sand harvesting dealers will comply with the provisions of these Guidelines.
- b) Sand harvesting dealers will comply with the provisions of laws which may in one way or the other touch on sand harvesting activities and/or the management of environment.
- c) Sand harvesting activities will only be undertaken within the designated sites
- d) The respective Riparian Resource Management Association, County Councils and approved sand dealers will restore the harvested sites and adjacent environment during harvesting and /or closure of the sites.
- e) The respective Riparian Resource Management Associations, County Councils and approved sand dealers will plough back part of the revenue collected from harvesting activities to local community projects and environmental conservation.
- f) The respective Riparian Resource Management Associations will ensure access to the designated sand harvesting sites.
- g) Sand dealers will comply with the designated hours for sand harvesting activities (excavation, scooping and transportation).

ISSUED ON THIS .....DAY OF .....YEAR.....2007

**DR. A. MUUSYA MWINZI**  
**DIRECTOR GENERAL**  
**NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY**



FORM 1

APPLICATION TO HARVEST SAND

(TO BE FILLED BY INDIVIDUAL(S), REGISTERED GROUP(S), GOVERNMENT AGENCIES, ETC)

APPLICATION NO. NEMA/.....

**PART 1**

**PERSONAL INFORMATION**

Name: (Individual/ Group).....  
ID /Registration. No.: .....  
No. of members:: .....  
Address: .....  
Physical Address: .....  
Contact Tel. No.:.....

**DETAILS OF THE PROPOSED SAND HARVESTING SITE**

Division .....  
Location .....  
Sub-Location .....  
Village(s) .....  
Name of designated site (river/lakeshore/seashore) .....  
.....

**On farm harvesting**

Name of land owner.....  
Title Deed/ Allotment No.....  
Land size.....  
Type of ownership.....

**Environmental conditions**

1. Accessibility:

- i) Is there a public road to the site (yes/ No)
- ii) If yes, what is the condition of the road? .....
- iii) If no, how will the site be accessed? .....

3. Condition of the site (river banks/lakeshore/seashore/farm)

4. Have you conducted EIA/EA? Yes/No.....

.....

**PART 2: FOR OFFICIAL USE AS DESIGNATED**

*(COMMENTS FROM THE FOLLOWING OFFICES SHOULD BE SOUGHT BEFORE APPLICATION IS CONSIDERED BY THE RELEVANT DISTRICT ENVIRONMENT COMMITTEE)*

COMMENTS FROM TECHNICAL SAND HARVESTING COMMITTEE

.....  
.....  
.....  
.....

SIGNED:

TSHC CHAIR.....SECRETARY.....

**PART 3: FOR OFFICIAL USE BY DISTRICT ENVIRONMENT COMMITTEE (DEC)**

APPROVED/NOT APPROVED VIDE MINUTE NO. .... OF .....

(DATE).....

REMARKS:

.....  
.....

SIGNED:

CHAIRMAN ..... DATE .....

~~SECRETARY ..... DATE .....~~

ATTACHMENTS

- i) Photocopy of group registration certificate/ID
- ii) Photocopy of title deed/allotment letter for own-farm.



FORM 2

APPROVAL TO HARVEST SAND

(TO BE ISSUED TO INDIVIDUAL(S), GROUP(S) OF INDIVIDUAL(S) (REGISTERED GROUP(S), GOVERNMENT AGENCY ETC)

APPROVAL NO. NEMA/ .....

THIS IS TO CERTIFY THAT

..... of P. O. Box .....

Tel. No. .... ID/ REG No. ....

has this ..... day of ..... (Month),

20 ..... (Year)

been granted an approval to harvest sand in the area as described below

.....  
.....  
.....

As further set out in Application No. NEMA/ .....

And whose area of jurisdiction falls under ..... (Local Jurisdiction)

For a period of ..... (Not exceeding one (1) year)

Subject to the following conditions:-

1. ....
2. ....  
.....
3. ....

4. ....

.....  
SIGNED AND STAMPED

.....  
DISTRICT ENVIRONMENT OFFICER

DISTRICT..... DATE.....



FORM 3

**APPLICATION TO TRANSPORT SAND**

**(TO BE FILLED BY INDIVIDUAL, REGISTERED GROUP, COMPANY)**

APPLICATION NO. NEMA/ .....

**PART 1**

**PERSONAL DETAILS**

Name .....

ID .....PIN.....

GROUP/COMPANY REGISTRATION NO.....

Address .....

.....

Tel. ....

Physical address.....

**DETAILS ON TRANSPORTATION OF SAND**

Destination (Place where sand is being taken)

.....

**Detail of the vehicle:**

i) Registration No.....

ii) Make and model .....

iii) Tonnage .....

SIGNED.....

DISTRICT ENVIRONMENT OFFICER..... DATE .....

Attachments:

- i) Copy of valid logbook
- ii) Copy of company/group registration certificate
- iii) Copy of ID





FORM 4

APPROVAL TO TRANSPORT SAND  
(TO BE ISSUED TO SAND TRANSPORTERS)

APPROVAL NO. NEMA/ .....

THIS IS TO CERTIFY THAT

M/S.....ID/PIN/REG.NO.....

.....of P. O. Box .....

Tel. ....

Has this ..... day of .....  
(MONTH).....20.....(YEAR)

been granted this permit to transport sand in the area as described below:

.....  
.....  
.....

As further set out in Application No. NEMA/  
.....

And whose area of jurisdiction falls under ..... (Name of local authority) for a period  
of .....

(NOT EXCEEDING THREE (3) MONTHS)

Subject to the following conditions

1. ....
2. ....
3. ....
4. ....

SIGNED & STAMPED

.....DATE.....

DISTRICT ENVIRONMENT OFFICER



FORM 5

**SUSPENSION/CANCELLATION OF APPROVAL TO TRANSPORT SAND (TO BE ISSUED TO SAND TRANSPORTERS)**

**NOTICE IS HEREBY GIVEN TO**

M/S.....ID/PIN/REG.NO.....

of P. O. Box ..... Tel .....

whose Approval No..... issued on

..... (Day) .....(Month) .....(Year)

to transport sand from .....(designated sites)

in ..... (District)

**Is hereby suspended for 1 Month**

**OR**

**Cancelled for 3 months with IMMEDIATE EFFECT**

**for the following reasons:**

1. ....
2. ....
3. ....
4. ....

**SIGN:**

**DISTRICT ENVIRONMENT OFFICER**

..... **DATE** .....

**OFFICIAL STAMP** .....



FORM 6

SUSPENSION/CANCELLATION OF APPROVAL TO HARVEST SAND

NOTICE IS HEREBY GIVEN TO

M/S.....ID/REG.NO.....

of P. O. Box ..... Tel .....

whose Permit No..... issued on

..... (Day) .....(Month) .....(Year)

to harvest sand from ..... (designated site)

in ..... (Division and District)

Is hereby suspended for 1 Months)

OR

Cancelled with IMMEDIATE EFFECT

for the following reasons:

- 1.....
- 2.....
- 3.....

SIGN:

DISTRICT ENVIRONMENT OFFICER

.....DATE .....

OFFICIAL STAMP .....