Integrating Planning and SEA Processes – A New Approach to conflict resolution

Serah Munguti - Advocacy Manager, Nature Kenya
Paul Matiku – CEO Nature Kenya
Peter Nelson - Adviser to OPM/NK
Helen Byron – RSPB

Conservation and Land Grabbing:
Part of the Problem or Part of the Solution?

26 – 27th March 2013
The Mappin Pavillion, London Zoo
CHALLENGES FACING THE DELTA

- Destruction and loss of habitats, livelihoods and land use potential,
- Interference with hydrological regime,
- Competing and incompatible land uses
- Deteriorating water quality
- Increasing human conflict,
- Global warming and sea level rise,

Pastoralists in Tana Delta
INSTITUTIONAL CONSTRAINTS

- Lack of a national spatial framework
- Poorly planned and uncoordinated delta development,
- Lack of effective community empowerment and sustainable livelihood strategies
- Inadequate communication and awareness
- Inadequate mechanisms for response to natural disasters,
- Inadequate partnership and cooperation
- Inadequate mechanisms for conflict resolution
- Land rights for local communities not addressed

Commercial rice farming in Tana Delta – D. Mumba
RESPONSE to opportunities, challenges and constraints

- Government launches Deltas Initiative
- Collaborative approach between Government at national and local level, Nature Kenya and other partners,
- Massive community participation – long time to build relationships including litigation
- External advisor- Netherlands Commission for Environmental Assessment
- One year on – Significant progress in developing a Land Use Plan and Strategic Environmental Assessment

Delta communities in a meeting – N. Kenya
# RESPONSE: LINKING PLANNING TO KENYA’S NEW GOVERNANCE STRUCTURE UNDER THE CONSTITUTION

<table>
<thead>
<tr>
<th>Level of Decision-Making</th>
<th>Status of Plan</th>
<th>Government Bodies</th>
<th>Competent Authority for the Tana Delta Strategic Land Use Plan</th>
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<tbody>
<tr>
<td>NATIONAL</td>
<td>Strategic Land Use Plan</td>
<td>National Land Commission, Ministries</td>
<td>Kenya Deltas Management Board Inter-Ministerial Technical Committee</td>
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<tr>
<td>COUNTY</td>
<td>Strategic Land Use Plan</td>
<td>New County Assemblies</td>
<td>Local Planning Committee</td>
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<td>County Environment Committee</td>
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<td>DISTRICT</td>
<td>Local Land Use Plan Management Plans</td>
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<td>Advisory Groups</td>
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<td>VILLAGE/WARD</td>
<td>Local Land Use Plan Management Action Plans</td>
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NATURE OF THE TANA DELTA LAND USE PLAN

• This is a long term (20 years) plan that contains medium term (10 years) and a five (5) year short term implementation programme with governance and monitoring mechanisms.

• The plan will also undergo a periodic review preferably every 5 years.
PHASES OF THE PLANNING PROCESS

- A **baseline phase** leading to the definition of alternative strategies and development opportunities,

- An **evaluation phase** to determine the relative strengths and weaknesses of the alternative strategies through public engagement and,

- A **plan preparation phase** to produce a preferred strategy and spatial plan.

Lower Tana Delta – C. S. Owen
KEY OUTPUTS FROM THE TANA DELTA PLANNING PROCESS

- Agreement on a process for resolving existing conflicts over tenure and ownership
- Agreement on preferred land use allocation strategy
- Spatial Plan for Delta suitable for adoption
- Outline strategy for resource use and allocation
- Procedures for evaluating proposals and allocating specific land parcels
- Investment and benefit-sharing strategy to guide all stakeholders
COMPONENTS OF THE SEA

• Covers entire basin
• Scoping Report
• Situation Analysis - Baseline Report
• Analysis of Key Issues
• Assessment of Alternatives (Scenarios)
• Recommendations and Reporting
Combining Land Use Planning & SEA

A flooded village in Tana Delta – Nature Kenya
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LAND USE PLANNING
1. Prepare Baseline/Key Issues
2. Review Policies & Planning Criteria
3. Develop Land use Options/Scenarios
4. Select Preferred Land Use Options

STRATEGIC ASSESSMENT
1. Situation Analysis
2. Assess Institutions / Political Economy
3. Assess environmental, social and economic effects of different scenarios
4. Assess preferred options

5. Publish Draft Plan and SEA
6. Consult on Draft Plan and SEA
7. Revise Plan and SEA
8. Adopt and Publish Final Plan
Impacts and next Steps

- Tana LUP and SEA process informing a benchmark for management of Kenya Deltas
- SEA and LUP process informing national wetlands policy dialogues
- LUP a conflict resolution tool
- LUP to inform long term management plans

Next steps
- Publish Baseline Reports
- Agree land zones for planning purposes
- Construct and evaluate alternative scenarios
- Apply Policies
- Assess Draft Plan components using SEA criteria
- Consult on Draft Plan
- Publish Draft Plan and SEA
Thank you