To: Director General – NEMA  
Popo Road, South C, off Mombasa Road  
National Environment Management Authority,  
P.O.BOX 67839-00200,  
Nairobi.

REF: GAZETTE NOTICE NO. 8904 THE ENVIRONMENTAL MANAGEMENT AND COORDINATION ACT (No. 8 of 1999) THE NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY ENVIRONMENTAL IMPACT ASSESSMENT STUDY REPORT FOR THE PROPOSED STANDARD GAUGE RAILWAY PROJECT FROM NAIROBI SOUTH RAILWAY STATION – NAIVASHA INDUSTRIAL PARK – ENOOSUPUKIA, NAROK COUNTY.

INVITATION OF PUBLIC COMMENTS

Dear Sir,

With reference to the above subject, Kenyans United Against Poaching Trust (KUAPO Trust) is pleased to submit its comments on the proposed routing of the standard gauge railway (SGR) with specific emphasis on the routing through Nairobi National Park and its environs. Please note that as such there is no opposition to the SGR as a project – indeed it will no doubt result in tremendous benefit to the country and the region. However, the main point of contention is its routing through the Nairobi National Park, which is a protected area and a national asset.

The citizens of Kenya pride themselves on having one of the most unique destinations, a capital city with a National Park, the one and only Nairobi National Park. Every year, millions of visitors flock to Kenya and the majority of them make a pit stop at the Nairobi National Park bringing in much needed tourism dollars into our economy. Schools from around the country send their students to Nairobi National Park. But today, the future of this Park is being called into question as infrastructure development is pressurizing from every corner – whether it be the Southern bypass or the Standard Gauge Railway. Already over 300 acres of the park have been taken due to these infrastructure projects and the only remaining open dispersal corridor is also now being threatened by SGR Phase 2A.

As was specifically pointed out in the “Report of the Task Force on Wildlife Security 2014” (pg 82 –

“Space for wildlife is increasingly diminishing due to land conversion, land subdivisions, loss of wildlife habitats.”

Furthermore, our Constitution, the Wildlife Conservation and Management Act and the National Spatial Plan 2015 - 2045, all explicitly state that any infrastructure construction within protected areas should not be allowed.

In this context, and the ever-increasing pressure on Nairobi National Park, we believe that no mitigation measures are enough for us to allow the SGR to be routed through the middle of Nairobi National Park (NNP) and its environs as per ESIA – 1296. Not only would this greatly impact the wildlife within NNP, the environment around Nairobi National Park, and the
communities that live with wildlife in the Tuala/Oloosirkon areas, it will also have serious repercussion on the brand image and reputation of Kenya as a wildlife destination and will have adverse effects on the economy of Kenya.

We would like to share that an alternative route (see appendix) exists that provides a win-win solution for the SGR and for the environment. As a conservation organization, we are not against the development of the SGR, what we are seeking is a landmark setting precedent not only for Kenya but also for the world on how development and environment can be balanced, how both can win – we firmly believe that the alternative route presented by the Save NNP Campaign coalition is the most viable and desirable option for all parties involved. We ask NEMA to adhere to the precautionary principle The project sets a precedent for other development projects that could encroach into the NNP, and other protected areas in the country, we must stop this now and achieve the landmark precedent of a win-win solution.

Moreover, we find that the ESIA submitted by Habitat Planners & Environmental Consultants on behalf of the Kenya Railway Corporate (KRC) inadequately addresses the negative environmental impact of heavy construction within a pristine area of the NNP, includes glaring omissions, and has a flawed cost comparison analysis with no value given to the protected area land or the broader ecosystem services the park provides. We also know from independent study of the stakeholders, the ESIA consultations excluded some of the key stakeholders during the process, which would render it null and void under the EMCA 1999 act. Furthermore, even the consultations that were held were briefings and not proper consultations. Individuals were not provided information beforehand or given time to digest it. Neither was it a forum to ask questions – they were simply lectured at as if the route was a done deal.

Last but not least, it is disheartening to note that the project proponents have shown little regard for NEMA and the EMCA by commencing Phase 2A without an EIA in place and a license from NEMA. The EIA is a decision-making tool and should guide whether a project should be implemented, abandoned or modified prior to implementation. SGR Phase 2A has already started – there is ongoing construction at the Ngong tunnels as we type this letter to you. We would also like to state that commencement of a project does not start at construction only; making agreements or decisions in relation to the project are also part of the project. We are saddened to say that Kenya Railways Corporation and CCCC have been working towards the chosen route as submitted in the ESIA in the absence of an approved ESIA. This begs the question whether the ESIA was a simple afterthought to justify actions already taken.

Again, we would like to stress that while we do agree that the need to upgrade our railway infrastructure is increasingly paramount, there are alternatives that do not require the route to pass through protected areas and their environs. There are options available that do not involve destroying Kenya’s heritage and pride. Accordingly, we strongly object to the route proposed for SGR Phase 2A through Nairobi National Park and respectfully request that NEMA reject ESIA-1296.

In the following section, we will outline our points of concern with specific reference to the ESIA and specifically the segment that passes through Nairobi National Park and its environs.
## Detailed Analysis of ESIA

<table>
<thead>
<tr>
<th>Section</th>
<th>Extract</th>
<th>Observation</th>
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<tbody>
<tr>
<td><strong>General</strong></td>
<td>Figure 1</td>
<td>Figure 1 is too schematic and too limited in its areal coverage as it does not show the routes further out beyond the park upto Ngong Hills (Ngong Tunnel) and on to Enosupukia. It is also difficult to distinguish tunnels and flyovers. It would be useful to see the various routes superimposed on a 1:50000 topo map to have a better idea of terrain, settlement, infrastructure, rivers, wetlands, etc, through which the routes will pass.</td>
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<td></td>
<td>Appendices Schedule 1 were not attached to the document that was downloaded from the NEMA website, and Appendices Schedule 2 were not available on the NEMA website. The TOC should list the contents of the appendices. Similarly there are very few references to the appendices in the text apart from data collection tools, list of existing stations, sample public notices, minutes and list of attendees for public meetings and national stakeholders meeting. It is therefore hoped that the appendices contain data collected on water quality, noise, flora/vegetation, fauna. It would be useful to see the TOR for the Study. These are usually provided as an appendix.</td>
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<tr>
<td><strong>ESIA Process</strong></td>
<td></td>
<td>Ground breaking of the tunnel at Ngong had commenced in June 2016. The ESIA was disclosed at the end of October 2016. This means the project construction commenced BEFORE the ESIA was approved and a licence issued. This is in contravention of EMCA.</td>
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<tr>
<td>Executive Summary Pg xxi</td>
<td>A separate participatory Resettlement Action Plan (RAP) will be developed and executed professionally before</td>
<td>The RAP and its implementation are mitigation measures for physical and economic displacement which are key social impacts resulting from the SGR.</td>
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<td>commencement of works to reduce conflicts and ensure project sustainability.</td>
<td>The ESIA must contain a summary of the RAP – at least for the purposes of providing a ballpark figure for in terms of the extent of physical and economic displacement that is likely to occur, and provisional costs for RAP implementation. Prior to construction, PAP eligibility and numbers must be verified again and compensation and resettlement done as soon as possible, in a prompt and fair manner. Construction should not begin before the RAP is complete. In addition, this ESIA report has not considered the environmental impacts of campsites, quarries and crushing plants, batching plants, borrow pits, slipper factories and other material sites that will be constructed later prior to commencement of the construction works. These will be subjected to a separate ESIA process after they have identified. Although the actual locations of quarries and borrow pits, crusher/batch plants, slipper factories, etc, may not be known at this time, it is still possible to assess the types of impacts and propose mitigation at a generic level, in order for the necessary actions to be included in the ESMP – this can be updated to include specific mitigation measures when the locations of these facilities is known.</td>
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<td>Pg xxiii 7</td>
<td>The TOR for the ESIA study should be attached in an annex. It is not clear whether the ESIA was commissioned only to assess the impacts of the track alignment alone (including route alternatives) or to assess impacts for track alignment as well as the various activities associated with the construction and operation of the railway line.</td>
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<tr>
<td>1.4.2</td>
<td>Screening and Scoping. Please provide details of when the scoping study and TOR were submitted and approved by NEMA.</td>
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<tr>
<td>1.4.8 Table 1-1</td>
<td>Methodology. A key aspect missing in the consultations under community resources is the impact on Nairobi National Park.</td>
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<tr>
<td>Project Description</td>
<td>Proposed Project. The projected implementation duration for the project include the initial stage up to 2025, the short-term up to 2030 and the long-term up to 2040. Earlier in the text it is mentioned that the Kampala-Malaba section will be completed by 2030. But it is not clear what the long term implementation involves up to 2040? What is the expected life of the project?</td>
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<td>2.1.2</td>
<td>As mentioned above, technical drawings would assist to have a better understanding of the layout and design. i) How many intermediate stations will handle passengers and which are these? j) It is not clear why there are no freight transport facilities in this section.</td>
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<td>2.1.4</td>
<td>Where in relation to the railway line is the Naivasha Industrial Park located? A diagram or map would be useful here.</td>
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<td>2.1.4.3 d)</td>
<td>Drainage: Please show how the design of drainage facilities take into account the effects of climate change – particularly intense unpredictable rainfall.</td>
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<td>2.1.5 b)</td>
<td>The discussion on advantages and disadvantages of each mode of operation has not been developed sufficiently for either case to allow for an informed comparison of each proposed option.</td>
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<td>2.1.6</td>
<td>States that The pass-through freight traffic volume dominates this line and the container transportation volume accounts for about 30% of the total freight volume and The line is dominated by the through-trains that depart from the port of Mombasa and pass through this line, and are supplemented by the district through-trains that depart from Nairobi South Station. This implies that the Syokimau line does not have a large traffic flow, and therefore, economically, there may be a case for relocating the ICT?</td>
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<tr>
<td>Pg 26, 2.4</td>
<td>The text mentions that In wildlife dispersal areas, the design will be modified to fit the requirements of Kenya Wildlife service (KWS) standards in order to allow the crossing of wild animals such as giraffes and buffalos. What</td>
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<td>Page</td>
<td>Question/Comment</td>
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<td>Pg 32, 2.11</td>
<td>Where will the sewage treatment facilities be located? The effluent treatment and waste oil facilities description should be more detailed with diagrams of treatment processes. Clearing of sewage from passenger cars needs careful attention. Railway operations result in a very large amount of waste oil and its disposal needs to be thoroughly addressed. In some countries there are dedicated facilities that have been set up to deal only with oil-contaminated soils and waste oil from railway operations.</td>
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<tr>
<td>Pg 32</td>
<td>a) Communication network, b) signal system c) TMIS – please describe the proposed back up in case these systems fail for any reason</td>
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<tr>
<td>Pg 34</td>
<td>f) Environmental quality design principles. The spoil yard shall be selected reasonably. What is “reasonably” in this context?</td>
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<tr>
<td>Pg 35, 2.13</td>
<td>Land Utilization. This section does not mention Nairobi National Park, or environmentally sensitive areas such as wetlands, areas prone to erosion. The section is also vague in regard to what the guideline for land utilization is.</td>
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<tr>
<td>Pg 35, 2.14</td>
<td>Sources of materials - water sources, gravel, aggregate, hardstone, sand, etc – need to be discussed in more detail to highlight potential adverse impacts even if specific ESIA's will be carried out at a later stage. In addition, at this stage at least potential sites for the establishment of camps, batching plants, slippers factory, should be discussed, together with their impacts. Explosives and their management needs to be very specific. There is a need for an explosives and blasting management plan.</td>
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<tr>
<td>3.5 SGR – II A and Nairobi</td>
<td>The SGR-IIA construction in the Nairobi section will inevitably</td>
<td>This sentence reveals the inherent bias in the ESIA. Please note that there are viable</td>
</tr>
<tr>
<td>National Park</td>
<td>cross over or pass along the edge of the world famous Nairobi National Park</td>
<td>alternatives which route the railway away from NNP and its environs. These have been presented to KRC. This entire section is therefore incomplete as it does not show the valid alternative options of re-routing the line from Athi River or Konza City to Naivasha/Narok.</td>
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<td>...the crossing of railway lines through conservation areas is common in other parts of the world. The world famous Tsavo National Park….</td>
<td>The comparison to Tsavo National Park is flawed for the following reasons: 1. Tsavo National Park is almost 200 times the size of Nairobi National Park. You cannot compare the impact on such a large ecosystem vs a pressurized on such as NNP 2. There is an implicit assumption that the railway passing through the park has had no adverse effects on wildlife. Please note that recently roadkills have increased on Mombasa highway specifically of elephants who have been confused by the large embankments of the SGR where corridors have not been mapped adequately. See examples in Appendix.</td>
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<tr>
<td>Table 3-1</td>
<td>Countries around with railway in national parks</td>
<td>This table shows benefits, which do not apply to NNP as the planned railway is not stopping at NNP, it is not at ground level, there are no stations so how will it bring visitors. Again there is no comparison of size, dispersal corridors etc, wildlife population density provided to perform an accurate like-to-like comparison</td>
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<tr>
<td>3.6 Analysis of the SGR – IIA Alternative Routes up to DK50</td>
<td>A total of 7 different route options were identified</td>
<td>Route options are incomplete as they do not include route alternative that do not infringe on the park. Furthermore while 7 alternatives are provided for the route through the park, there is inadequate detail provided for route onwards from NNP to Enoosupkia GPS coordinates are not provided of the route options. Only topographic profile is provided for</td>
</tr>
</tbody>
</table>
the chosen route, what about the other routes.

It is also unclear, how all the routes through the park do not have the same negative effects given the park is so small.

Detailed notes on Routes:
More detailed notes follow:
What was the basis for the various options proposed? If this is because of the location of Syokimau ICT, what were the reasons for locating the terminal here. Typically the life of a railway project is given as 50 years. In another 25 years, there will be a need for another line – and this will mean the construction of an additional superbridge through the NNP, if the current options are considered. Thereafter, additional tracks/superbridges will be constructed as the services increase. Thus over the next 50 years a considerable portion of the park will be taken by the SGR.

It is expected that in another 25 years Nairobi will have expanded to Makutano (the turn off to Machakos) – the physical plans show industrial, commercial and residential zoning along the road from Athi River to Machakos. Consequently one can expect rapid settlement in this area. If the ICT is located at Syokimau there will be a great amount of congestion along the road as a result of freight trucks taking containers back towards Machakos, as well as other commuter traffic (private vehicles, PSVs, trucks, etc).

Given that Nairobi is already expanding towards Athi River and further south, consideration should be given to relocate the ICT to Athi River or better still further south at Konza.

What would the cost of relocation of the ICT be?

Another consideration for alternatives should be that the proposed line to Syokimau becomes an extension of the line from Athi River to Syokimau (so that there
This line can be constructed as an overhead line above the existing line (or within the ROW). The train would then double back along this line to the junction at Athi River, and could continue along segments of Options 7, 6, 5 and 3 to the south of the park. The most feasible option at the moment appears to be having a junction at at Konza, so that one line – for passenger trains - goes on to Syokimau, while the freight trains offload at the Konza terminal, or continue through to Kisumu/Malaba. This option needs to be developed in detail in terms of its social, environmental and economic impacts.

What is the additional operating cost incurred if the trains were to go to Syokimau and come back to the junction at Konza before joining the through line to Malaba?

More discussion and provision on EIRR should be provided for each alternative. One of the weaknesses in the discussion on alternatives is that the reasons for following certain routes is not always clear. For example, why does Option 2 have to come into the park and loop up again. It would be easier to understand the differences and impacts if the various design features were presented in tabular form for each option, indicating, among others, total length of track, no. of tunnels, no. of bridges, no. of rivers crossed, length of embankment, number of T frame pillars, length of line within NNP, critical areas in NNP affected by line option, number of people to be relocated, number of plots affected, number of graveyards/burial sites affected, etc.

Land Valuation and involuntary resettlement: An estimate of the number of people to be affected by each of the alternatives should be provided. The comparison of impacts is not consistent – the description of issues for some options is more elaborate than for others, while others are so general that they
would apply to all options but to a varying extent. The report focuses on the route through the park. No assessment of alternatives for the rest of the route to Enoosupukia have been considered. The economic cost of the various options do not include environmental costs, so economic benefits cannot be properly compared.

### 3.8 Route Suitability Evaluation Criteria for Section DK00 – DK50

Route Option Analysis does not adequately cost in ecosystem services and total value of park land. It does not take into account the EXPLICIT cost to future generations of this project. It does not have a comparison to an alternative that runs outside of the park. Accordingly it is completely flawed and biased.

Furthermore, number of turnings is a key criteria for evaluation of routes. Please note this was the same reasons given for SGR Phase 1 to hive of in excess of 200 acres from the park. Please see appendix photo showing that the SGR is actually specifically turning into the park for SGR Phase 1. This shows that the criteria they are using is flawed.

Railway Forest Area crossings does not show the Olooloo forest which will be impacted by the chosen route.

### Table 3-6 Route Environmental Impact Analysis in NNP

It would be easier to understand the differences and impacts if the various design features were presented in tabular form for each option, indicating, among others, total length of track, no. of tunnels, no. of bridges, no. of rivers crossed, length of embankment, number of T frame pillars, length of line within NNP, critical areas in NNP affected by line option, number of people to be relocated, number of plots affected, number of graveyards/burial sites affected, etc.

Land Valuation and involuntary resettlement: An estimate of the number of people to be affected by each of the alternatives should be provided.
| Kenyans United Against Poaching – KUAPO Trust  
P.O. Box 2016 – 00621  
Nairobi, Kenya |
| --- |
| The comparison of impacts is not consistent – the description of issues for some options is more elaborate than for others, while others are so general that they would apply to all options but to a varying extent.  

For example: No justification is provided as to why there is zero loss of wildlife habitats in NNP for Option 4 or encroachment of wildlife dispersal and migratory routes outside NNP.  

It also does not provide information on the gorge crossing. |
| The baseline noise measurements were measured at the SGR route 4 entry into the NNP near the East Gate ….the results indicate that the wildlife in the national park are already used to the aircraft noise whose frequency is much higher compared to the expected frequency of train noise emission over the park.  

Please note that the flight noise has been reducing in the last 40 years due to modern planes. Based on information from experts and pilots, the noise figures given are incorrect. The report does not even give you the name or type of plane and frequency, nor does it take into account the pitch of the noise and its effect on animals. 90% of planes landing at JKIA are modern turbo which are silent, further more once the planes have turned around Ngong enroute to landing at JKIA they assume a glide path where engines are turned to no or minimal thrust.  

**Plane noise is strictly regulated but the cargo noise on train wagons can not be mitigated.** |
| The SGR will escalate the negative landuse change to the south of Nairobi if constructed through Route Option 7  

The SGR will escalate the negative land use change in Tuala/Oloosirkon if route option 4 is chosen as well. This argument is counter intuitive. Wherever there is infrastructure development, it will exacerbate the negative land use change. In fact this is worse for NNP because this the remaining dispersal corridor for wildlife and dry season grazing lands. |
| Population of lion has shown sharp decline  

This is totally incorrect as it is beginning to rejuvenate. In fact NNP has one of the highest densities of lions in the country. Please check the facts.  

This casts doubts on all the wildlife data |
that has been collected.

<table>
<thead>
<tr>
<th>Policies</th>
<th>Relevant Environmental Obligations</th>
<th>The ESIA process has not been comprehensive because:</th>
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<tr>
<td></td>
<td></td>
<td>1. It does not cover all alternative options</td>
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<td>2. It did not involve proper stakeholder consultations with all affected parties</td>
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<td>3. Inadequate mitigation planning – there is no detailed provision of mitigation measures mentioned for the community lands and dispersal areas of Tuala and Oloosirkon.</td>
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3. National Strategic Plans

This is missing the National spatial plan 2015-2045 which clearly states no infrastructure development in protected areas.

Also it is important to note: The development through the NNP is being done without a gazetted management plan. The last one expired in 2010.

The law, specifically Section 44 of the WCMA, says that no development can occur in the national park without a gazetted management plan. **Any development of the SGR through the park is in direct violation of this legal requirement.**

| Table 6-1 | Number of Participants in Public Consultation Meetings | Consultation meetings that occurred from 22-09-2016 to 12-10-2016 were in contempt of court order by National Environment Tribunal and should be totally discounted. Furthermore as stated above, these meetings were briefings not consultations. |

7. Environmental and Social Impacts

Livestock crossings, destabilization etc

We would like to note the following here:

1. There have been elephants killed on Mombasa Highway due to confusion caused by the SGR embankments built blocking their migration routes.
2. Residents of Emali have been cut off from water, livestock markets and even their families because of
These embankments
3. An embankment in Makueni area has already fallen in the short rains. (see appendix for photographs)

We are already seeing a lot of the negative impacts for SGR Phase 1 where supposedly all mitigation measures are in place. We are concerned that this will happen with phase 2, the ESIA does not provide any further measures to avoid these devastating impacts and needs to be redone to address the same.

Furthermore, The risks related to the operation phase of the project, in the context of the various development plans for the counties and Nairobi Metropolitan area, have not been considered. In particular vehicular (container trucks) congestion as a result of the operations at Syokimau ICT. Or how the trucking industry will react to the SGR.

### Section 8
**Mitigation Measures in NNP**

These mitigation measures should not be required as there is an alternative that does not involve going through NNP and its environs. Based on the hierarchy principle of EMCA, this option to AVOID the park has to be part of the alternatives discussion. Further, all mitigation measures require a baseline to be taken. It is our recommendation that at the very least these baselines should be taken by a non-biased outside party. These measures are also very vague and leave a lot of room for interpretation. For instance – there are many animals who are nocturnal and sleep during the day, how is it helpful for them to have construction activities only from 6am – 6pm. Also, pile driving activities will send seismic tremors through the ground upsetting the Elephants and Rhinos. How will this be handled if they start stampeding in the orphanage. No proposals for biodiversity offsetting have been made.
Train accidents – given the fact that the train is going to be 8 metres high and sometimes 41 metres high, it is hard to imagine that any derailment will not have major impact. Accordingly, this is too high a risk to take in a national park and should not be considered. There is no mitigation for this.

According to NEMA’s ESIA guidelines, the concept of *three simultaneities* requires supplementary facilities for pollution, environmental protection and public nuisances to be incorporated simultaneously with the design, construction and operation of a project. **In general this has been done, but for a project of this complexity more detail on the “how to mitigate” is required, rather than what should be done.**

The how is the most important aspect in ensuring mitigation is implemented.

**Landscape impact**: How will the contractor ensure that the SGR corridor will blend with the park environment? What are the “suitable strategies” proposed? How will it be ensured that train drivers will not use their full beams at night?

**Wildlife impacts**: workmen’s camps will not be allowed – the term “avoided” is not sufficiently definitive.

Who will pay for KWS personnel to be stationed on the site throughout construction?

What happens during operation if the train for some reason stops in the park and people get off here? Will the acoustic barriers also act as a wall to prevent people from accessing the park from the super-bridge.

**Waste Disposal**: how will these measures be ensured?

<p>| <strong>Section 8.2 Mitigation of construction related</strong> | This section does not adequately address the risks of building on the only free remaining dispersal area for the animals which is not fenced and built up. |</p>
<table>
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<tr>
<th>Impacts in other SGR route sections</th>
<th>Furthermore, Cumulative impacts – these need to be assessed in the context of county and Nairobi Metropolitan Area proposed development plans, as well as human settlement patterns, industrialization, Konza city, etc.</th>
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<td><strong>Conclusion</strong></td>
<td>This Project is feasible with a perspective of social economic evaluation, financial evaluation and environmental assessment, which has stable economic benefit and strong anti-risk capacity. This conclusion is not justified if the environmental costs and benefits have not been taken into account.</td>
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Based on the above detailed summary, we hope that NEMA finds it patently clear that the ESIA submitted by Habitat Planners has major flaws and should be deemed inadmissible. We hope that NEMA will uphold their role in ensuring that environmental considerations are given due respect in development and reject this ESIA and this proposal as that due respect has not been accorded.

Best regards,

Salisha Chandra
MD, KUAPO TRUST
APPENDIX SUPPORTING INFORMATION

Proposed Alternatives Delivered to Kenya Railways and other stakeholders

The land further south of Nairobi and Tsala has lower economic value than the priceless Nairobi National Park and the Emakasi-Olposoiri area. The density of human settlements is also much lower hence the SGR would have a lower impact on the wildlife and community.

A simple junction further South of Nairobi will enable cargo to head directly for Naivasha or Nairobi. The already constructed line to Nairobi and depot is still viable and there is no need for SGR to double back on itself as it is a two way track.
SGR Embankment fallen due to rain
Elephants killed on Mombasa Road after being confused by SGR Embankment

SGR Phase 1 showing how the rail curves into the park area when it was supposed to be minimizing turns.

SGR PHASE 1: CURVED IS THE “NEW” STRAIGHT!
Decision Making Principles and Issues with this ESIA

Key points are highlighted below:

**Using the Ecosystem Approach**

- The recommended SGR route goes through a valuable ecosystem which provides a number of ecosystem services: provisioning (wildlife habitats), regulation (grasslands and tree cover provide a carbon sink), and recreation (domestic and international tourism).
• The ESIA should also take into account the wildlife dispersal areas and wildlife corridors around the park.

**Considering Alternatives**

• Seven route alternatives through the park have been considered.
• However, alternatives for the rest of the route to Enoosupukia have not been discussed in sufficient detail.

**Using a Hierarchy to Mitigate Impacts**

• The mitigation hierarchy is to i) avoid, ii) minimize, iii) mitigate and iv) offset – in this case the first strategy in the mitigation hierarchy – ie to avoid - has been omitted. In other words, no options that completely avoid the park have been proposed.
• No proposals for biodiversity offsetting have been made.

**Applying Precautionary Principle**

• The project sets a precedent for other development projects that could encroach into the NNP, and other protected areas in the country.

**Ensuring Equitable Sharing**

• No doubt there are many national and regional benefits of having the railway. However, the cost of this investment to future generations also needs consideration.

**Risk Assessment Consideration**

• The risks related to the operation phase of the project, in the context of the various development plans for the counties and Nairobi Metropolitan area, have not been considered. In particular vehicular (container trucks) congestion as a result of the operations at Syokimau ICT.

**Adhering to “Three Simultaneities Concept”**

• This concept requires supplementary facilities for pollution, environmental protection and public nuisances to be incorporated simultaneously with the design, construction and operation of a project. In general this has been done, but for a project of this complexity more detail on the “how to mitigate” is required, rather than what should be done.
• In assessing the feasibility of the various route options, the economic analysis does not take environmental costs and benefits into account.