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# ***BUNGOMA COUNTY WATER POLICY***

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***JANUARY 1, 2021***

***DEPARTMENT OF ENVIRONMENT, NATURAL RESOURCES, WATER AND TOURISM***

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**ABBREVIATIONS AND ACRONYMS**  
**EXECUTIVE SUMMARY**

## CHAPTER ONE

### THE CONTEXT AND RATIONAL OF THE COUNTY WATER POLICY:

#### 1.1. Introduction

The chapter outlines the context within which the county's water policy is developed. It captures the scenarios at both the National and County level. It also presents a summary of the rationale for the policy and the drivers of water service infrastructure development in Bungoma County. Finally, it provides insights on the process of developing this policy.

#### 1.2. Background

Managing water involves drawing a plan, designing, construction, implementing, and maintaining water resources or programs. This is done to warrant efficient and effective use of water by the community. Management of water encompasses use of participatory approaches in empowering the communities to guard their water resources.

The County's water demand is currently (year 2020) 58,220m<sup>3</sup>/day. This demand will surpass 220,027m<sup>3</sup>/day by the year 2050. The County has seven urban water schemes, twenty rural schemes. The urban water schemes collectively produce approximately 20,550m<sup>3</sup>/day. However approximately 66% of the production is lost as Non-Revenue Water (NRW) hence only 7,000m<sup>3</sup>/day (12% of the demand) reaches the consumers. The boreholes and rural water schemes meet 11.8% (6,970m<sup>3</sup>/day) and 2% (1,164m<sup>3</sup>/day) of the residents' water demand respectively after correction for unaccounted for water. Therefore, only 25.8% of Bungoma County's residents (440,000 people) have access to safe drinking water. This is less than 69% of the global average or 73% rate of access in Africa. It is also less than Kenya's national average water supply coverage of 57%.

### 1.3. Policy Context

The Bungoma County water policy is informed by various national and international statutory documents. These include the following:

- The Constitution of Kenya 2010 under article 43 access to safe and adequate water is a basic right. The principle of sustainable development has been entrenched in the Constitution (article 10 2(d)) as one of the national values and principles of governance.
- The County Government Act,2012
- The Water Policy (1999), seeking to comprehensively deal with the problems of water and sanitation, adopts an integrated approach to water resources management.
- The Water Act, 2016 that provides for the the separation of duties, water governance, apportionment, and use' of water resources.
- The Environmental Management and Coordination Act (EMCA) 1999 cap 387 that is the national statute that governs protection, conservation and management of the environment.
- EMCA (Water Quality) Regulations (2006) provide for the protection of lakes, rivers, streams, springs, wells and other water sources.
- The Physical Planning Act (1996) cap 286 that provides for physical planning and development control
- The National Climate Change Action Plan 2018-2022
- Kenya Vision 2030
- United Nations' Sustainable Development Goals (SDGs) that outlines a global framework and commitment for sustainable development. The Key SDGs related to water provision include:-
  - Goal 3: Ensure healthy lives and promote wellbeing for all at all ages
  - Goal 6: Ensure availability and sustainable management of water and sanitation for all
  - Goal 9: Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation
  - Goal 11: Make cites and human settlements inclusive, safe, resilient and sustainable
  - Goal 12: Ensure sustainable consumption and production patterns

- Bungoma County`s Environmental and Social Safeguard Policy, 2019

#### 1.4. Policy Rationale

The County Government of Bungoma seeks to establish an effective, efficient and sustainable system for development of water infrastructure and provision of water to its citizens in order to facilitate realization of its development goals. This water policy will be instrumental in advancing county social, economic and political development by addressing the following:-

- a) Absence of a well-defined water policy in the County – hence:
  - Water allocation and use are guided by precedence rather than priority
  - Supply side driven management instead of demand side management
- b) Absence of an integrated water resources management plan (IWRMP) leading to low operating efficiency of water supply systems.
- c) Old legislation (local authority operating mode)
- d) Inadequate surface water storage
- e) Inadequate funds for the development of water infrastructure
- f) Water policy required to meet the new challenges such as reduction in average annual rainfall due to climate change.
- g) Address issues of poor raw water quality due to low coverage of sanitation facilities and effluent discharge systems.
- h) Water policy to ensure that future water demands are equitably met for all sectors of the economy.

#### 1.5. Drivers of this policy.

The need for Bungoma County water Policy is borne out of the necessity to address the following challenges:-

- **High Population Growth Rate:** leads to urbanization, change in lifestyle habits increasing water demand for domestic, industrial and agricultural use.
- **Increased Industrialization:** this has lead to increased demand for water for energy generation and industrial use,
- **Climate change:** Water resources are largely impacted negatively
- **Pollution of ecosystems:** improper management results in over extraction, dumping in rivers

- **Environmental Health Concerns:** increasing cases water and vector-borne diseases

#### 1.6. Policy development process.

This policy was developed through a consultative process. The key policy actors in water infrastructure development, provision and management in the county were engaged during the preparation process. Specifically, national and county departments involved in water infrastructure development, provision and management, which included, National Environment Management Authority (NEMA), Kenya forest service, Kenya wildlife service, office of the county Attorney, county devolved departments, Nzoia Water Services Company (NZOWASCO) and county assembly. In addition, private actors in water management such as WUA's and WRUA's participated in the process.

## **CHAPTER TWO POLICY FRAMEWORK.**

### **2.0. Introduction**

This is the core chapter providing the strategic direction of the sector by outlining the policy goals, objectives and guiding principles. It focuses on smart objectives that will give the broad direction on the opportunities and strategic policy interventions to be attained.

### **2.1. Goal**

To develop and manage the Bungoma County Water Resources in an integrated and sustainable manner to secure and provide requisite quantity and quality for social economic needs of the present and future generations.”

### **2.2. Objectives.**

The objectives of this Policy are to:

- a) Promote sustainable management of county water resources for economic growth and improved livelihoods
- b) Enhance adoption of an integrated approach to planning and sustainable management of water resources
- c) Promote research and capacity development, use of sustainable water infrastructure development systems.
- d) Enhance cooperation, collaboration, synergy, partnerships and participation in the water infrastructure development and management.
- e) Institute good water governance for sustainability of water resources use.

### **2.3. Guiding Principles**

Implementation of this Policy will be guided by the following principles:

- Principle of equity and social justice must inform use and allocation of water

- Water is essential for sustenance of eco-system, and therefore, ecological needs should be given due consideration
- Good governance through informed decision making is crucial to the objectives of equity, social justice and sustainability

Water, over and above the pre-emptive need for safe drinking water and sanitation, should be treated as an economic good so as to promote its conservation and efficient use

The impact of climate change on water resources availability must be factored into water management related decisions.

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## **CHAPTER THREE OPPORTUNITIES AND STRATEGIC POLICY INTERVENTIONS:**

### **3.0. Introduction**

This chapter outlines the opportunities and strategic policy interventions to be undertaken by the department to be able to meet the stated objectives. The opportunities are derived from international, regional and local standards in the water sector.

### **3.1. Opportunities and strategic policy interventions**

#### **General and Sectoral Strategic interventions for County Government of Bungoma**

##### **3.1.1 Water for Socio-Economic Development and Environmental Sustainability.**

*Water is a natural resource and a social and economic good. The limited water resources have to be protected in order to satisfy the needs of various human activities and to sustain the aquatic ecosystems*

The following are the proposed strategic intervention measures

- Ensure progressive restoration and protection of ecological systems and biodiversity in strategic water catchments
- Ensure sufficient funds are availed for sustainable Development and Management of Water Resources
- As an economic good which supports national economic integration and development water shall be conserved, developed and managed to provide economic benefits

##### **3.1.2 Water for Drinking and Sanitation**

Access to safe water supply: This helps to eliminate health and socio-economic hazards such as sickness from waterborne diseases.

The following are the proposed strategic intervention measures

- The County Government of Bungoma shall have a social and economic responsibility to ensure sustainable access to safe water supply for basic human needs.
- The County Government of Bungoma will prioritize the allocation, access and utilization of water resources for basic human needs over any other allocation, access and utilization.

- The County Government of Bungoma will ensure that the poor have access to safe water which is considered as a basic human right.
- To achieve sustainability of water suppliers to all areas, cost recovery will underpin all infrastructural developments and operation, that is, beneficiaries will pay an appropriate amount towards the cost for providing the services taking into account The County Government of Bungoma's social responsibilities to the poor.
- The County Government of Bungoma will ensure that provision of sanitation services is integrated into the provision of water supply for basic human needs.

### **3.1.3 Water for Agriculture and Food Security**

Water allocation and utilization are key considerations for food security and reduction of economic asymmetries. The planning and development of the water resources should support the objectives of food security.

The following are the proposed strategic intervention measures

- The County Government of Bungoma will promote the attainment of food security through county self-sufficiency by developing those areas which have comparative advantage for rain-fed and irrigated agriculture.
- Water for Irrigation: Irrigation requirements shall be met on Water Resource Management principle.
- As a vehicle for promoting reliable food production and enhancing food security, sustainable irrigated agriculture and aquaculture will be promoted by The County Government of Bungoma.
- The County Government of Bungoma will promote affordable and sustainable techniques for small-scale irrigation as a measure to increase production of food and cash crops for sustainable livelihoods.
- The County Government of Bungoma will promote measures to increase water use efficiency in agriculture. Pricing of irrigation water shall be consistent with the need to provide economic incentives for efficient use on the one hand and the capacity to pay by the farmers on the other hand.
- The County Government of Bungoma will promote re-use of treated effluent for agricultural purpose.

- The County shall create awareness and introduce irrigated agriculture, production by green houses with minimal use of water so as curb food insecurity

#### 3.1.4 Water for Energy Development

Water for Hydro-electric power: Hydro-electric schemes are environmentally friendly options to limit to the extent possible the use of conventional sources of energy. Studies will be carried out for the rehabilitation of existing hydro-electric schemes and development of other mini/micro schemes.

***The County Government of Bungoma will optimize the use of hydroelectricity generation so as to provide cheaper, environmentally friendly and green source of energy.***

The following are the proposed strategic intervention measures

- The County Government of Bungoma will encourage the use of state of the -of-the-art technologies that are efficient in terms of water use for cooling industrial processes and thermal electric generation stations.

#### 3.1.5 Water for Industrial Development

Water in Industrial Development: Water is recognized as an economic factor of production in many industrial activities including manufacturing, agro-industries, and tourism. Economic pricing of water will not only encourage efficient water use but also allow the water resources and the water supply agency to collect sufficient revenue with a view to ensuring its financial sustainability.

The following are the proposed strategic intervention measures

- The County Government of Bungoma shall liaise with the relevant institutions to allocate water for industrial requirements at economic value of the resource.

#### 3.1.6 Water for Tourism Development

***Water in the Tourism Industry: Given that paramount importance of the tourism industry in the overall economic growth, water resources will be mobilized to meet the increasing demand of the sector, including water related activities.***

The following are the proposed strategic intervention measures

*The County Government of Bungoma, with the participation of the private sector, shall ensure water availability to cope with the expansion of the tourism sector.*

### 3.1.7. Water Harvesting and Storage

Water harvesting and storage through dam construction shall be promoted however the following Strategic policy intervention measures guide the implementation of this policy:-

- The construction of new dams to increase surface storage capacity will be based on an integrated and comprehensive approach as mentioned in Bungoma County Water Master Plan
- Develop appropriate dam safety guidelines, and the establishment of institutional capacities for enforcement of such guidelines

### 3.1.8. Alternative Sources of Water Supply

**Tapping into Alternative Sources of Water:** Rainwater harvesting, re-use of water and use of treated effluents should be encouraged wherever technically and economically feasible for irrigation with a view to increasing agricultural yields. Technology improvement and use of solar energy to desalinate seawater could, in the future, be a competitive resource in the coastal areas.

*The County Government of Bungoma will promote harnessing of alternative water resources such as rainwater harvesting, desalination, re-use of water and recycling of wastewater.*

### 3.1.9. Rehabilitation and maintenance of water and wastewater infrastructure

As a result of the massive capital investment required for water and wastewater infrastructure, it is imperative to rehabilitate and maintain existing infrastructure not only for proper operation but also to enhance the lifespan of the infrastructure.

*All existing water and wastewater infrastructure will be rehabilitated and maintained in good working conditions.*

In order to achieve this, regular maintenance protocols will be put in place for water infrastructure such as dams, feeder canals, water supply networks, and wastewater infrastructure such as treatment plants and sewers.

## 3.2. Water Resources Management

**Water Abstraction:** The County Government of Bungoma will ensure that the exploitation of surface water and ground water is based on abstractions compatible with the sustainable yield as determined by competent public authority (WRA), and established regulatory norms. Appropriate consultative mechanisms will be created to protect the water resources of the county from pollution and depletion so as to maintain sustainable development and utilization of water resources.

**Strategic Intervention:** *The County Government of Bungoma shall coordinate and liaise with WRA in management of water resources. Since water is a valuable resource that should be protected in the public interest, the County Government of Bungoma has an obligation to ensure that they are protected and safeguarded.*

**3.2.1. Integrated Water Resources Management**  
*Planning, development and management of water resources will be based on the principles of the Water Resource Authority (WRA) and shall take full cognizance of the cross-cutting nature of water.*

In order to achieve this, Integrated Water Resources Management and water efficiency plans will be developed, as appropriate, in line with national priorities and objectives.

**3.2.2. Water Quality Management**  
*All necessary measures shall be adopted to preserve both surface and groundwater quality*

The activities associated with industrial development, agriculture and tourism have led to risks of pollution to both surface water and ground water. The preservation of the water resources requires an integrated approach to wastewater management. The concept of the ‘Polluter-Pay Principle’ will be adopted to control pollution and mitigate its impact on economic activities such as eco-tourism. The County Government of Bungoma will ensure compliance with the set national standards enforced by NEMA for waste water quality and discharge into water bodies.

The following are the proposed strategic intervention measures

- *The national water quality monitoring system shall be strengthened and enforced with improved monitoring networks, laboratories, effective databases and indicators within the County Government of Bungoma*

### **3.3. Conservation and Protection of Water Resources**

*Water conservation shall be implemented in line with measures identified in the National Development Strategy and the National Forest Policy*

The following are the proposed strategic intervention measures

- Increase tree cover, particularly in water catchments and promote agro-forestry and social forestry
- Promote use of renewable energy
- Promote low maintenance water technologies with an emphasis on water harvesting, which can deal with both abundance and scarcity under climate change
- Development of buffer areas of crop and forage production for use during crises
- Ensure sound environmental management in line with regard the management of community land
- Develop incentives for promoting communities for environmental services, including ecosystem services
- Educate and train on environmental conservation and management
- Support Water Resources Users Association in catchment and riparian areas protection activities
- Develop/harmonize regulations governing riparian areas/catchment areas and wetlands.
- Establish a planning, design and construction unit for water conservation structures and systems
- Develop guidelines for rainwater harvesting and storm-water conveyance systems in built-up areas;

### **3.4. Water Demand Management**

**Efficient Water Use:** Inefficient water use is not sustainable especially in a water scarce situation and, more importantly, imposes significant additional costs to the economy. This underscores the dire need to carry out an option analysis prior to embarking on infrastructural development projects such as construction of dams and water transfer schemes.

The following are the proposed strategic intervention measures

- Water audits shall be undertaken to improve efficiency so as to optimize water use from existing sources.
- Water demand management principles shall be encouraged / implemented to complement any supply expansion.
- Rain water harvesting shall be implemented as an option to supplement water needs, particularly, during the dry season.

- The County Government of Bungoma shall systematically apply a demand- driven approach and shall aim at utilizing existing capacities more efficiently as part of the process of augmenting water supply.
- Introduce measures to improve the efficiency of water infrastructure to reduce losses and increase recycling of water.

### **3.5. Water Security**

#### **3.5.1. Climate Change**

Mitigating Climate Change: Global warming and the resulting extreme climatic events are predicted to impact on the hydrological cycle and the global annual rainfall distribution as well as rising sea level.

Bungoma County is vulnerable to climate change. Rainfall is showing a decreasing trend and change in pattern over the inland whereas air temperature is rising. The increasing sea level may reduce ground water availability in coastal aquifers. Some IPCC models are forecasting a possible long-term decrease of mean annual rainfalls in the region by 50 to 200 mm/year on average. Management of water resources is facing unprecedented challenges as a result of changing climate.

There is need for research to assess the future impact of climate change on water resources and appropriate adaptation strategies developed to abate these impacts.

***The County Government of Bungoma shall conduct research on the impact of climate change on the water resources and formulate and implement strategies for the mitigation of any adverse impact***

#### **3.5.2 Protection from Floods and Droughts**

##### **Mitigation against floods:**

Measures such as construction of appropriate drainage network, regular cleaning of rivers and drains and protection of all wetlands are necessary to safeguard the population against floods.

Uneven distribution of rainfall in space and time in the county is bringing new challenges in the management of water supply especially during dry spells. Droughts may occur more frequently due to climate change. Global warming is exacerbating water-related natural disasters which in turn impact on public health, food security, energy security and the economy of the county.

Appropriate strategies shall be formulated to mitigate impact of such natural disasters in consultation with the Meteorological services, National Disaster Management Authority, National Drought Management Authority and other stakeholders. One of the measures to mitigate the impact of drought would involve clear guidelines for water allocation.

**Strategic Intervention:** *The County Government of Bungoma shall, to the extent possible, protect the population from water-related disasters and formulate adaptation strategies against climate change so as to reduce the risk of impact of such disasters*

### 3.5.3 Disaster Planning and Mitigation

**Management of disasters associated with water:** *is an integral part of water resources management.* Advance notification of floods and droughts are essential for the effective management and mitigation of such extreme events impacting on safety of human life, the economy, food security and well-being of the nation.

Programmes will be developed to mitigate the effects of extreme water-related events, in particular, preparedness and contingency plans will be established for disasters and emergencies, in terms of:

- provision and continuation of services during and after emergencies;
- plans for rehabilitation and repair of water systems;
- protection of water bodies and water systems from pollution and depletion.

Guidelines shall be developed to mitigate the impacts of floods and droughts. New legislation would contribute towards disaster mitigation. Capacity building in preparedness, risk management and mitigation against the disaster impact would be implemented.

**Strategic Intervention:** *The County Government of Bungoma shall be committed to improve county capacity in predicting water-related disasters associated with floods and droughts through strategies for the development of warning systems.*

## 3.6 Water Resources Information Management

Sound management of water resources requires a comprehensive information/data base.

***Strategic Intervention: A Water Resources Information Management system will be established to enhance water resources management in an effective and efficient manner for the benefit of Bungoma county***

### **3.7. Human Resources Development**

Tooling Human Resource of the Sector: For efficient management and development of water resources, adequate human resources, skills and knowledge are required. Therefore, a human resource plan to develop and to enhance capacity of planners, designers, inspectors, operators and user's associations shall be an integral part of the institutional capacity building measures.

The policy is to provide sustainable and objective oriented training in the relevant areas of water sector management as well as to develop and to implement effective means to efficiently utilize and retain trained manpower.

***The County Government of Bungoma shall develop and implement a human resources development plan based on the needs identified as necessary to implement the present policy***

#### **3.7.1. Stakeholder Participation in Capacity Building**

Participation of stakeholders in water resources development and management is a fundamental principle of the Integrated Water Resources Management. The private sector, NGOs and civil society organizations shall be invited to provide their inputs in the water development and management process

***Strategic Intervention: Water resources development and management at all levels shall be based on a participatory approach, with effective involvement of all stakeholders including the private sector, NGOs and civil society organizations***

#### **3.7.2 Capacity Building and Training**

***The water sector shall develop adequate capacity to carry out its mandate efficiently and effectively***

The following are the proposed strategic intervention measures

- Develop the capacity of water sector professionals and institutions through innovative approaches to meet future challenges
- Capacity building in water management shall be organized within the County Government of Bungoma.

- good governance of the water utility will be strengthened by enhancing the financial and operational management capacities and by improving productivity by adapting modern management practices.
- For Water Service Providers (WSPs) technical assistance and capacity building will be provided to enhance the decentralized delivery of water and sanitation services.

### **3.8. WATER FINANCING AND PRICING**

#### **3.8.1 Financial Sustainability**

Financing the water sector sustainably: Water supply is a key factor for sustained economic development. Increased financial resources would be needed in the county budget for infrastructure development, capacity building, and institutional development as well as for research and technology transfer.

***The County Government of Bungoma shall ensure that adequate financial resources are earmarked for water sector development and management***

***Cost Recovery and financial sustainability in the water sector:*** The introduction of full cost recovery, to the extent possible, in respect of water sector services, shall not only lead to an increase in revenue for the sector institutions but also improve the efficiency of water allocation. However, water pricing should consider the specific requirements of the poor and the vulnerable groups in compliance with WASREB.

Though full-cost recovery would be the ultimate goal, there will be options for water pricing that would enable sustainable cost recovery for the operation and maintenance and renewal of water sector assets. Cross-sectoral subsidization and affordability would be explored to satisfy the requirement of vulnerable groups.

***The County Government of Bungoma shall strive to apply full cost recovery while taking into consideration the special need of the poor and the vulnerable groups.***

#### **3.8.2. Funding of water sector infrastructure**

Investing in water sector infrastructure: Relevant authorities shall be granted powers, as appropriate, to mobilize complementary resources for investment in the water sector. Financial management at the level of the authorities will be strengthened as well as their capacities to develop bankable water sector project proposals.

*The County Government of Bungoma will prepare detailed water sector investment plans as part of its county development planning and budgeting process and develop a resource mobilization strategy encompassing multiple financing sources.*

**The Water and Financing of the sector:** For all water sector development and management initiatives, The County Government of Bungoma shall ensure that projects are planned in line with the present water policy by making use of funds allocated in the County and National budgets and other resources obtained from external funding.

The policy is to ensure that all Development Partners, The County Government of Bungoma and the private sector, shall provide funding for water conservation and protection, operation and maintenance, rehabilitation and renewal of existing assets as well as capacity building.

**Strategic Intervention:** *The County Government of Bungoma will coordinate and ensure that all funding in the water sector is based on the county's water sector objectives, policy, strategies and master plan.*

### **3.8.2 Private Sector participation**

Public Private Partnership provides an opportunity to leverage private sector technical and managerial expertise, as well as finance for the development and management of the water sector and associated services. However, this requires establishment of an appropriate and effective regulatory and management framework so as to ensure adequate performance-based service delivery, maintenance, rehabilitation and extension works.

**Strategic Intervention:** *Partnerships between the county government and private sector should be considered where these could contribute to efficient management of resources, the delivery of services and lead to higher inflow of investment capital to the sector. Public consultation in all matters pertaining to large-scale private sector involvement will be ensured.*

### **3.8.3 Water Pricing**

*The policy is to recognize water as a natural resource with an economic value and ensure that fees are paid for services rendered and that pricing is reasonable according to the level of service rendered to end users and sufficient for recovery of costs.*

This policy recognizes water as a vulnerable and scarce natural resource and ensures that all pricing mechanisms should be geared towards conservation, protection and efficient use of water as well as promoting equity of access.

Economic tools shall be used for water demand management and to promote environmentally sustainable practices. Use of water resources that entails pollution shall be regulated and the cost of pollution mitigation measures shall be borne by the polluter.

Management of water resources shall always be addressed in conjunction with basic social equity norms and level of service.

The price for water services shall take into account full cost recovery and the affordability criteria.

***Subsidies should be targeted to the vulnerable groups through public awareness on the full cost of water delivery.***

Customers will be sensitized on the total costs of both water and sanitation services. The costs for the mobilization and management of the water resources, (dams, and groundwater pumping treatment and distribution), and costs of collection and treatment of waste-waters, shall be provided to customers. Tariffs shall be adjusted as appropriate to achieve greater cost recovery subject to approval of WASREB.

### **3.9.Participation of all Stakeholders**

Management of water resources is becoming more and more complex and subject to potential conflict among stakeholders due to scarcity. Only a participatory approach in the management of water resources can avoid or limit conflicts and ensure sustainable solutions to any dispute.

***Strategic Intervention: The participation of stakeholders in any water resources initiative shall be encouraged to ensure a sound management of the water resources.***

The county government shall look to create a forum for discussions and consultations amongst the various stakeholders; support decentralized initiatives and involvement in water resources management.

#### **3.9.1. Water Sector Institutional Framework**

***Implementing the policy:*** The policy shall:

- promote appropriate linkage mechanisms for the coordination of water sector activities between the National government, County Government of Bungoma and other Authorities;
- establish clear functional and legal provisions for water sector service providers.
- enhance, as appropriate, a coherent institutional framework that allows for flexibility and accommodates continuity
- foster the participation of stakeholders and user communities in water sector management by supporting the establishment of appropriate participatory framework from national and regional administrative structure and promote decentralized management, as appropriate

***To implement the Bungoma County Water Policy, The County Government of Bungoma shall bring appropriate institutional changes aiming at a sustainable, equitable, efficient and effective development and management of the water sector.***

## CHAPTER FOUR

### POLICY IMPLEMENTATION FRAMEWORK

#### 4.0. Introduction.

This chapter outlines the approach to policy implementation. It also outlines the key stakeholders and requisite institution framework for effective implementation of this policy through effective coordination.

#### 4.1. Institutional Framework

The complex and technical nature of managing water services provision and the need to integrate all key stakeholders' considerations in all development planning and activities calls for cooperation and consultation among responsible government agencies and stakeholders at all levels. It is particularly important to recognize the existing institutional mechanisms and consider ways and means by which coordination and cooperation can be enhanced between the many institutions whose mandates relate to water services provision as stipulated in the Water Act 2016.

#### **Key County actors:**

- a) County Department responsible for Water services provision.

A key mandate for this department is water infrastructure development and ownership, water services provision, conservation and protection of natural resources in the Bungoma County it is the key implementing department of this policy.

- b) County Department responsible for Agriculture

Climate Smart agricultural practices will enable sustainable use of water and conserve the environment

- c) *County Environment Committee*

Key mandate is planning and oversight of all county environment matters

- d) *Water Services Providers*

NZOWASCO A county owned water company whose main mandate is water and sewerage services provision

Rural water service provider who manage rural water schemes

#### **Regional Actors**

e) *Lake Region Economic Bloc*

Constitutes 14 member counties: The Bloc seeks to promote trade development and investments among member counties, this will be a critical stakeholder as the Bloc has shared natural resources, cross boundary water, and hydro-geo formations.

It also promotes ecosystem management which is shared resources among member counties.

f) *Lake Basin Development Authority*

The authority is mandated to spur socio-economic development through sustainable utilization and conservation of natural resources in a coordinated approach within the region.

g) *Lake Victoria North Water Works Development Agency*

LVNWWDA is a key player in water and sewerage service provision through Water and sewerage infrastructure development.

**Key National Level Actors**

As Bungoma county develops economically and socially it will seek to collaborate with National Level Agencies with a mandate bearing on Water resources management as follows:

h) *National Environment Management Authority (NEMA)* is the national regulatory agency coordinating with the decentralized entities. NEMA issue licenses for water and sewerage infrastructure development.

i) *Water Resources Authority*

WRA. The key mandate is to sustainably and equitably allocate water resources among various competing needs through the issuance of water permit. They also capacity build Water Resources Users Associations.

They are mandated to collect data and monitor surface and ground water conditions.

j) *Water Services Regulatory Board*

Main mandate is to regulate water services in the country

k) *Water Sector Trust Fund*

Main mandate is to assist in financing provision of water services.

l) *Kenya Forestry Research Institute*

KEFRI is mandated to carry out research on forestry aspects and disseminate the same to the country and counties on best practices in forest management

m) *Kenya Forest Services*

Key mandate is conservation of the countries forest cover

n) *Kenya Wildlife Services*

KWS has a key mandate to conserve and protect the wildlife in national reserves and national parks.

*o) Ministry of Environment and Forestry*

The Ministry's key mandate is policy formulation and coordination of all agencies in the Environment sector

*p) Ministry of Water and Irrigation*

The Ministry is mandated to coordinate all water sector agencies and formulate national policies

*q) Kenya Vision 2030*

The Social Pillar: that enables equitable social development in a clean environment.

Water is an enabler under the social pillar.

*r) Universities and Research Institutions*

KEWI offers capacity development and training.

**None State Actors**

*s) NGOs in the water, natural resources and forestry space.*

Assist in resources mobilization and capacity development in water services

*t) WUAs, WRUAs*

Main mandate on protection of catchment areas and capacity building for

*u) Business Community*

Key informal sector player

*v) Youth groups and Women groups*

## CHAPTER FIVE

### POLICY MONITORING AND EVALUATION, REPORTING AND REVIEW

#### 5.0. Introduction:

This chapter outlines the mechanisms for monitoring and evaluating this policy. For intended policy outcomes to be achieved, there is need for effective policy monitoring and evaluation, reporting, learning and review. This will require strong institutional development, inclusion of stakeholders in water governance, legal and administrative reforms and integration with the county performance management system.

#### 5.1. Monitoring and Evaluation:

Prudent water resource management is required to realize the objectives of this policy. As such, instituting an effective mechanism for monitoring resource use, will be possible through the development of a well-coordinated information management system that provides for information sharing among stakeholders. Towards this goal, the County will ensure efficient management of financial resources in the water department through ensuring strict adherence to various budget rationalization schemes as well as following the laid down public finance management procedures and regulations. An appropriate participatory M&E system will be established in order to ensure that the necessary corrective measures are taken at the right time during the implementation of projects and programmes in the sub-sector. The County government will also work closely with all stakeholders to evaluate the performance of the activities undertaken by the different stakeholders.

This policy shall be evaluated in accordance with overall county monitoring and evaluation framework, standards and system. The following requirements shall apply in regard to policy monitoring and evaluation—

- a) The department responsible for water services provision shall designate staff to be responsible for coordinating monitoring and evaluation of implementation of this policy.
- b) In each bi annual period, the department responsible for water services provision shall prepare a report on the progress made in implementing the policy, which shall be submitted to county executive committee for consideration and decision-making.

c) There shall be annual policy review, which shall involve all key stakeholders. The review shall provide feedback on successes, progress and challenges related to policy implementation and whether policy outcome have been met in each year. The policy review report shall be submitted to county executive committee for consideration and decision-making

d) The policy shall be evaluated at the end of each period of 5 years to assess the extent to which policy outcomes have been realized including policy impact

e) The department responsible for water services provision shall disseminate policy evaluation reports to all key stakeholders.

### 5.2. Reporting:

With regard to reporting the County department responsible for water services development and provision in Bungoma County shall develop a mechanism for recording and reporting all water services development and provision activities in the county. Such a mechanism will focus on both government and private player activities. To ascertain how it is doing with regard to water development and provision activities, the county government shall institute a framework of standards in keeping with national and international standards.

### 5.3. Review of Policy:

This policy is flexible and open to adjustments going forward. There may arise the need to deviate from or realign the policy goals, objectives, orientations or provisions based on the results of the monitoring and evaluation status reports and prevailing circumstances. There shall therefore be a window to review and revise/update this policy when need arises to ensure its relevance. Any deviations or alterations to the policy must be informed through status reports and measurable changes in prevailing circumstances. The deviations or alterations should aim to achieve objectives that meet the “SMART” criteria and should be within the available resources.