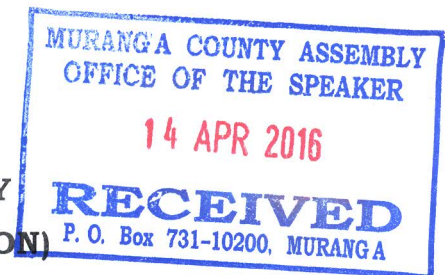


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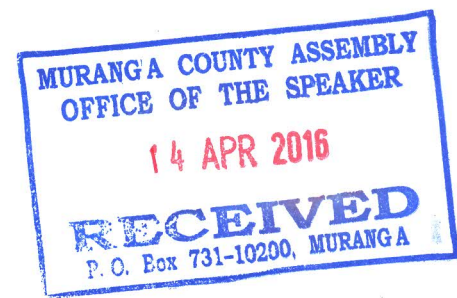
REPUBLIC OF KENYA  
MURANG'A COUNTY ASSEMBLY  
FIRST ASSEMBLY (FOURTH SESSION)



ORDERS OF THE DAY  
THURSDAY APRIL 14, 2016 AT 2.30 P.M  
(AFTERNOON SITTING)  
ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
- 6 Notice of Motion
7. Statements



**8\* MOTION – (Hon. Charles M. Kirigwi – MCA, Kinyona Ward)**

**AWARE**, that devolution is strongly anchored in the Constitution of Kenya 2010, further aware that Article 176(2) provides that every government shall decentralise its functions and the provision of its services to the extent its efficient and practicable to do so to enhance equity, transparency, proper governance and service delivery at the grassroots, further aware that so far the gains of devolution are already being manifested through equitable sharing of National resources and effective implementation of devolved functions in most sectors of the economy in Counties, recognizing the need to increase service delivery to the people through further decentralization of the County administration units and the need to enhance public participation at these levels, aware that this can only be achieved by having additional sub counties; this Honourable House, urges the County Executive in charge of Public Service and Administration to facilitate splitting of **Maragua, Gatanga, Kandara, Kigumo** and **Kiharu** Sub Counties, into two sub counties each, and the County Public Service Board to deploy officers from within the public service, to be in charge of the new Sub Counties, with an envisioned end result of further devolving service delivery and enhancing public participation.

**9\* MOTION - (Chairperson, Water, Energy, Forestry, Environment, Natural Resources and Cooperative Management Committee).**

**THAT**, this Assembly adopts the report by the Committee for Water, Energy, Forestry, Environment, Natural Resources and Cooperative Management on the Technical Consensus for the Northern Collector Tunnel Project(NCT) laid on the table of the Assembly on Tuesday April 12,2016.

9. Bills

---

\* Denotes Orders of the Day

---

MURANGA COUNTY ASSEMBLY  
OFFICE OF THE SPEAKER

05 APR 2016

**RECEIVED**

P. O. Box 731-10200, MURANGA

REPUBLIC OF KENYA



MURANG'A COUNTY ASSEMBLY  
**CLERK**

04 APR 2016

FORWARDED TO THE  
HON. SPEAKER FOR APPROVAL

## MURANG'A COUNTY ASSEMBLY

THE FIRST ASSEMBLY

FOURTH SITTING (2016)

WATER, ENERGY, FORESTRY, ENVIRONMENT, NATURAL  
RESOURCES AND CO-OPERATIVE MANAGEMENT  
COMMITTEE

REPORT ON:

TECHNICAL CONSENSUS ON THE NORTHERN COLLECTOR

TUNNEL PROJECT

TUESDAY, APRIL 12, 2016

APRIL 2016

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2.1 Committee Membership .....1

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4.0 Background Information about the Murang'a Northern Collector Tunnel.....3

5.0 INTRODUCTION .....3

6.0 COMMITTEE RECOMMENDATIONS.....4

7.0 CONCLUSION .....4

8.0 ANEX 1,2.....

## 1.0 PREFACE

Mr. Speaker Sir,

On behalf of members of the Water, Energy, Forestry, Environment, Natural Resources and Co-operative Management Committee and pursuant to standing order 195(5)(a), I beg to move the adoption of the Committee report on Technical Consensus on the Northern Collector Tunnel Project

The Water, Energy, Forestry, Environment, Natural Resources and Co-operative Management Committee is a Sectorial Committee established under Standing Order No. 195 and is responsible for all matters related to Co-operative management, natural resources and environmental conservation.

## 2.0 Committee Mandate

The Committee is mandated to do the following:-

- a. Deal with all matters related to implementation of specific County Government policies on natural resources and environmental conservation including soil, water conservation and forestry;
- b. Control of air pollution, noise pollution, other public nuisances and outdoor advertising, refuse removal, refuse dumps and solid waste disposal,
- c. Water distribution, management, regulation; sewerage and sanitation services and all matters related to electricity and gas reticulation
- d. Energy regulation and Management of Cooperatives Societies.

## 2.1 Committee Membership

The Committee consists of the following Members:-

- |                                  |                  |
|----------------------------------|------------------|
| 1. Hon. Joseph Kimani Machiri    | Chairperson      |
| 2. Hon. Francis Kamande Kamau    | Vice Chairperson |
| 3. Hon. Julius Maina Kimani      | Member           |
| 4. Hon. Rebecca Wanjiru Mwicigi  | Member           |
| 5. Hon. Moses Gachui Mungai      | Member           |
| 6. Hon. Peter Mweri Maina        | Member           |
| 7. Hon. Danson Mburu Muchoki     | Member           |
| 8. Hon. Agnes Ndunge Mutwiwa     | Member           |
| 9. Hon. Mary Njoroge Waithira    | Member           |
| 10. Hon. Rosemary Wakuthii Njine | Member           |

### 3.0 ACKNOWLEDGEMENT

The Committee wishes to record its appreciation to the Speaker and the Clerk to the County Assembly for facilitating the operations of the Committee to expedite its mandate. Further the committee wishes to thank the secretariat attached to the Committee for their dedication and commitment to duty that made the work of the committee and production of this report possible.



SIGNED: .....

HON. JOSEPH KIMANI MACHIRI  
CHAIRPERSON, WATER, ENERGY, FORESTRY, ENVIRONMENT, NATURAL RESOURCES AND  
COOPERATIVE MANAGEMENT COMMITTEE

DATE: 11/04/2016 .....

The technical consensus report forms part of annexures to this report.

The Technical Committee Chairman took the members through the report clause by clause and the committee came up with the following recommendations;

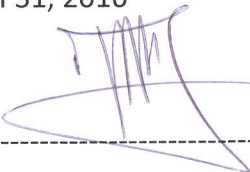






## 6.0 COMMITTEE RECOMMENDATIONS

1. A tripartite agreement to be entered into amongst the County Government, the National Government and Athi Water Services Board giving terms of engagement in the project.
2. A Monitoring Committee to be established comprising of County Executive Committee Member in charge of Water and the Chairman Northern Collector Tunnel Technical Committee to supervise the implementation of the project.
3. The County Government to hasten formation of Bulky Water Company for revenue collection.
4. In regard to the Technical Committee Consensus report that water intake will be at Q80 the Committee recommends that this level of intake should be reviewed from time to time in line with prevailing water levels.
5. The department of environment should be allocated more money in financial year 2016/2017 to cater for conservation of catchment areas.
6. The set timelines in the implementation of the project should be strictly followed
7. The earlier agreed projects should be implemented as agreed. (Annex 2)
8. That the County Assembly fast tracks the enactment of The Murang'a County Water, soil conservations act that will include levies for conservation and ecosystem services.
9. That the approval is subject to the National Government and Athi Water Service Board coming up with a comprehensive program and budget for protection and conservation of the catchment area and particularly the re-forestation of the Arbadare Mountain Ranges.
10. Maintain infrastructure of the roads in the affected area using the materials excavated from the site.
11. The project should use as many local people as possible as casual workers in the project.

## 7.0 CONCLUSION

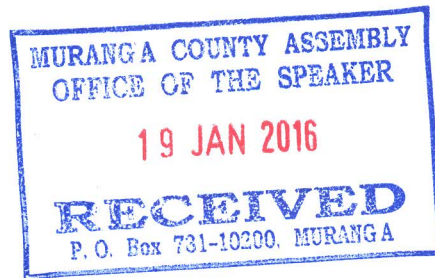
Domestic water supply is a key pillar in the vision 2030. It is therefore vital that all the stake holders work to ensure that such projects related to water distribution both for domestic and irrigation use is upheld.

The following Members of the Committee adopted the Report at a meeting held in the Murang'a County Assembly committee room 2 on March 31, 2016

| NAME                                       | SIGNATURE  | DESIGNATION |
|--|--|-------------|
| 1. Hon. Joseph Kimani Machiri              |    | Chairperson |
| 2. Hon. Francis Kamande Kamau<br>ViceChair |    |             |
| 3. Hon. Moses Gachui Mungai                |    | Member      |
| 4. Hon. Peter Mweri Maina                  |  | Member      |
| 5. Hon. Danson Mburu Muchoki<br>Member     |  |             |
| 6. Hon. Rosemary Wakuthie                  |   | Member      |
| 7. Hon. Rebecca Wanjiru Mwicigi<br>Member  |  |             |
| 8. Hon. Mary Waithira Njoroge<br>Member    |  |             |
| 9. Hon. Julius Maina Kimani                |  | Member      |
| 10. Hon. Agnes Ndunge Mutwita<br>Member    |  |             |



100



January 18, 2016

Your ref: MCG/INFRAS/14/VOL.1/68

Our Ref: BEA-E.244 (15)

**Eng. Amos Njoroge**  
**County Executive Member**  
**Energy, Transport & Infrastructure**  
**P.O.BOX 52 - 00200,**  
**MURANG'A, KENYA**

Dear Sir,

**MURANG'A COUNTY GOVERNMENT - NORTHERN COLLECTOR TUNNEL**  
**Technical Consensus on the Northern Collector Tunnel Project**

In reference to your letter *Ref. MCG/INFRAS/14/VOL.1/68* dated December 11, 2015 and the Technical Consultation Meeting with Athi Water Services Board held in the Murang'a County Offices on December 18, 2015.

Enclosed find enclosed the duly signed Technical Consensus Report for your perusal and further necessary action.

Finally, we register our great appreciation for the support we received from your office and the various representatives of parties involved.

Please don't hesitate to contact us for any clarifications.

We remain

Yours faithfully,

**Eng. Wangai Ndirangu**

cc:

1. Chief Executive Officer, Athi Water Services Board
2. Hon. Speaker, Muranga County Assembly

*CA, Water Committee*  
*Thundeeel*  
*01/19/2015*

# Joint Technical Consensus and Position on the Northern Collector Tunnel

MURANGA COUNTY ASSEMBLY  
OFFICE OF THE SPEAKER  
19 JAN 2016  
**RECEIVED**  
P. O. Box 731-10200, MURANGA

## Preamble

The following Consensus Document is the culmination of joint effort by the Technical team representing Muranga County Government. It builds upon the Report of Technical Committee on the Northern Collector Tunnel dated April 2015, Second Leaders' and Stakeholder meeting on 18<sup>th</sup> June 2015 (Golden Palm II) and the Consultation meeting between the Cabinet Secretary for Water and Irrigation, Hon Eugene Wamalwa and HE Mwangi Wa Iria, Governor of Muranga on 27<sup>th</sup> July 2015. Upon this Mandate the technical parties have for 6 months diligently reviewed issues and made practical recommendations to remedy these concerns.

**This Consensus matrix in furtherance** to the resolutions holds water resources sustainability and general of Murang'a and as well that of the recipient counties in the overwhelming demand. Therefore, this consensus reflects both the will and commitment to fulfil these values embedded within the rule of law.

## Implementation Plan

- i) The Consensus will support structured and continuous cooperation in good faith between Athi Water Services Board, Murang'a County under the auspices Ministry of Water and Irrigation
- ii) The Project Steering Committee shall ensure the full Implementation of the Consensus and its annual progress review
- iii) Within 3-months of the adoption of this consensus, Athi Water Services Board and Murang'a County shall sign an implementation agreement and until the agreement is established, the general rule of decision-making or any variations shall be by consensus of the respective competent organs.



CEM. TRANSPORT AND  
INFRASTRUCTURE  
MURANGA COUNTY  
Sign.....

12/1

**ATHI WATER SERVICES BOARD**  
AFRICA-RE CENTRE, 3<sup>RD</sup> FLOOR,  
HOSPITAL ROAD, UPPER HILL  
P. O. Box 45283 - 00100 NAIROBI  
TEL: 2726292 / 3 FAX: 2726292



**Proposed Remedial Measure/Way forward**

**Sn. Issue of Concern**

**A. ABSTRACTION AND POTENTIAL FOR REDUCED RIVER FLOW**

1. Project will adversely affect river flows in Muranga
  - i) Adopt minimum compensation flows Q80 in 2015-2025 as opposed to the initially proposed Q95 for Maragua and Gikigie and 1.4Q95 for Irati and provided adequate storage is developed by 2025 as A(ii) below.
  - ii) The Murang'a County Government (MCG) and Athi Water Services Board (AWSB) will cooperate in the construction of Maragua and other multipurpose dams by the year 2025. The dam will incorporate, among others, irrigation use for Murang'a County, hydro power generation for Murang'a County (if viable), water supply to Nairobi and Murang'a County

iii) NCT Intakes to be designed to ensure they are free from manipulation and unauthorised access

**B. IMPACTS ON GROUND WATER**

3. The project will result to lowering ground water levels and loss of natural springs
  - i) AWSB will ensure the construction of a fully lined tunnel and further ascertain the tunnel does not collect any ground water.
  - ii) Representatives of the County to the Project Steering Committee will continually ensure to this.

**C. DOWNSTREAM IMPACTS**

4. NCT project will affect downstream uses including irrigation projects
  - i) AWSB will collaborate with Muranga County and other mandated institutions to undertake catchment abstraction Survey, assessment of integrated water demands in Muranga County, and develop integrated water use masterplan.
  - ii) Where found necessary Athi Water Services Board in consultation with Murang'a to construct check

COUNTY ENGINEER  
 MURANG'A COUNTY  
 (Signature)  
 13/11/2015

**ATHI WATER SERVICES BOARD**  
 ATHI WATER SERVICES BOARD  
 HOSPITAL ROAD, UPPER HILL  
 NAIROBI  
 P. O. Box 45283 - 00100 NAIROBI  
 TEL: 2724292 / 3 FAX: 2724295

(Signature)

(Signature)

Immediate

AWSB (MCG to review)

Immediate to be ready by 2025

AWSB/MCG

AWSB (MCG to review)

Construction (2015-2018)

AWSB

Construction (2015-2018)

MCG

June 2017

AWSB

During

- damns/weirs to ensure sustainability of the affected irrigation investment in Maragua catchment downstream of NCT.
- iii) Collaborate WRMA to establish a watershed monitoring and reporting system to support decisions on flow release policy
- AWSB/WRMA 2016-2017
- iv) Develop and annually update Environmental Management Plan with involvement of Murang'a County
- AWSB Annual
- v) Ensure mitigation of project impacts upon existing water supply and irrigation uses
- During construction

**D. RESOURCES AND BENEFITS SHARING**

5. Tangible benefits to people of Muranga

i) Athi Water shall implement the following NCT offshoot projects with involvement;

- Muranga Community Water Project
- Gatanga Community Water project
- Gatango Community Water project
- Ichichi, Kiruri and Makomboki Water project
- Gataguaguga Community Water tank, and
- Ithanga Community Water Project (upon successful financing under arrangements separate from NCT).
- Extension of water supply line to Kambiti and Kambirwa

- ii) Give priority for employment in the Project to people from Murang'a County.
- AWSB Construction (2015-2018)
- iii) Project houses at Kinyona, Gikoe and Mununga dispensaries revert County Government at the end of the Project.
- AWSB Project
- iv) Upgrade Gikoe dispensary and purchase an

CEM TRANSPORT AND INFRASTRUCTURE MURANG'A COUNTY  
 Sign: *[Signature]*

MURANGA COUNTY OFFICE OF THE  
 19 JAN 2017  
 RECEIVED  
 P.O. Box 731-10000

*[Signature]*

ATHI WATER COMPLETION BOARD  
 AFRICA - RE CENTRE 4RD FLOOR  
 HOSPITAL ROAD, UPPER HILL  
 P.O. Box 45288-0100 NAIROBI  
 TEL: 2724292 / 3 FAX: 272422

*[Handwritten mark]*

ambulance for use by project staff and neighbouring communities.

v) Excavated material that is not utilised by the project will be committed for use by Muranga County government


vi) Provide at least 12 internships in the Project to university students.

vii) Athi Water will keep the County fully indemnified from any losses arising directly from project implementation.

viii) Murang'a County Government support Athi Water Services Board in the implementation of the above activities.

AWSB

Immediate

Sign:  12/17  
**GEM TRANSPORT AND INFRASTRUCTURE MURANG'A COUNTY**

AWSB/MCG

2015-2018

AWSB/MCG

2015-2018

AWSB

2015-2018

MCG

2015-2018

6. Resources, Benefits Sharing and participation of Murang'a County in bulk water sales to Nairobi and others Counties.

ix) The County Government of Murang'a pursue the formation of bulk water supply utility that will own, develop and operate bulk water infrastructure in Murang'a that will provide water services to water service providers within and outside the County

MCG

June 2016

x) The Senator and MPs from the County to support enactment of favourable for and fast-track enactment of the Water Bill currently pending before Parliament and the Natural Resources Benefits Sharing Bill in the Senate

Elected leader in Murang'a

Immediate

**E. SOIL AND WATER CONSERVATION**

7. Need to develop comprehensive watershed management plan

i) Support Maragua WRUA in updating the Maragua Sub-Catchment Management Strategy

AWSB/WRUA

End 2016

ii) In consultation Maragua WRUA and Murang'a County Government, submit proposal for funding under Kenya Climate Security.

AWSB/WRMA /MCG

2017

**ATHI WATER SERVICES BOARD**  
 ATHIWA BE CENTRE 3RD FLOOR,  
 HOSPITAL ROAD, UPPER HILL  
 P. O. Box 45283 - 00100 NAIROBI  
 TEL: 2724292 / 3 FAX: 2724295







existing strategies and to benefit both upstream and downstream

iii) AWSB in collaboration MCG will support host communities in Environment conservation activities

Immediate upon request

iv) County assembly to enact County laws on water, soil and conservation which at least include conservation or ecosystem services levy

Immediate

#### F. INVOLVEMENT OF MURANG'A COUNTY IN COMMUNITY PROJECTS AND NCT OVERSIGHT

8. Ensure that

reviews, mitigation measures and all issues agreed upon are implemented

i) Murang'a County appoint two members to the Project Steering Committee. One of whom shall be a technical person with good experience in such works.

ii) Athi Water Services Board implement NCT offshoot project consultation with and participation of the Murang'a County Government, Water Service Providers and beneficial communities

MCG 2015-2018

9. Role of Murang'a in the

implementation of Community water project

iii) Murang'a County to be placed under one water services Board for ease of coordination. Murang'a County Government to raise the issues with Ministry of Water and Irrigation

Immediate

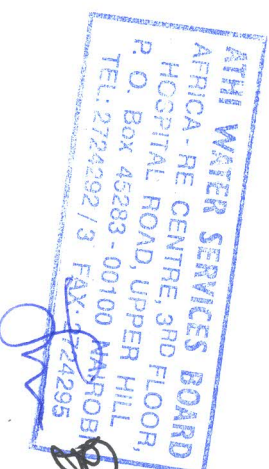
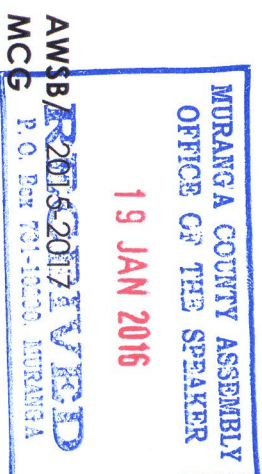
MCG

#### G. INCREASING WATER SUPPLY COVERAGE IN MURANG'A COUNTY

10. Address low water supply coverage in Murang'a concurrently with other counties

Murang'a County has completed an Investment Plan for Last Mile water Supply in Murang'a County, MCG estimated at Kshs 1.5 billion (2016-18). AWSB in collaboration with MCG will submit to Ministry of Water and Irrigation for funding consideration

March 2016



Signed:

Joseph Kamau 16/01/2016

**Eng. Wangai Ndirangu**

Chairman, Technical Committee on NCT

Beatrice Nduta

**Eng. Gabriel Kamau**

Joint Secretaries, Technical Committee on NCT

Eng. Amos Njoroge Sign.....

CEM, Energy, Transport and Infrastructure,  
Murang'a County

CEM TRANSPORT AND  
INFRASTRUCTURE  
MURANG'A COUNTY

13/01/2016

Joseph Kamau 22/12/15

**Eng. Joseph Kamau**

Ag. Head of Planning and Engineering  
Athi Water Services Board

ATHI WATER SERVICES BOARD  
AFRICA - RE CENTRE, 3RD FLOOR,  
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Box 45283 - 00100 NAIROBI  
TEL: 2724292 / 3 FAX: 2724295

Bonnie Nyandwaro 22/12/2015

**Bonnie Nyandwaro**

NCT Project Coordinator  
Athi Water Services Board

ONE