

# **THE COUNTY GOVERNMENT OF BUNGOMA**



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



## **BUNGOMA COUNTY WATER POLICY**

**JUNE, 2024**

## **FOREWORD**

Water is the source of life, and its availability and quality are fundamental to the growth and development of our communities. Bungoma County is blessed with abundant water resources, including rivers, lakes, and groundwater. However, despite these resources, many of our communities still face significant challenges in accessing clean and reliable water.

The Bungoma Water Policy has been developed through a comprehensive and inclusive consultation process, involving the participation of various stakeholders, including national government institutions, community representatives, civil society organizations, and technical experts. This collaborative effort ensures that the policy reflects the aspirations and needs of our diverse population.

This policy represents our commitment to address the water-related challenges faced by our county. It sets out a clear roadmap for enhancing water governance, improving water infrastructure, and promoting efficient water management practices. It focuses on key areas, such as water supply and sanitation, water conservation and catchment management, water quality monitoring, and the involvement of communities in water management decision-making processes.

By implementing the Bungoma County Water Policy, we aim to achieve several important outcomes. We envision a future where every household has access to clean and safe water, where agricultural productivity is enhanced through efficient water use, where our ecosystems are protected and preserved, and where water-related conflicts are minimized.

However, a policy document can only be successful if it is supported by collective action, commitment, and continuous review. It calls for collaboration among various stakeholders, including government agencies, non-governmental organizations, development partners, and our vibrant communities. Together, we can bring about positive change by implementing the strategies outlined in this policy.

I encourage all stakeholders to actively participate in the implementation of the Bungoma Water Policy, ensuring its success and making a tangible difference in the lives of our people. Let us work together to create a sustainable water future where no one is left behind, and where our water resources are protected for the benefit of present and future generations.

**Hon. KENNETH MAKELO LUSAKA**  
**H.E THE GOVERNOR**  
**COUNTY GOVERNMENT OF BUNGOMA**

## **PREFACE**

Water is a shared natural resource fundamental to life and in sustaining the environment and plays a central role in the social, cultural and economic development of Bungoma County. It touches all spheres of life including domestic, agriculture, food security, livestock, fisheries, wildlife, industry, mineral processing, hydropower production, transportation, forestry, recreation, sanitation, cultural and other socio-economic activities necessary for sustainable economic development.

The Bungoma County Water Policy aims to promote development and utilization of sustainable county water and sewerage infrastructure, protection and conservation of all water resources and ensure proper water governance.

This policy highlights priority areas in the water sector and incorporates interventions that will be employed by the County in order to achieve sustainable soil management practices. Priority areas highlighted are: inadequate utilization of water resource; inadequate water harvesting and storage infrastructure; inadequate water supply by water schemes; inadequate knowledge, skills, research and innovation in the water sector; inadequate legal and institutional framework; weak preparedness to water related disasters; and weak mainstreaming of water related emerging and cross- cutting issues.

The successful implementation of this policy will depend on the partnership between the County Government of Bungoma and all relevant stakeholders. I therefore call on all stakeholders to embrace the recommendations that are contained in this policy towards ensuring effective water management.

**HON. DR. ANDREW WAMALWA**  
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## **ACKNOWLEDGEMENT**

The development of the Bungoma County Water Policy 2024 was a collaborative effort that involved tireless efforts and participation by different stakeholders. I wish to acknowledge in a special way USAID through Western Kenya Water Project and their Consultants Dr. Abel Otieno and Amos Okello, for providing the financial and technical support in the development of the Bungoma County Water Policy, 2024.

First and foremost, I would like to thank the County Executive headed by H.E the Governor, County Government of Bungoma Hon. Kenneth Lusaka for providing leadership and political good will in the policy development process and ensuring this policy document is adopted by the County Executive Committee.

I wish to thank the County Executive Committee Member for the Department of Water, Environment, Tourism and Natural Resources – Eng. Herbert Wanjala Kibunguchi for his invaluable technical and logistical contribution and guidance in the preparation of this Policy.

Further, I wish to thank the Department of Water, Environment, Tourism and Natural Resources and specifically the Directorate of Water coordinated the process of developing this Bungoma County Water Policy 2024. I can also not fail to particularly recognize the Technical Working Group and the Secretariat for their immense contribution to the success of the process of developing this policy. The Technical Working Group was key in developing primary drafts that were the basis for stakeholder consultations and public participation.

I also wish to thank the County Assembly on playing its legislative role and ensuring that Bungoma County Water Policy 2024 is passed. Specifically, we extend our gratitude to the Sectoral Committee on Tourism, Environment, Water and Natural Resources for their input and support throughout the policy formulation process.

Finally, I wish to acknowledge the participants of the various workshops in the development of this policy. I am grateful for the contributions by all those who made the development of the Bungoma Water Policy 2024 possible. I believe that this Policy will play an important role in ensuring that all Bungoma residents have access to safe and reliable water supplies for many years to come.

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**COUNTY GOVERNMENT OF BUNGOMA**

## **ABBREVIATIONS AND ACRONYMS**

ADP	: Annual Development Plan
BETA	: Bottom-Up Economic Transformation Agenda
CECM	: County Executive Committee Member
CG	: County Government
CIDP	: County Integrated Development Plan
IWRM	: Integrated Water Resource Management
KFS	: Kenya Forest Service
LBDA	: Lake Basin Development Authority
LVNWWDA	: Lake Victoria North Water Works Development Agency
MOH	: Ministry of Health
NEMA	: National Environment Management Authority
NWMP	: National Water Master Plan
NZOWASCO	: Nzoia Water and Sewage Company
O&M	: Operations and Maintenance
PLWD	: Persons Living with Disability
SDGs	: Sustainable Development Goals
SDM	: Service Delivery Model
SEP	: Stakeholder Engagement Plan
TWC	: Technical Working Committee
UN	: United Nations
UNDP	: United Nations Development Program
UNICEF	: United Nations International Children Emergency Fund
USAID	: United States Agency for International Development
VMGs	: Vulnerable and Marginalized Groups
WASREB	: Water Services Regulatory Board
WHO	: World Health Organization
WKSP	: Western Kenya Water Project
WRA	: Water Resources Authority
WRUA	: Water Resource Users Association
WSP	: Water Service Provider
WSTF	: Water Sector Trust Fund
WUA	: Water Users Association

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## EXECUTIVE SUMMARY

The Constitution of Kenya 2010 recognizes the importance of water as a fundamental human right and a critical resource for sustainable development. It establishes principles and provisions that guide the management, conservation, and equitable use of water resources. Several provisions of the constitution reflect a commitment to ensuring that water resources are conserved, protected, and made accessible to all Kenyan citizens. This policy provides a plan for implementing water provision and maintaining water resources for efficient and effective water provision to the people of Bungoma County. Apart from the constitution of Kenya 2010, this policy draws from national and county legal frameworks and development blueprints as well as international best practices.

Bungoma County water demand as at the year 2020 was 58,220m<sup>3</sup>/day (WASREB 2022). 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%.

Despite the low coverage level, the County is home to Mt. Elgon, which is one of the five water towers in the country. Moreover, the County is also blessed with diverse natural and water resources that can be tapped on to enhance accessibility. The major natural resources include Mt. Elgon, several hills (Chetambe, Sang'alo and Kabuchai), rivers (Nzoia, Kuywa, Sosio, Kibisi and Sio-Malaba/Malakisi), waterfalls such as Nabuyole and Teremi.

The County Government of Bungoma has initiated various governance and management programs aimed at improving the water and sanitation coverage. These initiatives require legal and policy groundings, based on national policy and legal frameworks for effective and efficient implementation. The main goal of this Policy is to provide a framework for sustainable development, management and utilization of water resources, including promotion of water harvesting and storage, water resource management, water governance, and mitigation of climate change. The Bungoma Water Policy 2024 covers various policy issues including: inadequate utilization of water resource; inadequate water harvesting and storage infrastructure; inadequate water supply by water schemes; inadequate knowledge, skills, research and innovation in the water sector; inadequate legal and institutional framework; weak preparedness to water related disasters; and weak mainstreaming of water related emerging and cross-cutting issues.

The County Government will develop a participatory implementation plan for this policy which will be an important step towards ensuring actions outlined in the policy are addressed systematically and effectively. The Department of Water, Environment, Tourism & Natural



Resources will have the overall responsibility for the implementation of this policy. The successful implementation of this policy will depend on the partnership between the County Government of Bungoma and particularly the Department of Water with the various relevant stakeholders. These partners include, other County Government departments, key regional actors in the water sector, the national government and its institutions, development partners, non- state actors like International and local NGOs, and Private Sector among others.

For successful implementation of this policy, a MEL framework will be developed as an integral component to ensure the policy objectives are achieved in a cost effective, coordinated and harmonized approach. The MEL framework is expected to be consistent with the National Integrated Monitoring and Evaluation Systems (NIMES) There will be an Annual Review Report (ARR) on implementation of the policy. The policy will be reviewed when need arises to ensure its relevance.

# **CHAPTER ONE**

## **INTRODUCTION**

### **1.0. Introduction**

This chapter presents background information on the water sector from a global, national and county perspective. The chapter further gives policy background information where it explains how the national level policies and legal frameworks are domesticated at the county level. Finally, the chapter outlines a summary of the rationale for the policy and provides insights into the process of developing the policy.

### **1.1. Background on Water Sector**

Water is the most important natural resource and is indispensable for life. It is the backbone of growth and prosperity for mankind. Food production as well as most of societies' other socio-economic activities depend on availability of water. Furthermore, the efficiency of food production is currently measured on the basis of a unit increase in the volume of production per unit volume of water. Water has been a very important factor in settlement development where it usually serves as human settlement boundaries. 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 National Water Policy of 1999 and the Water Act 2002 triggered extensive reforms to Kenya's water sector, bringing it in line with international best practice. The objective of these reforms was to improve water resource management, meet the growing demand for water services, attract more professionals into the sector, attract greater investment, and create a modernized sector that is robust and more capable of responding to emerging challenges such as climate change and urbanization.

The Key features of the reforms included the following: Separation of policy from other functions; Separation of water resource management and water service provision; Separation of regulatory functions from investments and operations; Separation of asset holding from operations and increased user participation; Enhanced pro-poor orientation; Socially responsible commercialization in the provision of water supply and sanitation services; Conflict resolution which was conferred by the Water Act to the Water Tribunal.

The National Water Master Plan estimates that Bungoma County's surface water potential is 1,830,000m<sup>3</sup>/day while the county's groundwater potential is around 35,000m<sup>3</sup>/day. The potential surface water resources therefore constitute more than 98% of the County's water resources while the ground water sources constitute 2%. The Bungoma County water demand as at the year 2020

was at 58,220m<sup>3</sup>/day. This demand is expected to surpass 220,027m<sup>3</sup>/day by the year 2050. Irrigation demand is approximately 100,000m<sup>3</sup>/day while existing abstractions amount to 80,000m<sup>3</sup>/day. Aggregated water demand for the year 2050 is thus 400,000m<sup>3</sup>/day. Bungoma County therefore has adequate water resources within its borders to meet its 2050 water demand (Water Services Regulatory Board, 2022)

The County has seven urban water schemes and twenty rural schemes. Urban schemes are mainly piped and are operated by Lake Victoria North Water Services Board through the water service provider - Nzoia Water and Sanitation Company. Rural water schemes are operated by the County Water Department through its field water officers. The County also has water treatment plants at Kampong' in Kimilili, Webuye at Nabuyole falls and Matisi among others.

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%.

The County Government has implemented various projects aimed at increasing access to water and sanitation including construction of 5 Large water schemes, construction of 5 medium water projects across the county, construction of 181 small water projects, procurement of water drilling rig unit for sinking boreholes across the county in water stressed areas and 54% reduction in non-revenue water in the county's urban water scheme (Bungoma County Government, 2023).

Despite the adequacy of water resources in Bungoma County, the situational analysis of water supply and access in the County presents a grim picture. The urban schemes are managed by Nzoia Water Service Company (NZOWASCO) which is a joint utility company serving both Bungoma County and Trans Nzoia County (Nzoia Water Services Company Limited, 2020). Rural water schemes are operated by the County Water Department through its field water officers. The County is equally faced with inadequate supply and access to clean and safe water, challenges related to protection of water sources including riparian reserves, underground water abstraction, expansion and rehabilitation of existing water service facilities as well as underdeveloped water harvesting technologies.

## **1.2. Policy and Legal Framework**

The formulation of Bungoma County Water Policy 2023 is guided by the national, regional and international legal framework as well as development priorities as follows:

### **Constitution of Kenya 2010**

The Constitution of Kenya 2010 recognizes the importance of water as a fundamental human right and a critical resource for sustainable development.

- a) Water right: **Article 43** of the Constitution of Kenya enshrines the right to clean and safe water in Kenya. Every person has the right to accessible and adequate water in acceptable quantities for personal and domestic use.
- b) Catchment area: **Article 62** provides that all water catchment areas, rivers, lakes, and other water bodies as defined by an Act of parliament shall be held by the national government in trust for the people of Kenya. Article 62 (1)(g)(i): Provides for the categorization of water catchment areas and all rivers, lakes and other water bodies as public land.
- c) Water resources management: **Article 184** outlines the distribution of functions between the two levels of government. While the national government has the responsibility to regulate water resources management, the county governments are in charge of water and sanitation services.
- d) Equitable and sustainable use of natural resources: **Article 69** of the constitution requires the government to ensure sustainable exploitation, utilization, management, and conservation of the environment and natural resources, and ensure the equitable sharing of the accruing benefits. It provides for the establishment of systems for carrying out environmental impact assessment, environmental audit, and monitoring of the environment.
- e) Community ownership: The Constitution recognizes the rights of communities to manage their affairs and resources, including water resources. **Article 56:** Provides for the state to put in place affirmative action programs designed to ensure that minorities and marginalized groups have reasonable access to water, health services and infrastructure.

### **Kenya Vision 2030**

Water resources and their management play a crucial role in various aspects of this development agenda. Some of the ways in which the Bungoma water use and management are inter tandem with the Kenya Vision 2030 include:

Economic pillar: Within this pillar, water resources are vital for several sectors that drive economic growth, such as agriculture, manufacturing, energy, and tourism.

- a) Social pillar: The provision of improved access to water and sanitation services is aligned to the vision of universal access to clean water as part of the social pillar's objectives.
- b) Environmental sustainability: Proper management of water resources is critical for maintaining ecosystem health, conserving biodiversity, and ensuring long-term sustainability.
- c) Infrastructure development: Adequate water infrastructure, including water supply and sanitation systems, is necessary for economic and social development.

- d) Agricultural transformation: Efficient water use, through techniques like irrigation and water-saving technologies, is crucial for improving agricultural productivity and food security.
- e) Manufacturing and industrialization: The Vision's emphasis on industrialization requires water for manufacturing processes. In Bungoma county therefore, the proper water use and management is essential to avoid negative environmental impacts and water scarcity, while ensuring optimal use for manufacturing and industrialization.
- f) Inclusive growth: Ensuring equitable access to water resources, especially in marginalized areas, supports the Vision's goal of achieving inclusive economic growth and reducing inequalities.
- g) Climate change resilience: Climate change affects water availability and quality. The Vision incorporates strategies for enhancing climate resilience through improved water management practices.

### **Bottom-up Economic Transformation Agenda (BETA)**

The Bottom-Up Economic Transformation Agenda (BETA) aims at mainstreaming issues of water and sanitation, in ensuring that citizens have access to clean and adequate amounts of water at all Government programs and at both levels of Government. The strategic plan as guided by the Bottom-Up Economic Transformation Agenda is committed to shifting focus from large dams to household/community water projects, with emphasis on harvesting and recycling. Development of climate-smart agriculture technologies (micro irrigation, precision irrigation, hydro & aquaponic technologies).

### **Fourth Medium Term Plan (MTP IV) 2023-2027**

The Government through the Fourth Medium-Term Plan (2023-2027) has prioritized the implementation of economic recovery strategies to reposition the economy on a steady and sustainable growth trajectory. The Government focuses on water conservation and management, protection and conservation of wetlands, restoration and protection of water towers among others to ensure that the Fourth Medium Term Plan is achieved.

### **County Governments Act 2012**

Section 103 (b) indicates that county planning shall ensure and facilitate development of a well-balanced system of settlements and ensure productive use of scarce land, *water* and other resources for economic, social, ecological and other functions across a county. This requires adequate and comprehensive strategies for effective management of water resources to ensure equitable and adequate access to water supply.

### **Water Act, 2016**

The Water Act 2002 was amended in 2016 to provide adequate alignment of the water sector to the constitution by establishing various institutional and stakeholder responsibilities for

streamlining operations in water services and water resources. The Act established county WSPs to ring fence revenues; establishment of national regulator - WASREB for tariff approvals, licensing, setting standards etc.; cross-county bulk water services provision by WWDAs; establishment of WRA to regulate water use; and the transfer of WWDA waterworks to the Joint Authority. The Act effectively redefines the roles and responsibilities for the management, development and regulation of water resources and water services.

### **Environmental Management and Coordination (EMCA) (Amendment) Act 2015**

The Act was enacted to realign the former/ the parent Act with the provisions of the Constitution of Kenya 2010 on environmental management. **Section 71** provides for standards for measurement and determination of water quality for various uses. It also provides for guideline regulations for or the preservation of fishing areas, aquatic areas, water sources and reservoirs and other areas, where water may need special protection and control of water pollution.

**Section 124 (A)** provides for enactment of further legislation by parliament to provide further guidelines for exploitation of various natural resources including water resources. **Second Schedule** of the Act provides for adequate environmental assessment in water services and water resource related projects including water transportation, dams, rivers and water resources including abstraction of groundwater, geothermal energy, and wastewater treatment.

### **Physical and Land Use Planning Act 2019**

This Act provides for the guidelines for physical planning and land use including; the National Physical and Land Use Development Plan, Inter-County Physical and Land Use Development Plan, County Physical and Land Use Development Plan, Local Physical and Land Use Development Plan and Special Area Plan (GoK, Ministry of Lands and Physical Planning, 2019). The Act is complemented by the County Spatial Planning Guidelines developed by the Council of Governors and the Ministry of Lands in 2018 (GoK, Ministry of Lands and Physical Planning, 2018). The guidelines are embedded in the founding concepts of vision 2030 which includes the rehabilitation and expansion of water supply, development and expansion of water transport and water infrastructure and a multidisciplinary approach to water management.

### **Climate Change ACT 2016**

The main objective of the Act is to provide for a regulatory framework for enhanced response to climate change and to provide for mechanisms and measures to achieve low carbon climate development, and for connected purposes. Section 3(2) of the Act provides for its application in all sectors of the economy including the water and sanitation sector at both national and County Government levels in order to ensure mainstreaming of climate change responses, resilience and adaptation in all government development plans.

### **The Natural Resources Act, 2016**

Provides for Parliamentary ratification of transactions that give rights for exploitation of natural resources. This is meant to ensure conservation and appropriate use of natural resources in line with Article 71 of the Constitution of Kenya 2010.

### **The Forest Conservation and Management Act, No. 34 of 2016**

The Act of Parliament gives effect to Article 69 of the Constitution regarding forest resources. It provides for the development and sustainable management, including conservation and rational utilization, of all forest resources for conservation of water, soil, and biodiversity. It provides for the establishment of the Kenya Forest Service whose role is to manage water catchment areas in relation to soil and water conservation, carbon sequestration and other environmental services in collaboration with relevant stakeholders.

### **Public Health Act (Cap. 242), 1986**

The Act addresses matters of sanitation, hygiene, and general environmental health and safety. Part IX Section 8 & 9 of the Act states that no person/institution shall cause nuisance or condition liable to be injurious or dangerous to human health. Any noxious matter or wastewater flowing or discharged into a water source is deemed as a nuisance. Part XII Section 136 states that all collections of water, sewage, rubbish, refuse and other fluids which permit or facilitate the breeding or multiplication of pests shall be deemed nuisances.

### **National Water Policy, 2021**

The overall goal of the policy is to guide the achievement of sustainable management, development, and use of water resources in the country. The overall objective of the policy is to provide a framework that is dynamic, innovative, and effective for re-engineering the water sector. It was developed to address missing gaps in water resources management. The water policy proposes to mitigate the challenges and threats facing the water sector by ensuring that coordination and accelerated partnerships are mainstreamed in the management and provision of water resources. It also sets the goal of enhancing protection of watersheds and other catchment areas in the country.

### **National Water and Sanitation Strategy 2020 -2025**

This Strategy was developed by the Ministry of Water, Sanitation and Irrigation in 2021 to provide policy directions in the sectors for the period 2020 -2025 (GoK Ministry of Water, Sanitation and Irrigation, 2021). The main objective of the Strategy was to give effect for effective implementation of the Water Act 2016 with specific focus on Section 64(3) a-d. The strategy was developed to build on the provisions of the national water policy whose main objective was to guide the achievement of sustainable water management, development and use of water resources in Kenya.

### **National Water Master Plan (NWMP) 2030 (Established In 2014)**

The master plan is prepared in line with the National Water Policy, 2021 and Vision 2030, to provide a framework for managing water resources consistent with Kenya's socio-economic development activities. Its overall objectives are:

- a) To assess and evaluate the availability and vulnerability of the country's water resources up to around 2050 taking into consideration climate change,
- b) To formulate objectives for sustainable water resources development and management in Kenya's six catchment areas,
- c) To formulate an action plan for WRA's regional offices up to the year 2022 to strengthen their water resources management capability, and
- d) To strengthen the capacity of water resources development and management through transfer of technology.

### **WASREB Guidelines for Provision of Water and Sanitation in Rural and Underserved Areas in Kenya 2019**

These guidelines were developed by WASREB in 2019 to streamline water service provision in rural and underserved areas by; ensuring that water service standards are adhered to in terms of quality, cost and customer service in order to to guarantee health and safety of consumers, regularizing rural water service in order to streamline, professionalize and formalize operations, updating the databank in WASREB as part of monitoring the progressive realization of the right to water, and Enabling the county governments to operationalize section 94 of the water act 2016 that requires the devolved governments to focus on areas that are not commercially viable under the guiding principle of leaving no one behind (Water Services Regulatory Board, 2019).

### **Bungoma County Integrated Development Plan (CIDP) 2023-2027**

According to the Bungoma County Integrated Development Plan 2023-2027, the County water resources are predominantly rivers and underground water sources. Water harvesting is gradually being scaled up through efforts of development partners.

## **1.3. Rationale for the Development of the Policy**

The Constitution of Kenya 2010 heralded significant changes to governance structures, bestowing counties with specified mandates, which included, among others, water and sanitation services, storm water drainage, soil and water conservation and the responsibility to ensure public participation in public affairs (Government of Kenya, 2010). Whereas the Constitution of Kenya provides for a broader framework for the devolution of water and sanitation services, and the National Water Act 2016 further provides for some robust structural adjustments with regards institutional arrangements and functions on water services and water resource management, there



are still hurdles with regards to operationalization of the devolved water functions and coordination of roles and activities of various stakeholders at the County level.

One of the greatest challenges is lack of coordination of activities by various stakeholders operating on water services and water resources at the County level (USAID-Kenya and East Africa -WKWP , 2023). Although there are a lot of laudable efforts by various stakeholders, lack of a local county-level policy framework for effective coordination hampers realization of the global and national objectives of access to clean and safe water as provided for in the Constitution. This policy seeks to present a local-level opportunity for streamlining of functions, activities and roles of various stakeholders for effective realization of national and global goals on water services and water resources within Bungoma County.

There is inadequate legal and policy framework to support water services and water resource operations in Bungoma County. The inadequacy presents challenges in effective water governance, management of urban and rural water schemes, stakeholder coordination and funding of water related functions. Despite the aforementioned challenges, the County has not developed a Water Sector Policy and has been relying on the national legislations in order to guide the sector. The County has also continually implemented various water services and resources related projects through her successive County Integrated Development Plans (CIDPs). The national policies and legislations do not sufficiently address Bungoma County Water sector requirements and provide a framework for addressing county specific challenges and interventions. Further, some of the related policies the County has formulated since the advent of devolution include; Bungoma County Natural Resources Policy, 2020(draft), Bungoma County Drilling Rig-Policy-2020 (draft), and Bungoma County Environment Policy 2020 (draft). The said policies are however commodity specific resulting in failure to achieve water sector targets.

#### **1.4. Policy Development Process**

The process of formulation of the Bungoma County Water Policy, 2024 commenced with the constitution of a technical working committee under the guidance and leadership of the Directorate of Water and Natural Resources. USAID-Kenya through their Western Kenya Water Project implemented by DAI International, provided financial and technical support hence fast-tracking the policy formulation process.

The process involved comprehensive stakeholder engagement and data collections. The stakeholders involved included; County Government Departments; National Government agencies; water users and Water Resources Users Associations and institutions; and Civil Society Organizations within Bungoma County. The draft policy was later subjected to public participation where the input from the public was incorporated. The draft policy was then presented to the cabinet for approval and subsequent transmission to the County Assembly for input and approval.

## **CHAPTER TWO:**

### **POLICY FRAMEWORK**

#### **2.1 Introduction**

This chapter covers the vision, mission, goals, objectives and guiding principles that govern the policy.

#### **2.2 Vision**

A County with a well developed and managed water system for all.

#### **2.3 Mission**

To promote development and utilization of sustainable county water and sewerage infrastructure, protection and conservation of all water resources and ensure proper water governance.

#### **2.4 Policy Objectives**

##### **2.4.1 Broad Objective**

To provide a framework for sustainable development, management and utilization of water resources, including promotion of water harvesting and storage, water resource management, water governance and creation of climate resilience and adaptive capacity to climate change among communities.

##### **2.4.2 Specific Objectives**

The specific objectives of the policy are:

1. To promote an integrated approach to the management of water resources by ensuring measures are put in place for water quality management, catchment protection and conservation, exploration, and application of appropriate technology, monitoring and information systems.
2. To promote development and expansion of water harvesting and storage infrastructure for industrial domestic, irrigation, and other uses.
3. To provide adequate, affordable, and sustainable safe water supply services promote sanitation and hygiene education alongside water supply both in urban and rural areas.
4. To promote partnership and collaboration with relevant institutions to enhance education, training, and research in the county's water sector.

5. To build a strong framework to guide countywide investment planning, entrench sustainable resource mobilization, and promote effective and efficient financing in delivering the water sector mandate.
6. To promote functional and sustainable water sector governance and institutional framework through development and enforcement of the relevant regulations.
7. To establish systems and models that ensure effective and efficient pre and post water related disaster management.
8. To promote creation of community resilience and adaptive capacity in water resource use and management.
9. To mainstream emerging and cross-cutting issues such as gender, conflicts, HIV/AIDS, youth, children and PWDs to ensure that the water sector framework is sensitive and responsive to issues threatening their rights to clean and safe water.

## 2.5. Guiding Principles

This implementation of this Policy shall be guided by the following principles;

1. **Integrated planning and management:** Planning of the water sector in the County will promote integrated planning and management across all key sectors, taking into account interests of competing groups, sectors, and the needs of the environment;
2. **Institutional collaboration:** The County Government will work in a consultative and collaborative manner with all stakeholders in the water sector;
3. **Ring fencing:** Revenues generated from charges, fees, and tariffs on water shall be used for water activities only;
4. **Sustainability:** Bungoma County Water Policy considers water to be a finite resource which must be used efficiently, taking into account the needs of current generation without compromising the ability of future generations;
5. **Efficiency and value for money:** Every effort will be made in the development, management, governance and implementation of projects to ensure value for money;
6. **Professionalization of the water sector:** The County will implement various measures to ensure that the sector, in particular community water service providers serving rural and underserved areas are operated and managed in a professional manner, and adopt service delivery models as prescribed by the regulator;
7. **Benefits sharing in trans-boundary water resources utilization:** The county government will collaborate and partner with neighboring counties and communities in the management of trans-boundary water resources through the application of the existing and new laws. This entails the adoption of responsive trans-boundary water management governance systems while ensuring benefits sharing including inter-basin transfer of bulk water as a strategic intervention for optimal resource use.

8. **Consumer protection:** The sector will implement measures that shall ensure water is available, accessible, affordable, reliable, sustainable, and in the right quality, quantity, and the right time while being mindful of marginalized and vulnerable groups.
9. **Equity and inclusivity:** Water resources shall be allocated according to need, value to economy, and efficient usage, mindful of marginalized and vulnerable groups.
10. **Polluter pay principle:** Any entity whose activities affect the quality of a water resource should bear the cost of restoration, compensation, and abatement to manage water pollution.
11. **Public participation and stakeholder consultation:** Measures will be put in place to ensure that those affected positively or negatively by any water activities are involved in the decision-making processes; and
12. **Consumer users pay principle:** The County will sensitize all consumers to pay for all water related services.

## **CHAPTER THREE**

### **POLICY ISSUES AND INTERVENTION AREAS**

#### **3.0 Introduction**

This chapter highlights priority areas in the water sector and incorporates interventions that will be employed by the County in order to achieve sustainable development, management and utilization of water in Bungoma County.

#### **3.1 Policy Issues and Strategic Policy Interventions**

##### **Policy Issue 1: Underutilized Water Resources**

Bungoma County is home to Mt. Elgon, which is one of the five water towers in the country. Moreover, the County has diverse natural and water resources including River Nzoia, River Malakisi, River Nzoia, River Kibisi, River Kibingei, River Sosio, River Kuywa, River Lwakhakha, Chetambe Hills, Wekelekha Hills, Siboti Hills, Luucho Hills, Kibichori Hills, Nalondo Hills and Sang'alo Hills. The National Water Master Plan estimates that Bungoma County's surface water potential is 1,830,000m<sup>3</sup>/day while the county's groundwater potential is around 35,000m<sup>3</sup>/day. The potential surface water resources therefore constitute more than 98% of the County's water resources while the ground water sources constitute 2%. The 2050 water demand is approximately 220,000m<sup>3</sup>/day. Irrigation demand is approximately 100,000m<sup>3</sup>/day while existing abstractions amount to 80,000m<sup>3</sup>/day. Aggregated water demand for the year 2050 is thus 400,000m<sup>3</sup>/day. There is however inadequate utilization of water resources to meet the water demand.

Mt Elgon is one of the major water towers in Kenya and the major source of rivers in Bungoma county and the Western region. There has been increased inhibition by the community as grazing field and increased farming activities thus affecting the water flow in the region. Additionally, with increased population, communities bordering water sources and waterways have utilized the land for agricultural activities and construction leading to destruction of water catchment areas.

The Fourth Schedule of the Constitution of Kenya, 2010 provides for water as function of the County Government. However, there are conflicting roles within the agencies, Water resources Authority, Water Works Development Agencies, Departmental sections both in national government and county government concerning water resource management issues. This conflict of roles has led to neglecting of catchment conservation.

##### **Policy Interventions**

To fully tap into the potential of the existing water resources, the County Government of Bungoma in collaboration with stakeholders shall;

1. Support mapping of water services and water resources.

2. Support the protection and conservation of Catchment and Riparian areas.
3. Promote establishment of multi-agency coordination of conservation and protection of water resources.
4. Support Reclamation of encroached riparian land for conservation and management of water resources.

### **Policy Issue 2: Inadequate Infrastructure in the Water Sector**

The County Government of Bungoma invests in water harvesting, storage, treatment and distribution through the construction of mega and micro dams, water pans, reservoir tanks and liners and promotion of roof catchment at the household level across the County. Underground water reserves require a buffer of 100 meters each in the whole County yet the County has only 82 small dams that require rehabilitation.

Due to the impact occasioned by the changing climate, there exists unpredictable weather patterns hence small scale harvesting of water done within the County is not enough for the prolonged unpredicted dry seasons experienced. There is huge potential for run-off water harvesting along rivers, roads, and roofs for domestic use and irrigation. The County has not explored this potential partly due to uncoordinated investment, inadequate financial resources, inappropriate technology, and a weak institutional framework. Most institutions within the County rely on electricity for pumping water. Currently the cost of electricity is high and additionally the supply is unreliable as a result power fluctuation.

The existing infrastructures are dilapidated, mostly point sources and too many. They were done without proper planning of the future demands, there is more water that is being wasted during the rainy season. The average distance to access clean water is 4-5km for homesteads. Schools have single point sources leading to more time used to access water. The limited storage at homestead and institutional level has increased walking distance in search of water. The communities and institutions have to spend more on purchase of water for domestic use.

### **Policy Interventions**

The County Government shall;

1. Promote use of renewable energy in water services provision, conservation, harvesting and protection efforts.
2. Implement major water infrastructure developments to tap into existing water resources.
3. Promote roof water harvesting and storage at homestead level, learning and health institutions and FBOs and business premises.
4. Promote mainstreaming of climate mitigation and adaptation in the water sector.

### **Policy Issue 3: Inadequate Water Supply by Water Schemes**

Bungoma County has seven urban water schemes. The urban water schemes collectively produce approximately 20,550m<sup>3</sup>/day. The urban water schemes are managed by Nzoia Water and Sewerage Company (NZOWASCO) which has been managed jointly by both County Governments of Bungoma and Trans Nzoia. According to the USAID WKWP Baseline Assessment for Rural Water Services, 2023, Bungoma County has more than 50 rural service providers with most being dominant in Tongaren, Kimilili, and Mt Elgon. Most rural schemes have more than 50% household connections dormant.

Rural water schemes rely on surface water sources, and few boreholes. Apart from low coverage, rural water supply also faces inadequate water supply which is exacerbated by population growth and inadequate infrastructure. As a result, many residents in rural areas struggle to access a reliable and continuous water supply. Urban water supply on the other hand faces challenges such as poor quality of water, limited access to sanitation facilities and inadequate effluent management.

Climate change has contributed to reduced water levels in water sources leading to interruption of water related services. Levels of Non-Revenue Water (NRW) remain high at more than 60%, and this affects the pricing of water, quality of service, and commercial viability of water service utilities. NRW is attributed mostly to leakages (68.2%), vandalism (50%), water theft (50%) and unmetered utility consumption (36.4%). Equally, governance challenges negatively affect the business of the water company. Both Rural and Urban service providers face leadership challenges and wrangles in service provision.

### **Policy Interventions**

The County Government of Bungoma Shall:

1. Develop and implement a comprehensive water management plan.
2. Strengthen water governance.
3. Develop a sector-wide financing strategy to ensure mobilization of adequate financial resources to meet RWSS.
4. Support declustering process of Nzoia Water and Sewerage Company (NZOWASCO).
5. Promote mainstreaming of climate mitigation and adaptation in the water sector.

### **Policy Issue 4: Inadequate Knowledge, Skills, Research and Innovation in the Water Sector**

Tooling Human Resource for water services and water resources for efficient management and development of water resources, adequate human resources, skills and knowledge are required. The capacity for efficient and effective planning, development, and management of the water sector is still limited in the County. This has been attributed to inadequate investments in training and research, limited financial allocations, and inadequate coordination with other sectors. The rural service providers are mainly composed of inexperienced and untrained water management committees. The county is being served by NZOWASCO and unregistered water users associations. The unregistered water users associations contain a skill gap.

## **Policy Interventions;**

The County government shall:

1. Support capacity development plan for manpower in water services and water resource management.
2. Support collaboration with partners in capacity development of staff for water services and water resources management.
3. Promote provision of water related courses in the Technical Training Institutes (TTI) and Vocational Training Centres (VTC).
4. Support rural water service providers in training to enhance proper service provision.

## **Policy Issue 5: Inadequate Financing in the Water Sector**

The County government receives allocation to the department from; County Assembly appropriation; conditional allocations from the share of the national government; own source revenues; borrowing provided national government guarantee is obtained as well as the approval of the County Assembly; and grants and donations from development partners. These funds are inadequate to meet the County's water needs since investment in the sector is capital intensive.

## **Policy Interventions**

The County government shall:

1. Develop and facilitate an incentive framework to promote PPP investments in funding for Water Services and Water Resources.
2. Advocate for increased budgetary allocation towards financing investment in water resources.
3. Provide incentives to the private sector to support investment in the water sector.
4. Strengthen the capacity of sector actors on financial management and governance.
5. Support the development of alternative security models in water sector financing.

## **Policy Issue 6: Inadequate Legal and Institutional Framework Governing the Water Sector**

The institutional framework governing the water sector in Bungoma County draws its structure and mandate from the COK 2010 and national legislation, which identify water as a shared function between both the national and county governments. There lacks a County legislation that regulates the water sector yet the existing national legislation do not adequately address the County specific needs.

Kenya has put in place intergovernmental basin committees under WRA to manage water resources at the basin level. Bungoma County falls under Lake Victoria North Water Works Development Agency and is managed by NZOWASCO which is a shared entity by the County governments of Bungoma and Trans Nzoia. However, there are conflicting roles within the



agencies, Water resources Authority, Water Works Development Agencies, Departmental sections both in national government and county government concerning water resource management issues.

Conflict and disputes have arisen in the past relating to management and use of water resources particularly between persons engaging in upstream activities that affect access to water for those downstream. Additionally, conflicts arise relating to community and household water services. The county lacks elaborate dispute and conflict resolution mechanisms for addressing water sector conflicts. Communities are not sensitized on alternative dispute resolution methods.

### **Policy Interventions**

1. Develop, review and enforce legal and regulatory framework in water sector
2. Strengthen institutional and coordination framework.
3. Support coordination mechanisms for policy implementation within the sector.
4. Strengthen institutional governance in all water sector institutions.
5. Develop conflict resolution measures and encourage alternative dispute resolution mechanisms for the water sector.

### **Policy Issue 7: Weak Preparedness to Water Related Disasters**

The Mt. Elgon catchment area of Bungoma County is prone to landslides, while other areas along the rivers also experience occasional flooding while drought also occasionally hits the lowlands. The landslides are due to the topography of the area particularly in the areas of mt. Elgon. Flooding is largely due to poor drainage in towns and market centers. Frequent droughts can lead to acute food shortages, while floods and landslides can result in loss of life, livelihoods and widespread environmental degradation.

The County Government has a Disaster Management Committee which is mandated to coordinate disaster risk management. The Committee's coordination is weak and the operation structure requires an emergency to occur before any response is taken by the Committee. The County has developed climate change related frameworks however, there is still inadequate guiding framework related to water services and water resources with regards to disaster management in Bungoma County. The county depends on local leadership and both printed and unprinted media for emergency of disasters.

### **Policy Interventions**

The County Government of Bungoma shall:

1. Establish and strengthen existing systems and disaster related information centers.
2. Establish, develop and maintain community early warning systems and disaster preparedness plans.

3. Develop frameworks for water related disaster management and mitigation.

### **Policy Issue 8: Weak Mainstreaming of Emerging and Cross-Cutting Issues**

The County embraces the principle of affirmative action. In the water sector this is to be achieved by ensuring provision of water for domestic, livestock, and irrigation based on geographical location, rural-urban, area of settlement (formal and / or informal), gender, age, and disabilities among others.

#### **Gender, Youth, Children and Persons with Disabilities (PWDs)**

Women face different constraints, interests, opportunities, and challenges associated with water. The women of Bungoma County make a significant contribution and are responsible for most of the agricultural and domestic work. They do however have limited access to safe drinking water and basic sanitation. Additionally, there is still low participation of women in decision making and resource allocation in the water sector.

Most youth reside in urban and peri-urban centers. This has left the management of the rural water projects and conservation of environment to the aged population. Consequently, rural areas are deprived of professional (i.e. marketing, ICT), modern technological skills and an active work force to operate and maintain the water supply systems efficiently.

Children suffer most, especially when they are required to fetch water from long distances for domestic use. Similarly, because of use of unclean water children in school are prone to waterborne diseases especially during period of water shortages.

People with disabilities especially in the rural areas undergo difficulties to access water services. This causes further suffering and marginalization leading to isolation and extreme poverty.

#### **HIV/AIDS**

Access to water supply and sanitation facilities is particularly important for people living with HIV/AIDS and for the provision of home-based care to AIDS patients. Improved access increases the dignity of both patients and caregivers and reduces the burden of care felt when needing to fetch water from longer distances or when facilities breakdown.

Water is needed for bathing patients, washing bed linen and clothes, taking medicines, and preparation of safe formula for babies. It is needed to keep the house environment and latrines clean in order to reduce the risk of opportunistic infections such as diarrhea and skin diseases that commonly affect people with AIDS. Hygiene education is particularly important in order to encourage hygienic behavior and ensure safe storage and handling of water within the household.

HIV/AIDS not only affect the ability to pay for water and sanitation services but also the ability to participate and influence water supply decisions due to marginalization, discrimination, and stigmatization.

## **Climate change**

In Bungoma County, the ecosystem has been adversely affected by climate change and environmental degradation leading to a decline in quality and quantity of water. Extreme climatic events such as droughts and floods have become more frequent and intense leading to loss of lives, destruction of properties, and disruption of economic activities. Destruction of water catchments has elevated the issue of water scarcity and decreased water levels in aquifers. Despite the county having developed a Climate Change Action Plan its implementation remains a challenge.

## **Policy Interventions**

The County Government of Bungoma shall:

1. Partner with the relevant stakeholders in mainstreaming, gender, people with disability, HIV/AIDS awareness, youth and children issues in the water sector
2. Support participation of all marginalized members in the community in the water sector..
3. Support climate early warning system to enhance preparedness in managing climate variability and weather extremes.
4. Support the implementation of the Bungoma County Climate Change Action Plan 2023-2027.

## **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. Policy Implementation Framework**

The Bungoma County Water Policy shall be implemented through various tools and instruments including; a subsequent Bungoma County Water Act, regulations, matrices, guidelines, standard operating procedures and dissemination, monitoring and evaluation tools. The Policy shall be implemented through an integrated and concerted approach by all stakeholders in a consultative and participatory environment. The County Department in charge of water services and water resources shall spearhead the implementation process through coordinated stakeholder efforts. The inter-agency and interdepartmental committee established by this policy (and its attendant County Water Act), shall also work hand in hand with the department in fostering consultative-ness in decision making on various aspects of the implementation cycle of the policy. This implementation framework consists of an implementation matrix (see Appendix 01), responsibilities of specific stakeholders (appendix 02), timelines and the legislative tools (appendix 03) required for effective implementation of the policy.

### **4.1.1. Enactment of Implementing Laws and Regulations**

- a) The County Department of Water, in consultation with the Office of the County Attorney shall develop a subsequent Bungoma County Water Act to spearhead the implementation of this Policy.
- b) Upon the enactment of the Bungoma County Water Act as indicated in (a) above, the County Department of Water shall map out and formulate all implementing regulations required for effective implementation of the County Water Act and the County Water Policy.
- c) The County Department of Water shall map out and formulate all requisite operating tools, standard operating procedures emanating from this policy for its effective implementation

### **4.1.2. Policy Dissemination**

- a) The County Department of Water shall spearhead consultative and participatory dissemination of the County Water Policy.
- b) The dissemination process shall be undertaken in collaboration with county communications and public participation department, inter-departmental water sector working departments, the County Assembly and all water sector stakeholders shall and non-state actors working in the water sector
- c) The national government agencies in the water and environment sector shall be adequately involved and consulted in the dissemination of the Water Policy

- d) The Community water sector organizations and the general public and water users shall be involved in policy dissemination

## 4.2. 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.

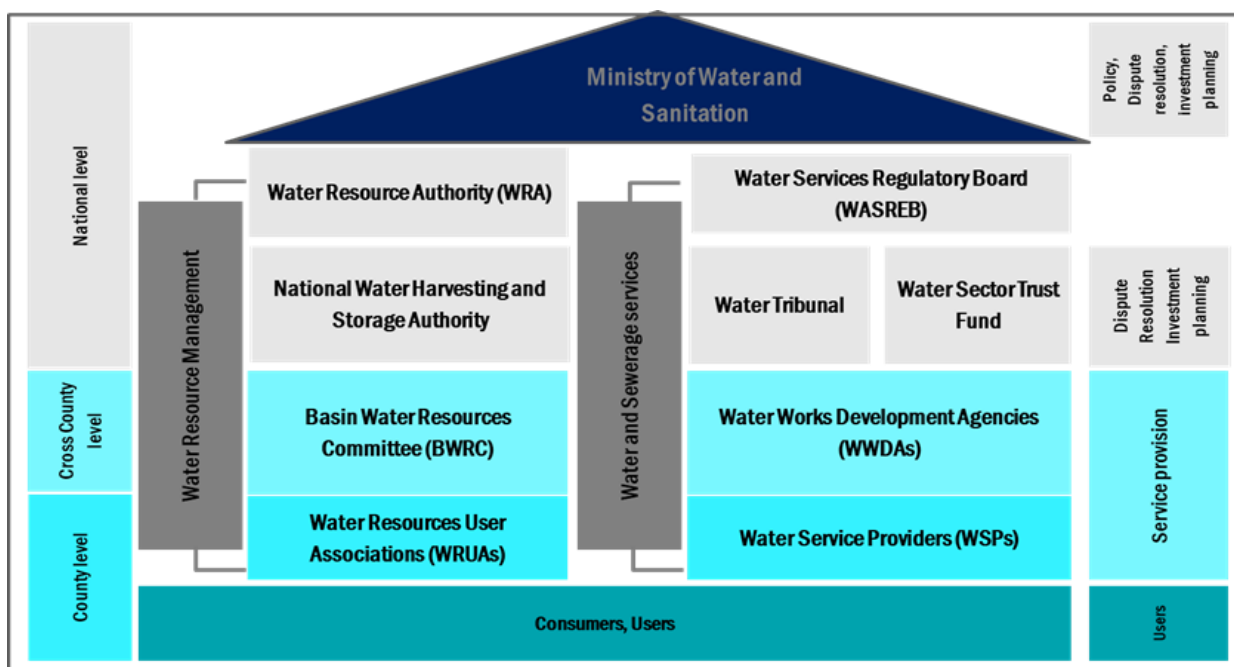


Figure 1: Illustration of institutional arrangements on water management and regulation as provided for in Water Act 2016

From the analysis depicted in the figure above, the Water Act 2016 establishes three leveled institutions based at the national level, cross county level and at the county level. The main provisions of the Act include; provisions on ownership, use and management water resources, regulation of the management and use of water resources, water services and dispute resolution mechanism in matters water disputes.

### 4.2.1. 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 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 environmental matters.

**d) County Assembly of Bungoma**

The County Assembly is mandated with oversight of the water and sanitation activities, plans and operations; consideration and approval of budget on water services and water resources; enactment and review of laws on water sector; and reviews and approvals of policies and regulations on water services and water resources.

**e) Water Services Providers**

NZOWASCO A county owned water company whose main mandate is water and sewerage services provision. In addition, we have rural water service providers who manage rural water schemes.

**f) County climate change unit.**

Key mandate is to coordinate county climate finance and locally led climate actions in the county.

**4.2.2. Cross- County Level Actors:**

**a) 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.

**b) 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.

**c) Lake Victoria North Water Works Development Agency**

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

### **4.2.3. 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:

#### **a) National Environment Management Authority (NEMA)**

NEMA is the national regulatory agency coordinating with the decentralized entities. NEMA issue licenses for water and sewerage infrastructure development.

#### **b) 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.

#### **c) Water Services Regulatory Board**

Main mandate is to regulate water services in the country.

#### **d) Water Sector Trust Fund**

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

#### **e) Kenya Forestry Research Institute (KEFRI)**

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.

#### **f) Kenya Forest Services (KFS)**

Key mandate is conservation of the countries forest cover.

#### **g) Kenya Wildlife Services (KWS)**

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

#### **h) Ministry of Environment and Forestry**

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

**i) Ministry of Water and Irrigation**

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

**j) Universities and Research Institutions**

KEWI offers capacity development and training.

**4.2.4 Non-State Actors**

**a.) NGOs in the Water Sector**

NGOs in the water, natural resources and forestry space. Assist in resources mobilization and capacity development in water services.

**b.) WUAs, WRUAs**

Main mandate on protection of catchment areas and capacity building.

**CHAPTER FIVE**  
**POLICY MONITORING AND EVALUATION**



## **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**

Decisions in water resources management as with other planning and governance systems depend on timely, accurate and reliable data. National monitoring systems on water resources that provides for the collection of appropriate data and information necessary to assess the quality and quantity of water in the various water sources, the use of water resources as well as the state of the aquatic environment is an essential part of water resources planning, water infrastructure development as well as for socio-economic decision-making.

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 will be integrated into the County Result Based Monitoring and Evaluation Framework for coordinated implementation and linking to the County Action Plan. The implementation of the policy will comply with the national laws and regulations governing monitoring and evaluation at all times. To effectively ensure that this happens, there shall be an integrated monitoring and evaluation system on water resource management in the county.

For successful implementation of this policy, a MEL framework will be developed as an integral component to ensure the policy objectives are achieved in a cost effective, coordinated and harmonized approach. The County will develop a MEL framework within six months of the policy implementation. The MEL framework is expected to be consistent with the County Integrated Monitoring and Evaluation Systems (CIMES) and have clear terms of reference for relevant stakeholders in data collection, standardization, storage and sharing at all levels using standard format.

## 5.2. 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. 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 the county executive committee for consideration and decision-making. The department responsible for water services provision shall disseminate policy evaluation reports to all key stakeholders.

## 5.3. Policy Review

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 be an 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 outcomes have been met in each year. The policy review report shall be submitted to the county executive committee for consideration and decision-making.

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. The review shall follow the step listed below;

1. Identification of the need to review the policy.
2. Submission of a Policy Action Form to the department of water
3. Review of the policy in consultation with the stakeholders and subject matter experts, and develop a draft update.
4. Submission of the draft for review and comment, as required, by the cabinet Sub-committee on policies
5. Submission of the reviewed Policy and Cabinet memorandum to the Cabinet.
6. Once the Policy has been approved, it will be submitted to the County Assembly for approval.
7. Policy publication, dissemination and implementation.

## Appendix 01: Bungoma County Water Policy Implementation Matrix

### WATER RESOURCES MANAGEMENT

<b>Policy Measures</b>	<b>Actions</b>	<b>Coordinator</b>	<b>Timeline</b>
<b>Formulation of policy implementing tools</b>	Drafting of Bungoma County Water Act	CECM Water	June 2024
	Consideration and Approval of Bungoma County Water Act	County Assembly Water Committee	Dec 2024
	Bungoma County Water Act (Regulations)	CECM Water	Jan 2025
<b>Map and establish a water resource data base to guide water resource infrastructure planning and development</b>	Hold a stakeholder forum and discuss the modalities.	CECM Water	2023 - 2024
	Develop a TOR for the mapping.	CECM Water	March 2024
	Conduct mapping by geo-referencing water resources and generate report and database	CECM Water	June 2024
	Validation meeting with stakeholders	CECM Water	June 2024
	Disseminate the report to the stakeholders for implementation	CECM Water	July 2024
	Develop and implement a County water resource assessment and monitoring framework for surface and groundwater resources and water quality	CECM Water	2 years
	Establish a water resources systems coordination framework among sector actors.	CECM Water	2 years
	Develop and implement a County water resource assessment and monitoring framework for surface and groundwater resources, and water quality.	CECM Water	2 years
<b>Ensure that water resources, riparian and catchment areas are well protected, rehabilitated, conserved and managed. Enhance the capacity of relevant institutions</b>	Hold sensitization meetings on riparian and catchment protection and at Ward level incorporating all the relevant stakeholders	CECM Water	Continuous
	Establish local structures for riparian and catchment protection - WRUAs	CECM Water	February 2024
	Establish Bungoma County water towers committee.	CECM Water	November 2023
	Support development of Sub-Catchment	CECM Water	April - June 2024

	Management Plans for WRUAs.		
	Undertake pegging of the riparian areas along rivers, springs and dams.	CECM Water	2024
	Tree growing, rehabilitation of degraded lands along the riparian and catchment areas.	CECM Water	Continuous
	Enforce compliance of the relevant laws and regulations in protection of the riparian and catchment areas.	CECM Water	Continuous
<b>Strengthen capacity, research and training of water professionals to support sustainable development of water resources.</b>	Training of the structures at the local level on their role and mandate - WRUA, Sub-County and Ward Sand Management Committees, CFAs	CECM Water	March 2024
	Establish stakeholder forum and hold quarterly review meeting on compliance	CECM Water	Continuous
	Develop a curriculum addressing the existing gaps and train water professional	CECM Water	Continuous
	Develop Guidelines for Management of aquifer Recharge	CECM Water	June 2024
	Develop land use and guidelines on watersheds/water catchments management	CECM Water	May 2024
	Implement the guidelines and enforce for Compliance	CECM Water	Continuous
<b>Promote integration and adoption of innovative treatment and recycling technologies for sustainable water resource management</b>	Classify water resources for purposes of developing Resource Quality Objectives (RQOs) for all water resources.	CECM Water	July 2024
	Customize relevant standards and guidelines to Bungoma Context	CECM Water	June 2024
	Undertake Inter-agency coordination for monitoring of domestic and industrial effluent	CECM Water	Continuous
	Strengthen compliance and enforcement of standards.	CECM Water	Continuous
	Develop a framework classifying incentives for domestic and industrial effluent discharges	CECM Water	1 year
<b>Encourage, engage and coordinate with neighboring counties,</b>	Develop and implement a County water resource assessment and monitoring framework for surface and	CECM Water	2 years

<b>regional institutions, private sector and communities to enhance management of shared water resources.</b>	groundwater resources, and water quality.		
	Establish a water resources systems coordination framework among sector actors.	CECM Water	2 years
	Continued engagement with relevant counties and institutions through consultative and information sharing.	CECM Water	Continuous
	Develop national legal and technical capacity on trans boundary water resources management, development and negotiation.	CECM Water	Continuous
	Undertake Ward level awareness and outreach campaigns on water resource management	CECM Water	Continuous
	Develop financial mechanisms to incentivize the private sector to invest in water resources management	CECM Water	August 2024
<b>Implement the polluter pays principle in collaboration with other relevant institutions.</b>	Enforce laws and regulations	CECM Water	Continuous
	Develop and enforce guidelines on waste management	CECM Water	Continuous
	Support WRUAs to implement the Act at grass root level	CECM Water	Continuous
<b>WATER HARVESTING AND STORAGE</b>			
<b>Policy Measure</b>	<b>Actions</b>	<b>Coordinator</b>	<b>Timeline</b>
<b>Develop a county water harvesting and storage strategy to guide the integration of planning, budgeting and coordination of county, communities and other actors.</b>	Establish and operationalize an Authority or Agency to spearhead water harvesting and storage	CECM Water	2 years
<b>Promote roof water harvesting and storage at homestead level, schools and business premises among other institutions through installation of at least two water storage tanks and Promote participation and involvement of private sector.</b>	Sensitize the relevant institutions on the requirement	CECM Water	Continuous
	Partner with tank manufacturers, financial institutions, NGOs and other stakeholders	CECM Water	Continuous
	Enforce compliance	CECM Water	Continuous

<b>Promote flood control mechanisms by construction of sand-dams, gabions, storm water drains and recycling of stored storm water while ensuring compliance to regulations, guidelines, standards and certifications for water harvesting and storage.</b>	Map areas prone to drought and flood and undertake harvesting and storage interventions	CECM Water	2024
<b>Allocate sufficient funding to implement innovative approaches to contain cost escalations in water harvesting and storage infrastructure.</b>	Develop a financing framework to mobilize resources from National Government, County Governments, Development partners and Private sector	CECM Water	June 2024
<b>URBAN WATER AND SEWERAGE SERVICES</b>			
<b>Policy Measure</b>	<b>Actions</b>	<b>Coordinator</b>	<b>Timeline</b>
<b>Strengthen programs aimed at environmental Sanitation which would include activities related to cleaning of industries, factories, markets, trading facilities and their compounds</b>	Planning for Water projects/ Programmes in the market and urban centres	CECM Water	1 year
	Providing budgetary allocation to the planned projects/ Programmes	CECM Water	3 years
	Implement and enforce the two 10,000 litres tanks policy	CECM Water	1 year
<b>Increase investment in WASH facilities in industries, factories, markets and trading facilities to increase the impact of health and nutrition interventions in the county</b>	Ensure that there a water structure in trading facilities	CECM Water	3 years
	Sensitizing industries, factories and traders on hygiene, water, environment and waste management standards	CECM Water	Continuous
<b>Promote use of research, development and innovation in water resource management, harvesting and storage, water and sanitation services and establishing</b>	Capacity building on research and development in the water sector	CECM Water	1 year
	Strengthening linkages between research, Development and innovation with sector needs.	CECM Water	2 years
	Liaising with other stakeholders and research institutions on water research	CECM Water	1 year

<b>mechanisms and processes to enhance institutional network</b>	Bench-marking with best practices in other counties	CECM Water	1 years
<b>RURAL WATER AND SANITATION SERVICES</b>			
<b>Policy Measure</b>	<b>Actions</b>	<b>Coordinator</b>	<b>Timeline</b>
<b>EIAs should be done on all water development projects and nurture community water service providers to enhance capacity of service delivery and compliance to set standards.</b>	Ensure all water development projects comply with EIA regulations	CECM Water	Continuous
	Capacity build community water committees	CECM Water	Continuous
<b>Ensure a Unit within the Directorate formally regulates the community water service providers for better governance.</b>	Formation of a Unit within the Directorate	CECM Water	1 year
	Ensure 30% skilled women in the committees & staff of community WSPs	CECM Water	1 year
<b>Facilitate private sector and NGOs involvement in the delivery of goods and services and ensure investment priorities are given to areas which are currently unnerved.</b>	Map the underserved areas and develop action plan to improve service levels	CECM Water	2 years
<b>Facilitating availability of technology choices and know-how for timely repair and maintenance of the schemes through standardization of equipment and promotion of private sector involvement.</b>	Promote affordable adoption of appropriate technologies e.g. farm ponds	CECM Water	1 year
	Promote & train local spare parts enterprises	CECM Water	1 year
	Promote agroforestry and integrated farming systems	CECM Water	1 year
	Promote synchronized farming	CECM Water	3 years
	Mapping regions where establishment of the fish ponds are viable	CECM Water	1 year
	Provide support the fish farmers in production, preservation and marketing e.g. provision of fingerlings, liners, fishing gear	CECM Water	Continuous
	Promote value addition of priority agricultural value Chains	CECM Water	Continuous
	Provide pasture seeds to farmers and supporting the harvesting and preservation and storage	CECM Water	Continuous



	Undertake land development programmes	CECM Water	Continuous
<b>Reduce overreliance on rain fed agriculture by providing water for agriculture, Smart Agriculture – introducing conservation agriculture, planting drought tolerant crops, agro-based industries/value addition, synchronized farming, establishment of artificial fishponds, pasture production and preservation.</b>	Designate and develop a framework to implement the buffer zones	CECM Water	Continuous
<b>Reduce human wildlife conflict and gazetted forests by designating buffer zones promote the enforcement of riparian reserve by pegging and encourage protection by the community.</b>	Undertake programmes for pegging (km)of riparian Zones	CECM Water	Continuous
	Sensitize communities on relevant environmental Laws	CECM Water	Continuous
	Promote community programs on development of the pegged areas for river bank protection	CECM Water	Continuous
<b>Increase donor liaison and public private partnerships for funding.</b>	Fundraising through proposals	CECM Water	1 year
	Strengthening the donor liaison office	CECM Water	1 year
<b>Promote the enforcement of riparian reserve by pegging and encourage protection by the Community.</b>	Holding stakeholder forums for networking and Linkages	CECM Water	1 year
<b>Promote growing indigenous trees, community forest management associations and Implement water and environmental policies and regulations.</b>	Training and promoting establishment of tree and fruit nurseries (in case of agroforestry)	CECM Water	1 year
	Periodic reviews of existing water policies and Regulations	CECM Water	3 years
	Support the establishment of forest management association committees	CECM Water	1 year
	Enforce compliance of water policies and regulations	CECM Water	Continuous
	Capacity building enforcement officers	CECM Water	One year



<b>Enforce policies to arrest environmental degradation.</b>	Monitoring waste disposal sites	CECM Water	Continuous
<b>Enhance surveillance in waste water disposal points.</b>	Promote integrated environmental conservation Programmes	CECM Water	Continuous
	Enforce compliance of policies and regulation and Acts that govern sand harvesting, charcoal burning, logging and human encroachment on protected areas.	CECM Water	Continuous
	Enforce disposal of waste in designate sites	CECM Water	Continuous
<b>Ensure water resource mapping and master plan are in place.</b>	Prepare county water resource maps	CECM Water	Continuous
	Prepare County Water Master Plan	CECM Water	1 year
<b>Ensure compensation for land used for dam construction and resolve community conflicts on water resources.</b>	Conduct land valuation on identified water points	CECM Water	Yearly
	Conduct due diligence on ownership of the land	CECM Water	Yearly
	Make provisions in the budgets	CECM Water	Yearly
	Ensure full compensation	CECM Water	1 year
<b>Ensure integrated approach on empowerment to rural communities through programs that bring water related benefits.</b>	Make provision in the budget	CECM Water	Yearly
	Conduct civic education	CECM Water	Continuous
	Strengthen existing support programs	CECM Water	Continuous
	Liaise with solar companies to establish solar farms within the county and subsidize the solar equipment	CECM Water	1 year
<b>Encourage and support the use and development of clean/ renewable energy (solar, biogas, and other alternative sources of energy) in rural areas. To ease overdependence on land resources of livelihoods for wood fuel and charcoal burning.</b>	Liaise with the National Government to roll out subsidized alternative sources of energy	CECM Water	1 year
	Promote the installation and use of biogas systems	CECM Water	Continuous
	Capacity building the community on WASH Programmes	CECM Water	Continuous
<b>WATER FOR AGRICULTURE</b>			
<b>Policy Measure</b>	<b>Actions</b>	<b>Coordinator</b>	<b>Timeline</b>
<b>Reduce overreliance on rain fed agriculture by providing water for</b>	Provide water for agriculture	CECM Water	Continuous
	Introduce conservation agriculture	CECM Water	1 year
	Encourage planting of drought tolerant crops	CECM Water	1 year

<b>agriculture, introducing conservation agriculture, planting drought tolerant crops, synchronized farming, establishment of artificial fishponds, pasture production and preservation.</b>	Promote synchronized farming	CECM Water	3 years
	Map regions where establishment of the fish ponds is viable	CECM Water	1 year
	Provide support to the fish farmers e.g. provision of fingerlings, liners, fishing gear	CECM Water	Continuous
	Establish market linkages for fish and fish products	CECM Water	Continuous
	Provide pasture seeds to farmers and support harvesting	CECM Water	Continuous
<b>Reduce human wildlife conflict by designating buffer zones.</b>	Formation of Conflict Resolution Committees	CECM Water	Continuous
<b>Promote the enforcement of riparian reserve by pegging.</b>	Have inter-department committees on Riparian Lands	CECM Water	Continuous
<b>Increase donor liaison and public private partnerships for funding.</b>	Fundraise through proposals	CECM Water	1 year
	Hold stakeholder forums for networking and linkages	CECM Water	1 year
	Strengthen the donor liaison office	CECM Water	1 year
<b>Promote growing indigenous trees, community forest association management of forests and Implement water and environmental policies and regulations</b>	Training and promoting establishment of tree nurseries	CECM Water	1 year
	Periodic reviews of existing water policies and Regulations	CECM Water	3 years
	Support the establishment of forest management association committees	CECM Water	1 year
	Enforce compliance of water policies and regulations	CECM Water	Continuous
	Capacity building enforcement officers	CECM Water	1 year
<b>Enforce policies to arrest environmental degradation</b>	Enforcing compliance of policies and regulation and Acts that govern sand harvesting, charcoal burning, logging and human encroachment on protected areas.	CECM Water	Continuous
<b>Enhance surveillance in waste water disposal points</b>	Enforce disposal of waste in designate sites	CECM Water	Continuous
	Monitoring waste disposal sites	CECM Water	Continuous
<b>Ensure water resource mapping and master plan are in place</b>	Prepare county water resource maps	CECM Water	Continuous
	Prepare County Water Master Plan	CECM Water	1 year
<b>Ensure compensation for land used for dam construction and resolve community conflicts on water resources</b>	Conduct land valuation on identified water points	CECM Water	Yearly
	Conduct due diligence on ownership of the land	CECM Water	Yearly
	Make provisions in the budgets	CECM Water	Yearly

	Ensure full compensation	CECM Water	1 year
<b>Ensure integrated approach on empowerment to rural communities through programs that bring water related benefits.</b>	Make provision in the budget	CECM Water	Yearly
	Conduct civic education	CECM Water	Continuous
	Strengthen existing support programs	CECM Water	Continuous
<b>Encourage and support the use and development of solar energy and other alternative sources of energy in rural areas. To ease overdependence on land resources of livelihoods for wood fuel and charcoal burning.</b>	Liaise with solar companies to establish solar farms within the county and subsidize the solar equipment	CECM Water	1 year
	Liaise with the National Government to roll out subsidized alternative sources of energy	CECM Water	1 year
	Promote the installation and use of biogas systems	CECM Water	Continuous
<b>WATER FOR INSTITUTIONS</b>			
<b>Policy Measure</b>	<b>Actions</b>	<b>Coordinator</b>	<b>Timeline</b>
<b>Increase investment in WASH facilities in public and private institutions through Integrate hygiene promotion activities within routine health and nutrition activities in schools and health facilities including School Led Total Sanitation (SLTS) approach and Community Led Total Sanitation (CLTS)</b>	Ensure Installation of WASH facilities in all public/ private institutions, homes and water structures	CECM Water	Continuous
	Conduct civic education on WASH	CECM Water	Continuous
	Link with other stakeholders in mobilizing resources for WASH Programmes	CECM Water	Continuous
	Incorporate WASH facilities in BQ for all County facilities construction	CECM Water	Continuous
	Set quality and standards of the WASH facilities	CECM Water	Continuous
	Enforce the relevant rule, policies and regulations in regard to construction of WASH facilities	CECM Water	Continuous
	Ensure installation of WASH facilities in all public, private institutions, homes and water structures	CECM Water	Continuous
<b>Invest in a database on water and sanitation hygiene in schools and other public and private institutions</b>	Conduct hygiene promotion outreach Programmes	CECM Water	Continuous
	Map and document public and private institutions with WASH facilities	CECM Water	Continuous
	Monitor, evaluate and report on WASH facility status	CECM Water	Continuous

<b>Invest in a database on water and sanitation hygiene in schools and other public and private institutions</b>	Support the management and restoration of WASH facilities including ODF (Open Defecation Free Area)	CECM Water	Continuous
<b>Ensure that every public and private institution endeavor to harvest rainwater</b>	Implement and enforce the two 10,000 litres policy in public and private institutions, facilities and homes	CECM Water	Continuous
	Support the establishment of farm ponds, water pans in institutions and homestead	CECM Water	Continuous
<b>Strengthen programs aimed at environmental Sanitation that would include activities related to cleaning of school and church compounds, public spaces etc.</b>	Organize periodic cleaning programmes in private and public institutions	CECM Water	Continuous
<b>Promote appropriate technology, clean energy and material for construction of water harvesting and storage structures.</b>	Promote adoption of green energy in water sector	CECM Water	1 year
<b>Strengthen programs aimed at environmental Sanitation that would include activities related to cleaning of school and church compounds, public spaces etc.</b>	Promote appropriate materials in construction of water facilities and storages	CECM Water	3 years
<b>Promote appropriate technology, clean energy and material for construction of water harvesting and storage structures</b>	Setting provisional budgets, procurement and installation of water harvesting facilities in county institutions	CECM Water	3 years
<b>WATER FOR INDUSTRY AND TRADE</b>			
<b>Policy Measure</b>	<b>Actions</b>	<b>Coordinator</b>	<b>Timeline</b>
<b>Increase investment in WASH facilities in industries, factories, markets and trading facilities to increase the impact of health and</b>	Increase Budget lines to support creation of WASH Facilities	CECM Water	1 year
	Increase support to create awareness through civic Education	CECM Water	Continuous
	Promote and monitor establishment of WASH facilities in industries and factories	CECM Water	1 year

<b>nutrition interventions in the county.</b>			
<b>Invest in a database on water and sanitation hygiene in industries, factories, markets and trading facilities</b>	Map and document WASH facilities	CECM Water	
	Monitor, evaluate and report on WASH facility status	CECM Water	Continuous
<b>Invest in a database on water and sanitation hygiene in industries, factories, markets and trading facilities</b>	Support the management and restoration of WASH facilities	CECM Water	Continuous
<b>Ensure that every industry, factory, market, trading facility endeavors to harvest rain water.</b>	Implement and enforce the two 10,000 litres water tanks policy	CECM Water	1 year
	Increase budget allocation for water harvesting Programmes	CECM Water	1 year
<b>Connection of industries, factories, markets and trading facilities to proximal water sources.</b>	Plan for Water projects/ Programmes in the market and urban centres	CECM Water	1 year
	Provide budgetary allocation to the planned projects/ Programmes	CECM Water	3 years
	Ensure that there a water structure in trading facilities	CECM Water	3 years
<b>Strengthen programs aimed at environmental sanitation which would include activities related to cleaning of industries, factories, markets, trading facilities and their compounds.</b>	Sensitize industries, factories and traders on hygiene, water, environment and waste management standards	CECM Water	Continuous
	Enforce the respective governing policies, regulations and Acts	CECM Water	Continuous
<b>Develop systems for factory waste disposal Promote personal hygiene including hand washing with soap, protection of food and water within Market centres.</b>	Establish sewer systems	CECM Water	2 years
	Enforce relevant policies and Acts	CECM Water	Continuous
	Organize sensitizing forums	CECM Water	Continuous
	Ensure provision of relevant facilities and adequate water access	CECM Water	Continuous
<b>WATER SECTOR TRAINING AND RESEARCH</b>			
<b>Policy Measure</b>	<b>Actions</b>	<b>Coordinator</b>	<b>Timeline</b>
<b>Promote use of research, development</b>	Capacity building on research and development in the water sector	CECM Water	1 year
	Strengthen linkages between research,	CECM Water	2 years

<b>and innovation in water resource management, harvesting and storage, water and sanitation services</b>	development and innovation with sector needs.		
	Liaise with other stakeholders and research institutions on water research	CECM Water	1 year
	Bench-marking with best practices	CECM Water	1 year
	Establish linkages with other institutions	CECM Water	1 year
	Capacity building on research and development in the water sector	CECM Water	1 year
<b>Strengthening linkages between research, development and innovation with sector needs.</b>	Promote research financing and uptake of research outputs.	CECM Water	1 year
	Carry out needs assessment for the water sector	CECM Water	1 year
	Link with universities and other research institutions in research and innovations	CECM Water	1 year
<b>Establish a mechanism and processes to enhance institutional networks to build synergies for research, development and innovation.</b>	Integrate water sector training	CECM Water	1 year
	Liaise with training institutions to implement specific training programmes	CECM Water	3 years
<b>Support and provide incentives and regulatory mechanisms to enhance coordination between the private sector and institutions undertaking research on water, development and technological innovation.</b>	Create a database of private sector organizations to be involved	CECM Water	1 year
	Develop and sign MoUs with the potential private sector partners	CECM Water	3 years
<b>RESOURCE MOBILIZATION AND FINANCING</b>			
<b>Policy Measure</b>	<b>Actions</b>	<b>Coordinator</b>	<b>Timeline</b>
<b>Develop and implement a comprehensive investment plan for the water sector by integrating the county and other stakeholders' plans including tapping indigenous technical knowledge.</b>	Integrating water investment plans and budget with the other County plans	CECM Water	Continuous
	Stakeholder involvement in water planning and financing	CECM Water	Continuous
	Preparing proposals for funding	CECM Water	Continuous
	Establishing the water needs in the county	CECM Water	1 year



<b>Ensure coordination of investment, needs assessment, planning and implementation to include all water sub-sectors.</b>	Resource mobilization and financing of the investment plans	CECM Water	2 years
<b>Develop a framework to enhance best practices in the financial management of water companies and community water service providers to improve their commercial viability.</b>	Implementation of the water plans	CECM Water	3 years
	Monitoring and review of the implementation	CECM Water	Continuous
	Capacity building of financial management to the water companies and community water service providers	CECM Water	Continuous
	Sensitize the community water service providers on existing policies, regulations, Acts and standards	CECM Water	Continuous
	Developing an asset management software for all water companies and community water service providers	CECM Water	1 year
<b>Develop and facilitate an incentive framework to promote public private partnerships investments in projects where commercial viability is low yet they are priority areas with respect to fulfilment of pertinent human rights.</b>	Training staff in water department on M&E	CECM Water	Continuous
<b>INSTITUTIONAL FRAMEWORK IN WATER SECTOR MANAGEMENT</b>			
<b>Policy Measure</b>	<b>Actions</b>	<b>Coordinator</b>	<b>Timeline</b>
<b>Sensitize the institutions and communities on the rules and regulations governing the institutions and enforce for compliance.</b>	Convene Ward level sensitization meetings/Barazas on the relevant legislations	CECM Water	Continuous
<b>Harmonize and integrate institutional framework within sectorial and cross sectorial areas to enhance collaboration, coordination and built synergy for sustainable water resources management,</b>	Establish a collaboration and coordination Framework	CECM Water	July 2024

<b>harvesting and storage, and provision of water and sanitation services.</b>			
<b>Strengthen linkages of water sector institutions with other sectors of the economy to build synergy. This will include identification of sectorial and cross-sectorial areas within national and county governments, among public private partners, community water service providers and consumers. This will ensure that best practices within the water sector create sustainable water resource management system and structures.</b>	Develop a stakeholder's framework for linkages and synergies	CECM Water	September 2024
	Implement and review regularly	CECM Water	Continuous
<b>Build capacity in leadership and governance, financial management, role and mandate of water institutions to strengthen service delivery. This will involve human resource development, technical support, infrastructure development and financial support.</b>	Continued financial, human and technical support	CECM Water	Continuous
<b>Put in place a mechanism for monitoring and evaluation of the institutions including regular and appropriate reporting and financial audits among others.</b>	Implement requirements for Board composition as per Mwongozo guidelines	CECM Water	Continuous
	Ensure a comprehensive M&E system is in place	CECM Water	Continuous
<b>Ensure that WRUAs in collaboration with other stakeholders are</b>	Review of corporate governance principles and develop capacity on implementation	CECM Water	May 2024



supported for improved efficiency and effectiveness in water resources management	Sensitization of water institutions on national values and principles of governance	CECM Water	Continuous
Put in place a mechanism for monitoring and evaluation of the institutions including regular and appropriate reporting and financial audits among others.	Develop and implement monitoring and evaluation framework	CECM Water	April 2024
<b>DISASTER MANAGEMENT AND EMERGENCIES</b>			
<b>Policy Measure</b>	<b>Actions</b>	<b>Coordinator</b>	<b>Timeline</b>
<b>Develop and enforce disaster response and management guidelines</b>	Convene stakeholder consultative forum to develop the guidelines	CECM Water	June 2024
	Implementation of the guidelines	CECM Water	Continuous
<b>Ensure coordination mechanisms for the government and other private actors are in place to respond to emerging disasters effectively.</b>	Initiate a coordination mechanism for the relevant stakeholders in disaster management	CECM Water	April 2024
<b>Ensure a financial reserve fund to manage any emerging disasters</b>	Establish a disaster management reserve fund	CECM Water	June 2024
<b>Promote and ensure availability drought resistant crops through the establishment seedbanks to improve on food security.</b>	Establish community level drought tolerant seedbanks	CECM Water	June 2024
	Capacity strengthening of Farmer organizations and production groups through trainings, exposures, field days	CECM Water	Continuous
<b>Establish grass root disaster management structures for easy coordination at the community level.</b>	Facilitate formation of Ward level disaster management committees	CECM Water	October 2024
<b>Promote capacity building for communities and other players on disaster preparedness and management to develop and maintain community preparedness plans.</b>	Undertake Capacity development programs for the communities to develop the relevant capacity (Trainings, Exposure visits)	CECM Water	September 2024
	Develop and continuously update Ward Level Disaster Management Plans	CECM Water	Continuous

PRIVATE SECTOR PARTICIPATION			
Policy Measure	Actions	Coordinator	Timeline
Attract private sector investments through incentives such as provision of space and concessions.	Map private sector actors in Water sector	CECM Water	1 year
	Identify Private sector requirements	CECM Water	1 year
	Develop engagement framework	CECM Water	1 year
Develop jointly with partner's bankable/ viable investment proposal for private sector actors.	Develop bankable proposals for investments	CECM Water	1 year
Facilitate a workable framework allowing private sector to directly link and invest recoverable soft loans for water and sanitation infrastructure.	Undertake an assessment of private sector actors needs and capacity gaps and build capacity for improved performance	CECM Water	1 year
	Develop a framework for private sector investments in water and sanitation	CECM Water	1 year
Facilitate the private sector to train local service providers in management operations of all adopted technologies.	Develop a data base of all technologies supplies and engage them in capacity building of local personnel	CECM Water	1 year
Develop and transform the County and private water sector funds into water microfinance institutions with the intent of promoting borrowing and saving and mobilisation of capital in the water sector.	Market viable proposals to financial institutions	CECM Water	1 year
CROSS-CUTTING ISSUES			
Policy Measure	Actions	Coordinator	Timeline
In partnership with the relevant stakeholders, mainstream climate change, gender, people with disability, youth and children issues in the sector opportunities, activities and programmes.	Assess levels of inequality to determine suitable affirmation actions.	CECM Water	1 year
	Mainstream all cross-cutting issues in the planning & budgeting process	CECM Water	1 year

<b>Develop a guiding principle and encourage alternative dispute resolution mechanisms for water sector and empower community groups; WRUAS, CBOs and FBOs on the conflict resolution measures.</b>	Appoint mediators	CECM Water	1 year
	Capacity building and awareness creation	CECM Water	1 year
<b>Establishing climate change units in all water sector institutions and provide guidance on how they will provide coordination of the mainstreaming of climate change in all the sectors.</b>	Create climate change unit in every sector	CECM Water	1 year
	Assign manager for action plan in every sector	CECM Water	1 year
<b>Mainstream awareness of HIV/AIDS in the water sector planning and development in order to reduce susceptibility to HIV infection, and ensure services provided adequately address the needs of people living with HIV/AIDS.</b>	Audit HIV/AIDS interventions updates	CECM Water	1 year
	Organize HIV/ AIDS awareness forums	CECM Water	1 year
<b>Encourage the youth to participate water sector decision and use water for small scale enterprises including accessing water sector contracts.</b>	Appoint in decision making positions	CECM Water	1 year
	Build capacity for water & sanitation based enterprises	CECM Water	1 year
<b>IMPLEMENTATION FRAMEWORK</b>			
<b>Policy Measure</b>	<b>Actions</b>	<b>Coordinator</b>	<b>Timeline</b>
<b>Design, develop and implement a program of induction, on the water policy at count level</b>	Organize Induction workshops	CECM Water	1 year
<b>Provide a comprehensive stakeholder engagement and public participation</b>	Establish water sector Stakeholder forums	CECM Water	1 year
	Allocate adequate human & financial resources to	CECM Water	1 year

<b>strategy with adequate human, technical and financial resources for implementation of this Policy.</b>	implement the policy		
<b>Establish institutional M&amp;E unit within the water Department to develop, and have for oversight on an implementation actions plan for this policy.</b>	Establish M&E unit in the Department	CECM Water	1 year
<b>Establish a water sector stakeholder engagement and public participation Forum</b>	Organize quarterly and annual stakeholder forums	CECM Water	1 year
<b>Put in place mechanisms to utilize performance contracts as tools for review and evaluation of inputs and results under this Policy.</b>	Sensitize staff on key actions for implementation	CECM Water	1 year

## **Appendix 02: Summary of the Roles of Stakeholders in Implementation of the Bungoma County Water Policy**

<b>Categories of Stakeholders</b>	<b>Role</b>
<b>Bungoma County Department of Water</b>	<ul style="list-style-type: none"> <li>• Lead in implementation, coordination and implementation of the policy measures</li> </ul>
<b>NZOWASCO</b>	<ul style="list-style-type: none"> <li>• Lead in implementation of urban water supply policy provisions</li> </ul>

<b>The urban and rural residents / water and sanitations consumers</b>	<ul style="list-style-type: none"> <li>• Beneficiaries of water services and water resource investments including benefiting from construction of shallow wells and septic tanks</li> <li>• Responsibility for responsible use and protection of water service and water resource infrastructure</li> </ul>
<b>Private water and sanitation service providers/operators</b>	<ul style="list-style-type: none"> <li>• Responsible, legal and compliant provision of water and sanitation services</li> </ul>
<b>WUAs and WRUAs</b>	<ul style="list-style-type: none"> <li>• Information Beneficiaries of investments</li> <li>• Grassroots management and responsible use of water services and resources</li> </ul>
<b>County Government directorates of Agriculture, Livestock, Irrigation, Trade and Industry, Public Health, Environment etc</b>	<ul style="list-style-type: none"> <li>• Coordination, collaboration, implementation and enforcement of policy measures</li> </ul>
<b>National Government Agencies – NEMA, WASREB, WRA, KFS, WSTF</b>	<ul style="list-style-type: none"> <li>• Guiding policy frameworks, regulations and enforcement</li> </ul>
<b>County Assembly of Bungoma</b>	<ul style="list-style-type: none"> <li>• Oversight of Water and sanitation activities, plans and operations</li> <li>• Consideration and approval of budget on water services and water resources</li> <li>• Enactment and review of laws on water sector</li> <li>• Reviews and approvals of policies and regulations on water services and water resources</li> </ul>
<b>Regional development authorities such as LBDA, LVNWWA, EA Commission</b>	<ul style="list-style-type: none"> <li>• Engagement in water infrastructure development and distribution; Cross boarder water issues.</li> </ul>
<b>NGOs and CBOs</b>	<ul style="list-style-type: none"> <li>• Communication/public information, Funding of water projects, technical assistance</li> </ul>
<b>Western Kenya Water Project – DAI/USAID, Water Trust Fund</b>	<ul style="list-style-type: none"> <li>• Funding of water projects, technical assistance in water governance</li> </ul>
<b>Commercial entities</b>	<ul style="list-style-type: none"> <li>• Collaboration, implementation of water development services</li> </ul>
<b>Consultants and Contractors</b>	<ul style="list-style-type: none"> <li>• Collaboration, implementation, research and provision of research evidence for water policy development, reviews and implementation</li> </ul>
<b>Rural Households</b>	<ul style="list-style-type: none"> <li>• Beneficiaries of investments/ responsible use/ popular oversight</li> </ul>

### **Appendix 03: Summary of the Tools for Effective Implementation of Bungoma County Water Policy**

<b>Policy Implementation Tool</b>	<b>Description</b>	<b>Responsible Stakeholder</b>
<b>Cabinet Memorandum</b>	<ul style="list-style-type: none"> <li>• To facilitate the submission of the draft policy to the cabinet for consideration and approval.</li> </ul>	<ul style="list-style-type: none"> <li>• County Executive Committee Member for Water.</li> </ul>

	<ul style="list-style-type: none"> <li>Should be prepared immediately after the adoption of the final draft of the policy for submission to the cabinet.</li> </ul>	
<b>Bungoma County Water Bill</b>	<ul style="list-style-type: none"> <li>A bill for introduction to the Bungoma County Assembly to give effect to Article 43 (1, d) and 4<sup>th</sup> Schedule Part II paragraph 11 of Constitution of Kenya 2010, the Water Act 2016 and Bungoma County Water Policy 2023 and for connected purposes.</li> </ul>	<ul style="list-style-type: none"> <li>To be drafted by the County Department of Water (CECM)</li> <li>To be submitted to the County Assembly for Consideration and Approval into Bungoma County Water Act. (Chair-Water Sector Committee of the Assembly)</li> </ul>
<b>Bungoma County Water Act (Regulations)</b>	<ul style="list-style-type: none"> <li>To give effect to all requisite regulatory measures as shall be determined by the attendant Bungoma County Water Act</li> </ul>	<ul style="list-style-type: none"> <li>County Executive Committee Member in charge of Water</li> <li>County Assembly of Bungoma</li> </ul>
<b>Monitoring and Evaluation Tool</b>	<ul style="list-style-type: none"> <li>A tool for effective monitoring and evaluation of the implementation status of the Bungoma County Water Policy 2023</li> </ul>	<ul style="list-style-type: none"> <li>County Department of Water in consultation with the County Department of Monitoring and Evaluation.</li> </ul>

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