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

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

26 – 27th March 2013
The Mappin Pavilion, 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

<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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</thead>
<tbody>
<tr>
<td>NATIONAL</td>
<td>Strategic Land Use Plan</td>
<td>National Land Commission, Ministries</td>
<td>Kenya Deltas Management Board</td>
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<td>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.
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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STRATEGIC ASSESSMENT
1. Situation Analysis
2. Assess Institutions / Political Economy
3. Assess environmental, social and economic effects of different scenarios
4. Assess preferred options
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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