

Republic of Kenya



**MINISTRY OF AGRICULTURE LIVESTOCK AND FISHERIES  
STATE DEPARTMENT OF FISHERIES AND THE BLUE ECONOMY**

**TERMS OF REFERENCE FOR  
ENVIRONMENTAL SAFEGUARDS SPECIALIST**

<b>NAME</b>	
<b>Job Title:</b> Environmental Safeguards Specialist	
<b>Department:</b> State Department for Fisheries Aquaculture and the Blue Economy (SDFA-BE)	
<b>Project Name:</b> Kenya Marine Fisheries and Socio-Economic Development Project (KEMFSED)	
<b>Location:</b> Nairobi	
<b>Expected Start Date of Assignment:</b> November 2019	<b>Duration:</b> 6 months renewable once based on performance
<b>Reports to: Name:</b> Susan Imende	<b>Title:</b> PPA Team Leader

### **1. Background**

The GoK, through the State Department for Fisheries, Aquaculture, and Blue Economy (SDFA&BE) and with support from the World Bank, is implementing the Kenya Marine Fisheries and Socio-Economic Development (KEMFSED) project, which aims at supporting the country in its efforts to leverage emerging opportunities in the Blue Economy. The KEMFSED project, which will be implemented in Kenya's coastal counties including Kwale, Mombasa, Kilifi, Tana River, and Lamu, will strengthen the management of fisheries that are priority to coastal livelihoods, thereby securing stocks at sustainable levels of harvesting. At the same time, the project will strengthen coastal households' access to complementary livelihood activities toward diversifying sources of household income to reduce dependence on capture fisheries. By better managing and conserving marine and inland water resources, reducing illegal fishing activity, and enhancing the value of the fish products in the value chains, the sector is expected to enhance its contribution to the overall economy.

The project is expected to have several positive environmental and social impacts and socioeconomic benefits at both the country level and coastal counties. The scale of project interventions is not expected to result in significant adverse environmental, health or social

impacts. However, some activities could result in negative impacts, which are expected to be site-specific, temporary, and reversible in nature.

In view of the project's potential impacts on the environment and overall environmental risk associated with proposed project activities, the project is classified as environmental Category B based on findings during project preparation. The Bank's environmental safeguard policies triggered by the project include Environmental Assessment (OP 4.01), Natural Habitats (OP 4.01), Forests (OP 4.36) and Physical Cultural Resources (OP 4.11). Since the exact locations and site-specific details of activities and scope of works and community-level physical interventions were not identified at the time of appraisal, an Environmental and Social Management Framework (ESMF)<sup>1</sup> was prepared and publicly disclosed in-country and on the Bank's website on [add date once disclosed]. The ESMF provides detailed guidelines and processes for identification and screening of activities for critical environment and social risks; procedures for evaluating environmental risks and impacts; guidance for developing site-specific environmental and social impact assessments (ESIAs) and environmental and social management plans (ESMPs) that will include mitigation measures to address the potential environmental and social impacts of sub-projects, once the activities, location and scope are identified. It also proposes institutional arrangements for safeguards implementation and capacity building measures for community, county and national levels. By following the procedures outlined in the ESMF, site specific ESIA and/or ESMP will be prepared for all sub-projects based on the results of screening. These reports will be publicly disclosed prior to finalization of the design and commencement of any construction. During sub-project preparation, the project implementing teams will apply findings from the ESIA/ESMP to further improve project designs and minimize adverse impacts, while maximizing positive impact on people and the environment.

The ESMF utilizes the project Grievance Redress Mechanism (GRM) to ensure handling of environment-related concerns of Project Affected People are integrated in the overall project grievance handling and resolution.

## **2. Objective of the Assignment and Scope of Work**

SDFA&BE seeks the services of an individual consultant who will work in the National Project Coordination Unit (NPCU) of the KEMFSED Project as an Environmental Safeguards Specialist. The objectives of this Specialist are to promote the environmental sustainability of the KEMFSED project and to ensure that no adverse environmental impacts are caused by the project. More specifically, the Environmental Safeguards Specialist is expected to:

- Ensure that project activities are carried out in line with WB safeguards policies and safeguards instruments prepared for the project, and the national legislation;
- Pay full attention to opportunities to enhance the positive environmental effects of the project and to reduce and mitigate against its potential environmental impacts;

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<sup>1</sup> However, since the site/location for construction of a marine hatchery and training center under the NAMARET was identified during preparation, an ESIA was prepared by the GoK, approved the WB, and publicly disclosed on [add date once disclosed].

- Prepare training materials and carry out technical trainings on environmental safeguards with SDFA&BE staff, county government staff, and other relevant stakeholders (tailored to specific group of trainees):
  - Environmental assessment
  - Management of natural habitats
  - Occupational and community health and safety
  - Integrated pest management, etc.
- Train contractors engaged under the project on the applicable safeguards policies and their requirements;
- Review TORs and safeguards instruments, such as ESIA, ESMPs, and Contractor ESMPs (as applicable, and ensure all safeguards issues are accurately addressed vis-à-vis project design and ESMF provisions, and provide expert guidance/advice to the NPCU, county governments;
- Assess potential environmental impacts of civil works planned under the Project, provide recommendations for adjusting designs for decreasing negative impacts to the extent possible, and identify measures for mitigating negative environmental impacts; ensure relevant environmental safeguards requirements are included in construction contracts;
- As part of the panel evaluate contractual bids related to civil works and/or consultancies touching on environmental and social activities;
- Carry out supervision and/or inspections of any sites where works are taking place to verify the compliance levels with the relevant safeguards instruments and Environmental Health and Safety (EHS), with and without the contractor, as necessary; Review and utilize (if necessary, update) the screening and supervision checklists and guidelines presented in ESMF to ensure compliance with good environmental and social risk management adopted by the Project.
- Collect data on project environmental impact, compliance, Grievance Redress Mechanism functionality and utilization, and keep records of environmental supervision of project activities in a systemic manner that allows easy search-and-find of all documents upon request of NPCU, the World Bank, and national authorities;
- Oversee community engagement, including with VMGs and regularly liaise with communities that are benefiting from the project to facilitate communities' access to economic opportunities resulting from project activities;
- Prepare regular safeguards monitoring reports for the NPCU, including preparation of the environmental safeguards input to project progress reports submitted to the World Bank;
- Draft reports on environmental safeguards matters, and other relevant project documentation in line with project reporting requirements;
- Other relevant duties as requested.

### **3. Required qualifications**

The Environmental Safeguards Specialist shall have the following minimum qualifications:

- Higher education in environmental science, environmental management, or similar;

- At least 10 years of full-time and documented experience in similar assignments, with broad knowledge of environmental conservation and management, including in the area of solid waste management and similar;
- Be registered with NEMA and demonstrated knowledge of the regulatory body's (NEMA) compliance procedures will be an advantage;
- Knowledge and/or familiarity with coastal Kenya, and specifically environmental issues in the project area;
- Experience with operational environmental safeguards policies of the World Bank (especially OP 4.01 Environmental Assessment), and with ensuring project compliance with environmental safeguards requirements;
- Working knowledge of Occupational Health and Safety methods and their application is desirable;
- Excellent leadership, technical competence and professional skills for timely implementation, coordination and management of activities;
- Proven ability to effectively coordinate activities involving multiple disciplines and organizational units, as well as to maintain high service standards under pressure, and meet deadlines;
- Excellent knowledge of Kiswahili and full English fluency, including report-writing skills;
- Computer literacy.

#### **4. Reporting Arrangements**

The Environmental Safeguards Specialist will report to the KEMFSED Project Coordinator.

#### **5. Deliverables**

The Environmental Safeguards Specialist shall submit the following deliverables to the NPCU:

- Action plans, reports/master plans/research/project findings, proposals, etc. as required;
- Regular safeguards monitoring reports, including updates on environmental safeguards, gender sensitivity and beneficiary engagement as input to project progress reports, mid-term reports, and completion report;
- Records of environmental safeguards supervision of project activities;
- Reviewed documents on preparation of specific ESIA/ESMPs and if need be any Resettlement Action Plans (RAPs) to the expected standard and quality.
- Monitor report for the GRM logs;
- Other deliverables as required by the NPCU and WB;
- Monthly progress report on the above activities under the Project to keep track of the project activities during the entire implementation phase. Such progress reports shall be submitted not later than five calendar days following the reporting month;
- Submit reports on key learning's and lessons learned and the way forward.

#### **6. Responsibility of the Employer**

SDFA&BE will provide technical, administrative and support in coordinating activities as well as office, furniture, office equipment, stationery, and other materials as required by the Contract Administration to perform his/her duties as specified in this TOR.

## **7. Place of Work**

The Environmental Safeguards Specialist will be stationed in Nairobi at the NPCU, with travel to project areas as required. Where travelling individually on programme duties, expenses will be incurred and reimbursed accordingly, in accordance with GOK procedures. All individual travel shall be approved by the KEMFSED Project Coordinator.

## **8. Remuneration and Mode of Payment**

The Environmental Safeguards Specialist shall be remunerated on a monthly basis, with the rate being negotiated with the successful candidate upon submission of monthly reports (deliverables) and based on performance (performance-based contract).

## **9. Selection method**

The consultant selection will follow the both the Government approval procedures and the World Bank's Procurement Regulations for Investment Project Financing (IPF) Borrowers for Individual Consultants.