

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

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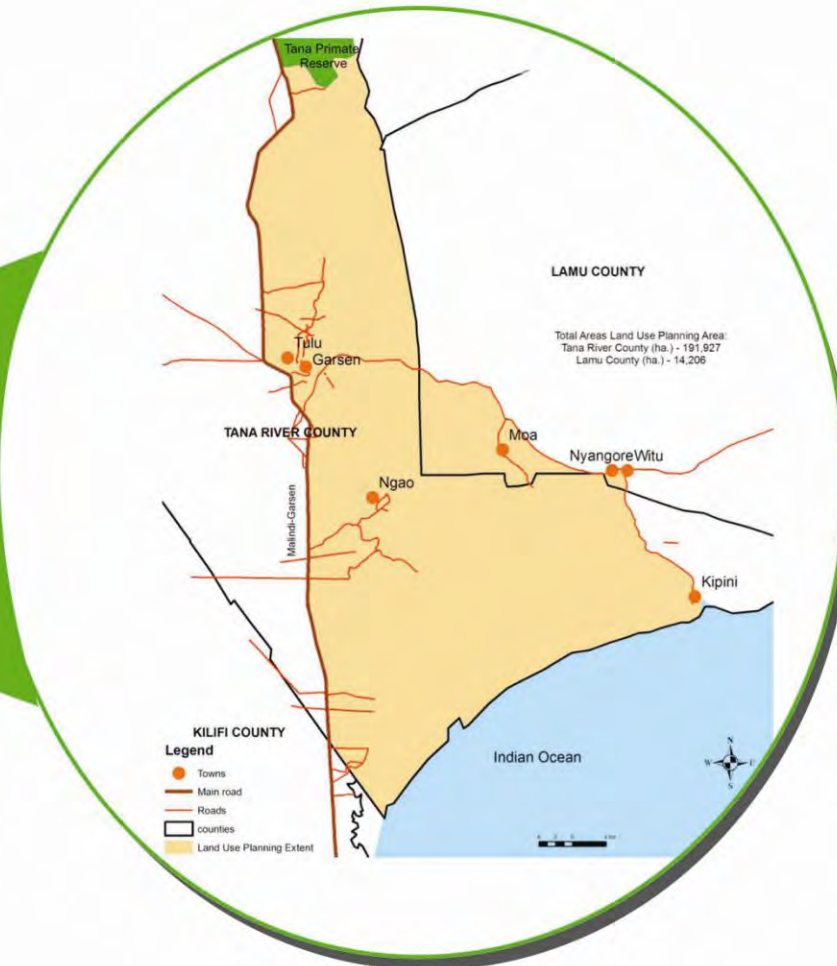
Helen Byron – RSPB

**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. Mumbu

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

Level of Decision-Making	Status of Plan	Government Bodies	Competent Authority for the Tana Delta Strategic Land Use Plan
NATIONAL	Strategic Land Use Plan	National Land Commission, Ministries	Kenya Deltas Management Board Inter-Ministerial Technical Committee
COUNTY	Strategic Land Use Plan	New County Assemblies	Local Planning Committee
		County Environment Committee	
DISTRICT	Local Land Use Plan Management Plans		Advisory Groups
VILLAGE/WARD	Local Land Use Plan Management Action		

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

LAND USE PLANNING

1. Prepare Baseline/Key Issues



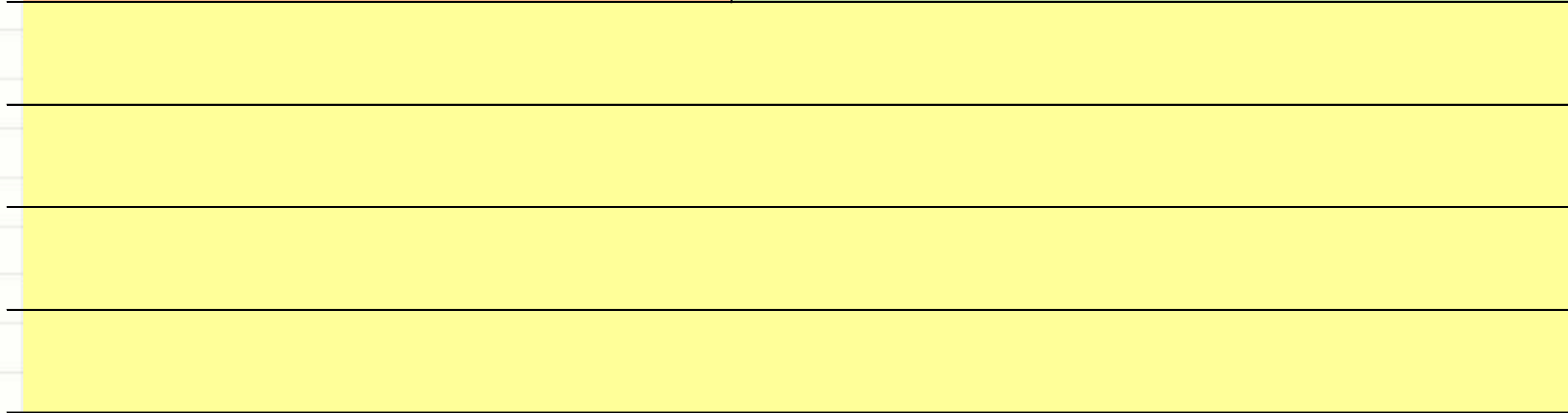
2. Review Policies & Planning Criteria



3. Develop Land use Options/ Scenarios



4. Select Preferred Land Use Options



LAND USE PLANNING

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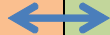
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STRATEGIC ASSESSMENT

1. Situation Analysis



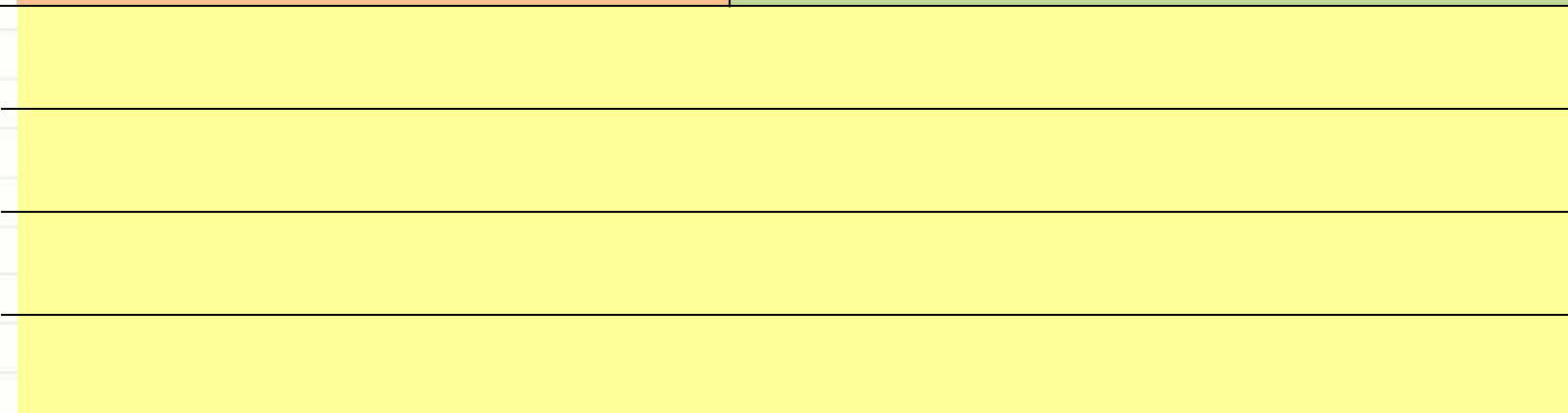
2. Assess Institutions / Political Economy



3. Assess environmental, social and economic effects of different scenarios



4. Assess preferred options



LAND USE PLANNING

STRATEGIC ASSESSMENT

1. Prepare Baseline/Key Issues



2. Review Policies & Planning Criteria



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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

