



Chyulu Hills REDD+ Project Environmental and Social Impact Assessment (ESIA) Consultancy Terms of Reference

Background

Maasai Wilderness Conservation Trust (MWCT) works to protect the legendary ecosystems and astounding biodiversity of East Africa through conservation that directly benefits the local communities. In pursuit of its goal, MWCT in partnership with 8 other entities (Kuku A Group Ranch, Kuku Group Ranch, Rombo Group Ranch, Mbirikani Group Ranch, Big Life Foundation, David Sheldrick Wildlife Trust, Kenya Forest Service, Kenya Wildlife Service) established the Chyulu Hills REDD+ Project (CHRP) in 2013 with financial and technical support from Conservation International. The project area is 410,000 ha and includes the Chyulu Hills National Park, a portion of Tsavo West National Park, the Kibwezi Forest Reserve and 4 Maasai community Group Ranches namely Kuku, Kuku A, Mbirikani, and Rombo.

The project partners are organised under the Chyulu Hills Conservation Trust (CHCT), the Project Proponent, and project governance is exercised by a board made up of a single representative from each of the 9 partners. MWCT was appointed by the project board to serve as the Project Office from 2017 with responsibilities including but not limited to:

- Project management and coordination
- Financial management, revenue allocation and grants management
- Communication, operations, and support towards the trust board

The project successfully went through the initial validation and two subsequent verifications under the Verified Carbon Standard (VCS) and Climate, Community and Biodiversity Standards (CCBS). This resulted to slightly over 5 million marketable credits whose sale over the years has given significant cashflows to the project and coupled with other attributes, positioned it as a flagship for REDD+ in Kenya. However, there has been notable policy, technical and market developments which are expected to have a significant impact on carbon projects over the next few years. These changes coincide with the project's revalidation and 3rd verification expected to be undertaken within this year.

In response to evolving legal requirements, notably the Climate Change (Carbon Markets) Regulations, 2024, the Climate Change Act, 2016 (as amended) and the Environmental Management and Coordination Act (EMCA) of 1999, the CHRP is required to conduct an Environmental and Social Impact Assessment (ESIA). Specifically, Section 23D of the Climate Change Act provides that *“every carbon trading project authorized under this Act shall be required to undergo an Environmental and Social Impact Assessment in accordance with the Environmental Management and Coordination Act”*. This requirement is reiterated under Regulation 19(1) of the Carbon Markets Regulations, 2024, which states that *“each carbon project shall be required to undergo an Environmental and Social Impact Assessment.”* Together, these legal provisions establish a mandatory framework for ensuring environmental integrity and social accountability in both the design and implementation of carbon projects through structured assessments.

This Terms of Reference (ToR) provides the framework for conducting the Environmental and Social Impact Assessment (ESIA) for the CHRP, as required by the aforementioned legal

instruments. The ESIA will assess potential environmental and social impacts of the project and propose appropriate mitigation measures, ensuring compliance with Kenyan legislation and alignment with best practices for REDD+ projects.

1. Objective

The primary objective of the ESIA is to systematically identify, evaluate, and mitigate potential environmental and social impacts associated with the implementation of the CHRP, as required under EMCA (1999), Section 23D of the Climate Change Act (2016), and Regulation 19 of the Carbon Markets Regulations (2024).

Specific objectives include:

- To determine the baseline environmental and social conditions of the project area.
- To identify and assess potential environmental and social risks and benefits associated with CHRP.
- To develop appropriate mitigation and enhancement measures.
- To prepare an Environmental and Social Management Plan (ESMP) with measurable indicators.
- To ensure meaningful engagement and participation of stakeholders.
- To support CHRP's compliance with Kenyan legal frameworks and international standards

2. Scope of Work

The ESIA will assess both direct and indirect, cumulative, short-term, and long-term impacts arising from the CHRP project. The assessment shall cover the following areas for the CHRP:

- a) **Project Description:** Description of REDD+ activities including forest conservation, protection, afforestation/reforestation, fire management, revegetation, and land management.
- b) **Environmental Baseline Conditions**
 - Physical environment: climate, soils, hydrology, topography.
 - Biological environment: vegetation, flora and fauna, endangered species, biodiversity hotspots.
 - Socio-economic environment: local livelihoods, land use, infrastructure, health, and education.
- c) **Impact Identification and Evaluation**
 - **Carbon sequestration and emissions reduction:** Assess the effectiveness of the project in sequestering carbon and reducing greenhouse gas emissions.
 - **Biodiversity conservation:** Assess impacts on ecosystems, wildlife corridors, and threatened species.
 - **Water resources:** Assess how the project affects local water resources including both water quality and availability
 - **Soil and land degradation:** Assess risk of erosion, compaction, or nutrient depletion.
 - **Waste management:** Review waste management practices including the disposal of organic and non-organic waste generated by project activities.
 - **Community and Social impacts:** Assess impacts on Indigenous Peoples and Local Communities (IPLCs), gender dynamics, livelihoods, cultural heritage, benefit sharing, and displacement risks.
 - **Cumulative impacts:** Assess combined impacts with other local land use and conservation initiatives.

- **Health and safety:** Examine occupational health and safety risks for workers and the surrounding communities.
- **Conflict and grievance redress:** Analyse potential disputes and adequacy of resolution mechanisms.
- d) **Stakeholder Engagement:** Meaningful consultations with local communities, particularly Indigenous Peoples and Local Communities (IPLCs), government agencies, NGOs, and other stakeholders.
- e) **Legal and Institutional Framework:** Review of national and international laws and policies, including: EMCA (1999) and associated ESIA Guidelines, Climate Change Act, 2016, Climate Change (Carbon Markets) Regulations, 2024, Forest Conservation and Management Act (2016) and relevant international frameworks (e.g., UNFCCC, Paris Agreement etc.).
- f) **Environmental and Social Management Plan (ESMP):** Development of a robust plan outlining mitigation measures for significant impacts, monitoring and evaluation frameworks, responsible parties, timelines, and budget for each mitigation measure.

3. Methodology

The consultant shall use a combination of the following approaches:

- **Document Review:** Examination of project documents, including the Project Design Document (PDD), monitoring reports, licenses, permits, previous audit, and other relevant records.
- **Field Visits:** Site visit to the project area to observe project implementation, land-use practices, and impacts on the environment and communities.
- **Stakeholder Interviews:** Engage with key stakeholders including project implementors, local authorities, community members and other relevant parties.
- **Data Collection and Analysis:** Collection of quantitative and qualitative data on environmental indicators (e.g., carbon stock, biodiversity, water quality) and analysis of project performance.

4. Deliverables

The following reports and documents are expected as part of the assessment:

- **Inception Report:** Outlining the assessment methodology, schedule, and key deliverables.
- **Draft ESIA Report:** Including baseline analysis, impact assessment, and draft ESMP.
- **Final Environmental and Social Impact Assessment (ESIA) Report:** Including detailed findings, environmental and social risks, impacts, and recommendations for improvements or corrective actions.
- **Environmental and Social Management Plan (ESMP):** As a standalone document or annex.

The final ESIA report must comply with NEMA's guidelines and be submitted to NEMA by the consultant on behalf of the project.

5. Qualification of the Consultant

The individual consultant or firm should meet the following qualifications:

- Registered with NEMA as a lead expert(s) with over 5 years experience.
- Demonstrated experience in conducting environmental and social impact assessments on nature-based carbon or forestry projects.

- Familiarity with Kenyan environmental laws and regulations, including EMCA, Climate Change Act, Carbon Markets Regulations, and FCMA.
- Expertise in biodiversity, and stakeholder engagement.
- Strong analytical and report-writing skills.
- Proven experience with REDD+ or carbon offset projects and voluntary carbon market standards.

6. Timeframe

The assessment is expected to take **6-8 weeks**, including fieldwork, data collection, data analysis, draft report preparation, final report preparation and submission to NEMA.

7. Payment Schedule

Payments shall be made based on the delivery of the agreed milestones:

| % | Milestone |
|-----|--|
| 10% | At contract signing |
| 30% | On submission of the Inception Report |
| 30% | On submission of the Draft ESIA Report |
| 30% | On submission of the Final Environmental and Social Impact Assessment Report to NEMA |

8. Confidentiality

The Consultant must treat all project data and stakeholder information as confidential and must not disclose any information without prior written consent from the project proponent.

9. Application

Interested qualified consultants are requested to apply by COB Monday 16th June 2025. The application should consist of detailed Curriculum Vitae, work plan and budget for the tasks contained in the TOR. In case of application by firms, the lead consultant should be indicated, and his/her CV attached alongside those of other key personnel. All applications should be emailed to info@maasaitrust.org by the close date. Only applicants in whom there is further interest shall be contacted.

10. Equal opportunity

MWCT is an equal opportunity employer and does not discriminate against any rights protected by the Kenyan laws.