

COUNTY SPATIAL PLANNING IN **PASTORAL AREAS**

(Annex to CSP Monitoring and Oversight Guidelines)



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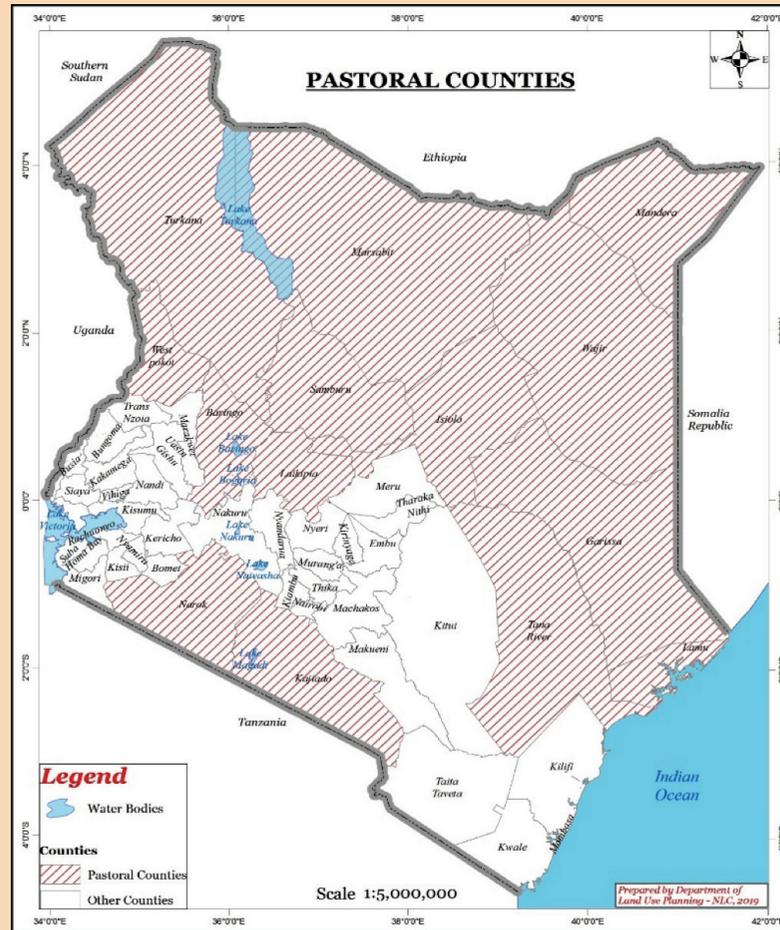
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Printed 2019

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“Unlocking development potential in pastoral areas through County Spatial Planning”

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FOREWORD

PASTORAL AREAS are the new frontiers of immense natural, socio-cultural and economic resources that will propel the specific counties and the country to great heights of economic growth and development. To unlock this great potential, land use planning will play a pivotal role in terms of providing a framework for resource utilization and development of a sustainable human settlement layout and form.

County Spatial Plans are premier land use plans that set the development agenda for the Pastoral Counties. The County Governments Act 2012 Section 110 requires County Governments to prepare county spatial Plans to give effect to the principles and objects of county planning contained in section 102 and 103 of the same Act and facilitate development.

This Annex to the County Spatial Planning: Monitoring and Oversight Guidelines, elaborates on salient aspects of the process of preparing County Spatial Plans in Pastoral Areas. The Annex aims to focus on the uniqueness of the pastoral areas and communities so as to make the County Spatial Plans more meaningful and effective as tools to facilitate county development in pastoral areas.

The Commission recommends this Annex to all the primary actors in the preparation of County Spatial Plans in pastoral areas including: the County Government Planning Teams; Consulting Planners; County Assemblies and other stakeholders involved in development initiatives in Pastoral Areas.

A handwritten signature in black ink, appearing to read 'Kabale Tache Arero'.

Kabale Tache Arero

Ag. Secretary/CEO, NATIONAL LAND COMMISSION



ACKNOWLEDGEMENT



THE ANNEX has been prepared through a collaborative, participatory and multi-disciplinary process. The authors were drawn largely from the National Land Commission and ILRI (International Livestock Research Institute). The senior researcher from ILRI brought on board vast experience from working with the pastoral communities in Kenya and other African Countries. The Commission, on the other hand provided seasoned Land Use Planners with vast experience in land use planning procedures and processes. This Annex is therefore based on very well-structured thought process and sound research. It contains salient features regarding the conceptualization of the nexus between Land Use Planning processes and pastoral resource use realities which constitute a contribution to knowledge in the field of land use planning.

The Commission thanks the following agencies for the support in preparing the document: European Union (EU) through the Food and Agriculture Organization of the United Nations- Land Governance Programme (FAO - Kenya); International Livestock Research Institute (ILRI); the CGIAR Research Program on Livestock; and the Feed the Future Kenya Accelerated Value Chain Development program and Resource Conflict Institute (RECONCILE).

Special thanks to the authors:

Dr. Herbert Musoga (Director Land Use Planning, NLC -Team Leader); Mrs. Rose Kitur - Deputy Director Land Use Planning; Mr. Elijah Letangule (Deputy Director Advocacy);

Dr. Lance Robinson - senior scientist and researcher specializing in environmental governance, and social-ecological resilience in pastoralist systems (ILRI); Mr. Peter Ken Otieno: Technical Coordinator- Rangelands Initiative Africa Programme of ILC Coordinated by RECONCILE. Others who made important contributions include: Fiona Flintan (ILRI); Husna Mbarak (FAO-Kenya), Hussein Wario (FAO-Kenya); Francisco Carranza (FAO-Kenya); Enoch Ontiri (ILRI); Mohammed Y. Said (consultant).

We would also like to show our gratitude to the representatives of the counties who provided valuable input including: Garissa, Wajir, Marsabit, Isiolo, Samburu, Turkana, Moyale, and Tana River.

A handwritten signature in black ink, appearing to read 'Herbert Musoga'.

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ABBREVIATIONS & ACRONYMS

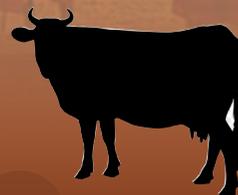
CIP	Capital Investment Plan
CGIAR	Consultative Group on International Agricultural Research
CSP	County Spatial Plan
EU	European Union
FAO	Food and Agriculture Organization of the United Nations
GIS	Geographic Information System
ILRI	International Livestock Research Institute
LUA	Land Use Alternatives
RECONCILE	Resource Conflict Institute
NLC	National Land Commission

PART 1

BACKGROUND

INTRODUCTION

KEY CONSIDERATIONS FOR SPATIAL PLANNING IN PASTORAL AREAS





1.0 INTRODUCTION

1.1 ABOUT COUNTY SPATIAL PLANNING AND THIS ANNEX

This Annex to the *County Spatial Planning: Monitoring and Oversight Guidelines* guides county spatial planning in pastoral areas. The Annex summarizes the principles and the extra steps required in the county spatial planning process to facilitate wise land use decisions at county level in areas where pastoral livelihoods are prominent. It provides guidance on linking planning for rangelands and pastoral livelihoods to other sectors and issues for the creation of a holistic, cross-cutting plan. The Annex should be used together with the accompanying Toolkits: Toolkit (I) - Preplanning, Visioning and objective setting; Toolkit (II) - Research, Mapping and situation analysis; Toolkit (III) - Developing Scenarios and formulating Plan proposals. These toolkits provide a suite of practical tools to support the county spatial planning process.

A County Spatial Plan (CSP) is a holistic plan that establishes the vision for a county's development, and lays out a strategy for addressing emerging opportunities and challenges in the county. As the premier plan setting the development agenda of a county, it helps to protect and guide the development of land and natural resources and to align county financial and institutional resources to agreed policy objectives and programs for the entire county.

This Annex is an aid that will bring the dynamics of rangelands and pastoralism into the county spatial planning process. The Annex, accompanied by the toolkits, will help to demystify spatial planning by providing practical guidance on carrying out county spatial planning successfully in pastoral areas.



1.2 WHY COUNTY SPATIAL PLANNING FOR RANGELANDS AND THE PASTORAL AREAS

In much of Kenya, pastoralism or agro-pastoralism is the dominant livelihood. Rangelands, which cover more than three quarters of the country, can be defined as land on which the native vegetation is predominantly grasses, grass-like plants, forbs, or shrubs. Rangelands are managed as natural ecosystems through ecological rather than agronomic methods.

These areas make a critical contribution to the national economy. Recent estimates suggest that there are 17 million cattle, 17 million sheep, 27 million goats and three million camels in Kenya, the majority are found in pastoral rangelands. The livestock sector employs about 50% of the agricultural workforce and about 90% of the workforce in the arid and semi-arid lands (ASALs). As the key resource for this production, pastoral rangeland systems require protection.



1.2.1. CHANGING TRENDS IN PASTORAL AREAS

In recent years however, rangelands and pastoralist livelihoods have come under increasing pressure from conflicting land uses, poor land tenure security, lack of investment in livestock production, and increasing frequency of drought. Movement between grazing areas, water points, and markets is a crucial aspect of the production system in pastoral areas and of strategies for realizing the economic potential of rangelands. Various factors, however, have increasingly constrained mobility. Good land use planning at different levels can help ensure that pastoral resources are protected, and their use optimised for local and national economic gain. To support livestock production and pastoralism, counties where pastoralism is prominent will need to take particular steps in the county spatial planning process in order to reconcile land use competition and conflicts, facilitate mobility, protect key resources, strategically guide investment opportunities towards livestock production and marketing, and improve rangeland management.



1.2.2 SPATIAL PLANNING AND UNIQUE NATURE OF PASTORAL AREAS

Spatial planning in pastoral areas, however, can be complex and challenging. In order to rise to these challenges, the planning process must be well thought-out. Firstly, there is a need to understand the variety of interconnected socio-cultural, economic, political, ecological and climatic factors that affect rangelands and pastoralism. Secondly, the diversity of stakeholders with multiple and often overlapping or even conflicting interests means that a process of meaningful and profound participation and deliberation is needed. Thirdly, competing land uses, which have increased in the recent past, require negotiation. Different layers of use, including primary, secondary and tertiary use need agreement and documentation.

The spatial planning process, moreover, requires a systematic approach to ensuring that marginalised groups are included in decision-making processes in a fair and equitable manner. Infrastructure development and other associated investments need to be strategically located in order not to disturb but rather to support indigenous production systems including livestock production. Spatial planning should result in proximate and equitable public service provision to often dispersed and sometimes mobile population. The CSP will also need to accommodate the variable distribution of key pastoral resources across the county through the facilitation of mobility and resource-sharing agreements. Decision-making and management bodies may need to be established to improve the implementation of the plan. Monitoring and evaluation will require both assessment by community members and technical analysis.

The task of spatial planning in pastoral areas is complex and challenging, but the potential reward is great. CSPs can help to protect the land-based resources that livestock production depends upon, as well as strategically guiding investments for development of the livestock sector in pastoral areas. Well-targeted investment can build on pastoral systems to improve management practices and increase the health and productivity of the land and livestock. A well-crafted county spatial planning process can be a critical part of the development of pastoral areas.

1.3 TARGETED USERS OF THE ANNEX

This document gives guidance for county spatial planning in pastoral areas and is targeted at County Planning Teams and any consultants who are contracted to support the spatial planning process. However, other stakeholders may

find this document and accompanying toolkits useful for facilitating spatial planning process in pastoral areas.

1.4 POLICY AND LEGAL CONTEXT

The County Governments Act 2012 at Section 110(1)(a) stipulates that the County Spatial Plans shall give effect to the principles and objects of county planning and development contained in section 102 and 103 of the same Act. Further, Section 110 (2)(c)(iv) of the Act requires that the County Spatial Plans should set out basic guidelines for a land use management system in the County taking into account any guidelines, regulations or laws as provided for under Article 67(2) (h) of the Constitution. Other key element of the policy foundation for county spatial planning include the sessional paper No. 3 of 2009 on the National Land Policy, the Sessional Paper No. 1 of 2017 on National Land Use Policy and the National Spatial Plan 2015 - 2045.

1.4.1 THE NATIONAL LAND POLICY

Another pillar of the policy framework for county spatial planning is the National Land Policy (2009), which addresses a wide range of issues including land in pastoral areas. It calls for:

- Securing of pastoralist livelihoods through appropriate land use practices and conformity with principles of sustainable resource management.
- Ensuring that land use and practices conform to land use plans and to principles of biodiversity protection, conservation and sustainable development.
- Principles of ecosystem protection and management, identifying lands that require special attention, such as pastoral lands.
- Equal recognition of different tenure systems, including for Community Land.

1.4.2 THE NATIONAL LAND USE POLICY

Sessional Paper No. 1 of 2017 (the National Land Use Policy) provides land use planning objectives anchored on a legal, administrative, institutional and technological framework for optimal utilization and productivity of land and land-related resources in a sustainable and desirable manner at national, county, sub-county and other local levels. The policy has defined the following principles towards land use planning:

- Proper management of land resources to promote public good and general welfare;
- Land use planning to enhance sustainable development;
- Anchoring land development initiatives;
- Mitigating problems associated with poor land use;
- Promoting environmental conservation and preservation;
- Preparation and review of a national spatial plan and integration of various levels of land use planning;
- Addressing land and land related conflicts; and
- Categorization of land uses in the country.

The policy sets specific direction targeting the rangelands including:

- Plan and develop rangelands according to their various potential in livestock production, tourism, mining and energy production;
- Study and update the carrying capacity of rangelands;
- Discourage open access to grazing land among the pastoralists by Promoting development of communal grazing management plans;
- Provide for flexible and negotiated cross boundary access to protected areas, water, pastures and salt licks among different stakeholders for mutual benefit;
- Ensure that all land uses and practices under pastoral tenure conform to the principles of sustainable resource management;
- Mainstream climate change adaptation and mitigation in rangeland management;
- Set policies that optimize the long term productivity, efficiency, equity and sustainability of rangeland use.

1.4.3 THE NATIONAL SPATIAL PLAN

The National Spatial Plan (**NSP**) is a national spatial vision that guides the long term spatial development of the country. It covers the entire territory of Kenya and defines the general trend and direction of spatial development for the country. The pastoral areas under consideration in this Annex are categorized in region 3 in the NSP (pg 118). The policies identified in this region are:

Strategies

- Selective development concentration
- Construction of key infrastructure to support resource exploitation and development
- Resource mapping and exploitation
- Environmental protection of sensitive areas and mining zones
- Utilization of water resources for agriculture and food production
- Urban development around key human settlement and investment hubs such as Garissa, Mandera, Wajir
- Enhanced agriculture and food production along Tana River

1.4.4 COUNTY GOVERNMENTS ACT, 2012

Section 110 of the County Governments Act requires the counties to prepare 10 year GIS county spatial plan providing: a spatial depiction of the social and economic development programme of the county as articulated in the integrated county development plan; contain strategies and policies which shall:

- (i). Indicate desired patterns of land use within the county;
- (ii). Address the spatial construction or reconstruction of the county;
- (iii). Provide strategic guidance in respect of the location and nature of development within the county;
- (iv). set out basic guidelines for a land use management system in the county taking into account any guidelines, regulations or laws as provided for under Article 67(2)(h) of the Constitution;
- (v). set out a capital investment framework for the county's development programs;
- (vi). Contain a strategic assessment of the environmental impact of the spatial development framework;

1.5 THE INTERNATIONAL POLICY CONTEXT

The African Union has developed two important policy frameworks towards secure land and resource tenure rights. The Framework and Guidelines on Land Policy calls on member states to take steps to protect grasslands and pastoralist ecosystems . The Policy Framework for Pastoralism in Africa is a continent-wide policy initiative seeking to secure, protect and improve the lives, livelihoods, and rights of African pastoralists. Also relevant is the *Voluntary Guidelines on the Responsible Governance of Tenure of Lands, Fisheries and Forests in the Context of National Food Security* produced by the Food and Agriculture Organization of the United Nations⁵ . It calls on states to implement

spatial planning. It also calls for the needs of pastoralists to be taken into account. The Voluntary Guidelines are accompanied by a Technical Guide on *Improving Governance of Pastoral Lands*, which also emphasizes the role that land use planning can play in effective governance of rangelands that:

- Planning and management of pastoralist rangelands take on different forms in different places. Allow for diverse approaches and incorporating formal and traditional institutions and systems.
- Pastoralist and agro-pastoralist communities often have management systems that are a form of traditional land use planning.
- Pastoralist production systems have unique characteristics and planning must adapt to those characteristics.

**AFRICAN UNION FRAMEWORK GUIDELINES ON LAND POLICY IN AFRICA–
ARTICLE 3.5.4 ON PROTECTING GRASSLANDS AND PASTORAL ECOSYSTEMS**

“Although human population densities in grasslands and pastoral ecosystems remain relatively low when compared to the medium and high potential agricultural areas, and urban settlements, these ecosystems typically support a vast amount of livestock and wildlife resources which contribute significantly to the economies of many countries. Today, these ecosystems are under threat from several factors, including creeping desertification resulting from global climate change, invasion by agricultural communities and a long tradition of neglect in the national development policies of many countries. As a result the valuable contribution of grasslands and pastoral ecosystems to economies including as reservoirs for wildlife and biodiversity is slowly receding. This is often exacerbated by outmoded stock management and environmental practices. The protection of pastoral ecosystems will require policies that address issues of tenure security, the role of pastoral communities in pastoral management, guarantee equal access to pastoral resources for women, establish processes for the resolution of cross-boundary disputes, and improve technologies of resource use.”



2.0 KEY CONSIDERATIONS FOR SPATIAL PLANNING IN PASTORAL AREAS

→ In pastoralist settings, there is a need to plan at multiple levels.

2.1 INSTITUTIONAL SETUP AND PLANNING

It is very important for the county spatial planning process that existing community organizations and traditional management systems, territorial demarcations, and dispute resolution mechanisms are well understood. This diversity of local institutions, approaches, and traditions of planning and management must be taken into account

DIVERSE TRADITIONAL SYSTEMS

Traditional systems for managing rangelands have been around since before the colonial period, and in many parts of the county these traditional systems prevail to this day. Around the country, they take on different forms based on differing cultural practices and social institutions, and on different climatic and resource characteristics. Some pastoralist communities have detailed systems of territories and decision-making for these territories at different levels. For others, clans are central to traditional decision-making. It should also be noted that pastoralist communities in the most arid regions have tended to put much less emphasis on managing clear boundaries and controlling who could access which pastures, than did communities in semi-arid areas. Instead, resources tend to be managed through inclusion rather than exclusion. As well, many of the pastoralists from the arid areas more commonly manage their rangelands indirectly by carefully managing water points rather than the land itself.

in county spatial planning, and the process adapted to local conditions.

More formal community organizations and governance mechanisms such as natural resource management committees, WRUAs, or community conservancies may also have land use or grazing plans. Similarly, it is expected that communities that will be registered under the Community Land Act (No. 27 of 2016) may develop land use and grazing plans for their community land. The participation process for developing a CSP can be designed so that customary institutions and community organizations are partners in the planning process. Rather than only involving elders as “participants”, the planning process can engage with these community and customary institutions as *institutions*, linking their

decision-making processes to the spatial planning process

The CSP can play an important role in recognizing and giving legal weight to planning that communities have already done. Adapting the process to different settings may mean, for instance, that different types of consultative processes are needed in different places and that different zoning categories are needed by different counties.

2.2 COMMUNITY LAND USE PLANS

It is also important to note that most rangeland areas in Kenya are on Community Land, which means land that belongs to communities and is managed by them. Many aspects of community plans will need to be updated and revised more often than County Spatial Plans are meant to be done. CSPs can, however, be used to validate and give legal weight to mechanisms such as inter-community agreements about protected pastures and stock routes. In designing the public participation and stakeholder engagement strategies for the planning process, it is important to ensure that the process takes account of diverse types of planning and negotiation that have already taken place, as well as to engage with communities so that community planning and county spatial planning can move forward harmoniously.

EMERGING FORMS OF ORGANIZATION

Some pastoralist communities are organized in group ranches. In recent years, the community conservancies approach has emerged, driven by objectives around wildlife conservation and the development of livelihoods and economic incentives, especially through tourism. In some cases, the community conservancies are made up of one or more group ranches. In other places, community-based natural resource management (CBNRM) committees have been established, often with strong involvement of traditional leaders, sometimes resulting in the creation of a hybrid traditional-modern system. Some Water Resource Users Associations (WRUAs) in the drylands engage in grazing and pasture management as a key element of their strategy for watershed management. Another, very different approach, which is common in the north-western part of Kenya, pays less attention to establishing and strengthening community rangeland management organizations, and focuses instead on establishing inter-community grazing agreements.

2.3 INDIGENOUS KNOWLEDGE

It is very common for pastoralist and agro-pastoralist communities in Kenya to have systems guiding how different areas of land will and will not be used. These systems often involve a form of land use planning even if they are not formally described as such.

INVOLVING CUSTOMARY INSTITUTIONS AS PARTNERS IN THE PLANNING PROCESS

If customary institutions can be involved in the process as *institutions* in a genuine partnership, this can leverage the respect that these institutions often have in pastoral communities, turning that respect into a resource for successful implementation of the plan.

Traditional land and natural resource management systems often have a variety of categories of land tenure (land to which individual households have use rights, communal land for the local community, land shared amongst more than one community, etc.), and various categories of land use (community enclosures for “milk herds” near the settlement, rainy season grazing areas, dry season grazing areas, drought reserve areas, no-go areas set aside for rehabilitation, sacred sites protected from normal use for conservation and cultural practices, etc.). These are rarely, if ever, written down.

2.4 UNIQUE CHARACTERISTICS OF PASTORAL SYSTEMS

Pastoralist systems in Kenya’s rangelands are adapted to conditions where rainfall is scarce and highly variable. Pastoralist mobility is an ecologically appropriate and economically rational adaptation to these conditions. The implications of this for county spatial planning are summarized as follows:

- Mobility is the linchpin of livestock production in the Pastoral Areas, including mobility for accessing pasture, water and mineral resources, for accessing markets, and for accessing services. The CSP must facilitate mobility, both regular and irregular (e.g., in time of drought).
- Pastoralist communities have deep indigenous knowledge of range ecology and conditions, as well as insights into what rules, institutions, investments, and other interventions will and will not work. A participatory approach, therefore, is needed.
- Pastoralists have methods for collective decision-making and systems for managing resources. The spatial plan should facilitate community management and decision-making systems.
- The size of the Planning Areas* and of zoned areas needs to reflect the pastoral use of the land and take a landscape perspective.
- Fragmentation of the rangelands must be avoided. Settlement planning, for instance, should be done in a way that does not break up rangelands and block migration routes.
- The development of settlements, infrastructure, and services should support the pastoral production system. The development of new settlements and services such as schools, clinics and water points can contribute to excessive growth of settlements in grazing areas, and lead to areas which formerly were grazed only on

* The county spatial planning process typically involves dividing the county into a number of distinct geographic planning units.

a seasonal basis now being grazed permanently. Spatial planning can help ensure that the development supports mobile livestock production rather than undermining it.

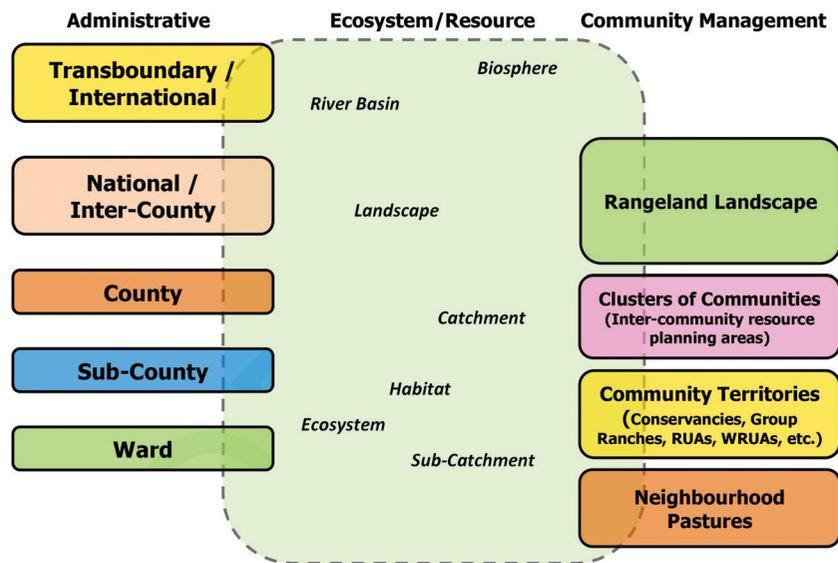
- Plans should take into account multiple use of certain areas: for example, livestock production together with wildlife conservation, together with harvesting of non-timber forest products, together with harvesting of honey, gums and resins, and together with cropping.

2.5 THE MULTI-LEVEL NATURE OF SPATIAL PLANNING IN PASTORAL AREAS

The county spatial planning process must look beyond administrative boundaries. Ecosystem, watershed and other biophysical boundaries cut across ward, county and even international boundaries, and thus so too do the challenges and opportunities that people face. The kinds of territories that are meaningful to resource using communities can also cut across administrative boundaries. Each of these scales—administrative, biophysical and community—has its own set of levels that must be considered in the planning process (see Figure 2.1).

This is particularly true in pastoral areas, where the use of land and other resources is something which takes place at multiple levels. There are many pastures and water points that are used on a daily basis by some herders, and only on seasonal basis by some others, and even less frequently—such as during droughts—by others. Systems of management are similarly multi-level. Not only do livestock-keeping communities have methods of planning at the local, community level; they also often have systems of management and negotiation at larger scales from the inter-community level all the way up to very large rangeland landscapes. In pastoral and agro-pastoral areas, County Spatial Planning too should be done at various levels and must also take into account and coordinate with planning done at lower (e.g., community) and higher (e.g., inter-county, national, and transboundary) levels.

Figure 2.1 - Conceptualisation of multilevel consideration in County Spatial Planning



The planning done at each level informs, and is informed by, planning done at lower and higher levels. For instance, communities may have agreed that certain areas are stock routes or shared drought reserve pastures. The planning process for a particular Planning Area within a County may designate these areas as special zones to be protected. However, this needs to be checked against lower level plans such as community grazing plans, as well as broader county-wide plans. Sometimes the suggested zoning at one level may be inconsistent with the draft plan at another level. Bringing the suggested plans at the different levels into harmony can seldom be done through one single public participation or stakeholder engagement activity at each level—instead, these parts of the planning process need to move back and forth between the levels as plans from the different levels are examined, validated and revised, as depicted in Figure 2.2.

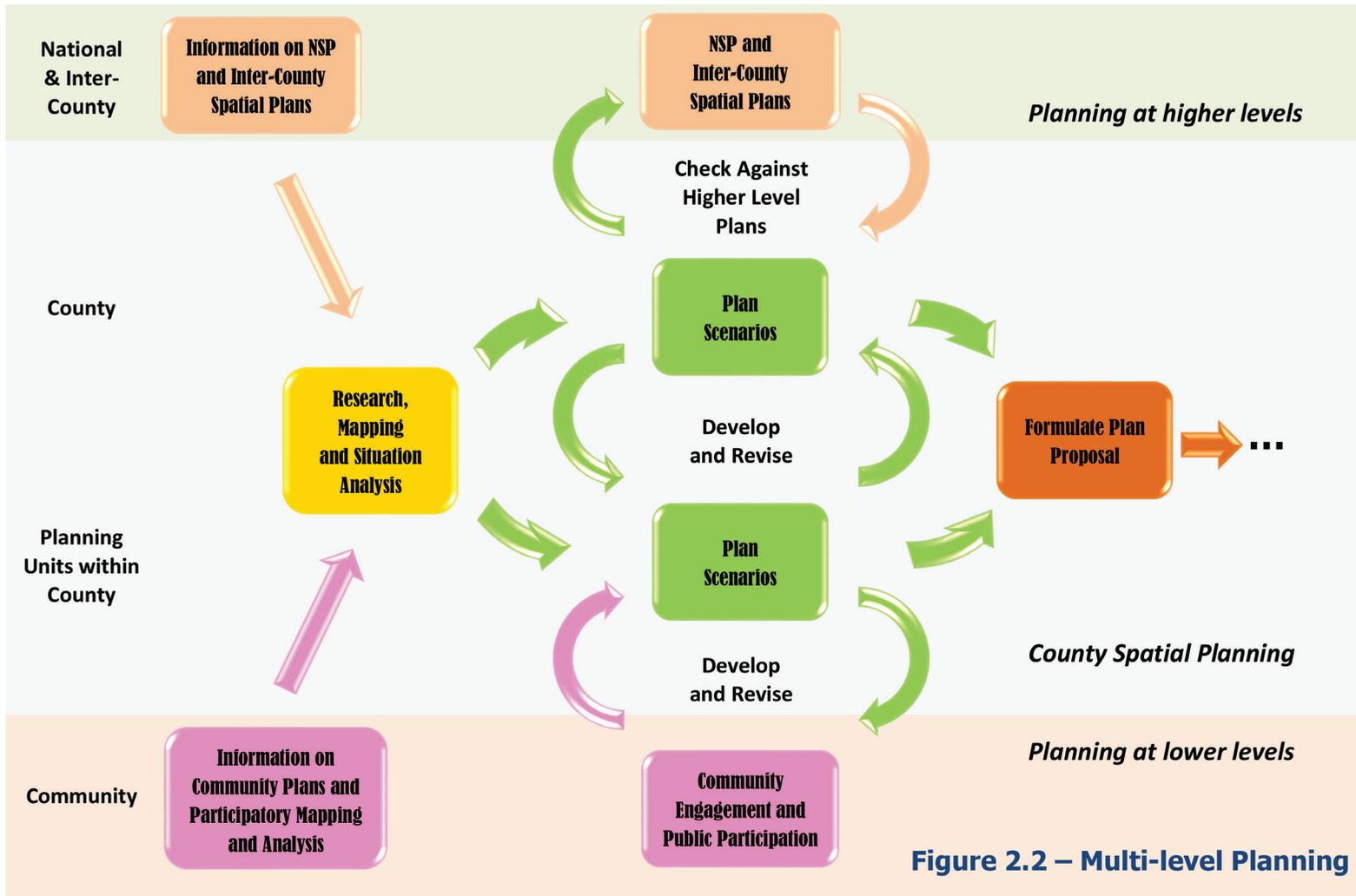


Figure 2.2 – Multi-level Planning

This implies, too, that spatial planning is needed at other levels such as between counties—inter-county spatial planning—and even internationally with trans-boundary spatial planning. For inter-county spatial planning, this may be facilitated when counties harmonize their approaches and the timing of the planning cycles. The planning team should actively work toward synergizing the county spatial planning process with ecosystem planning and watershed management planning. The sharing of information and data with other counties and with other agencies will be a critical aspect of this kind of synergistic planning.

PART 2

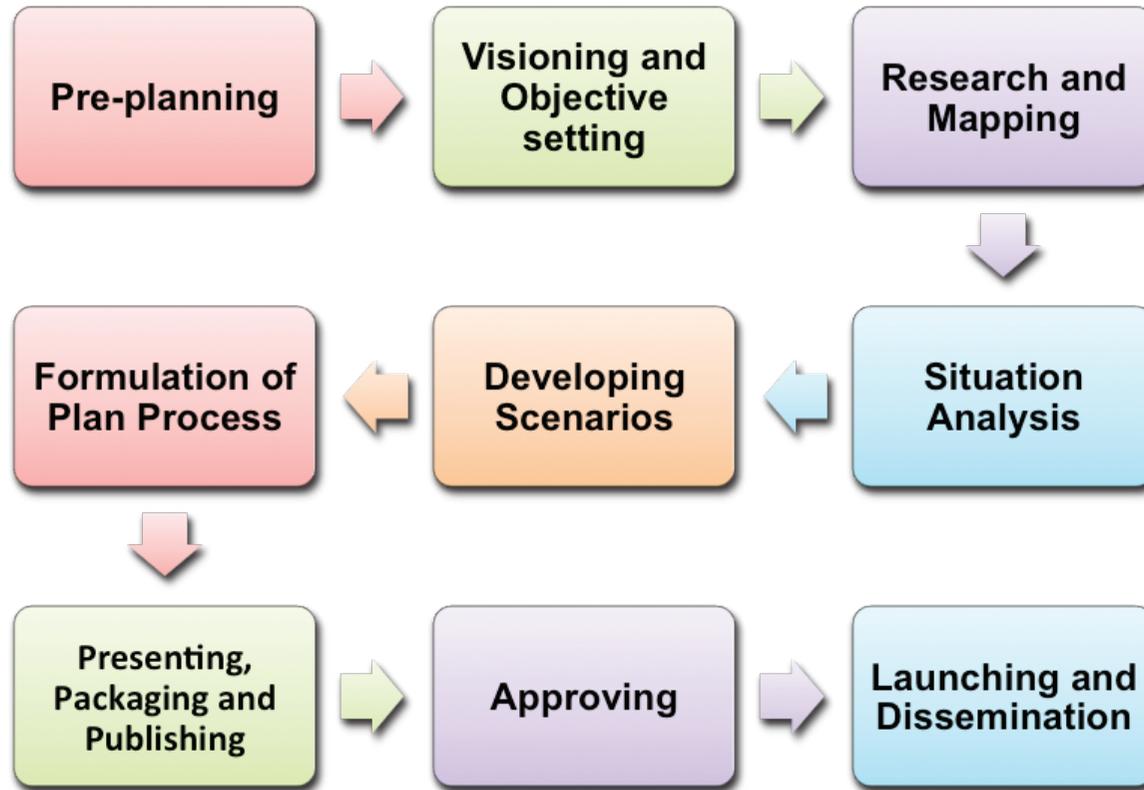
STEPS IN COUNTY SPATIAL PLANNING FOR PASTORAL AREAS



3.0

COUNTY SPATIAL **PLANNING PROCESS**

County spatial planning has nine main steps, which are outlined in the *Monitoring and Oversight Guidelines*:



These steps apply to the entire county spatial planning process as it is carried out in relation to all issues and sectors. The sections that follow describe particular considerations for implementing Steps One through Six in pastoral areas.

3.1 PRE-PLANNING (CSP STEP 1), AND VISIONING AND OBJECTIVE SETTING (CSP STEP 2)

3.1.1 PRE-PLANNING

Delineating Planning Areas

The *Pre-Planning Step*—involves scoping, reconnaissance and identification of stakeholders, among other activities. One of the outputs of a reconnaissance survey is a recommendation of how the county will be divided into geographic Planning Areas. Some aspects of county spatial planning will involve analysis, mapping and planning at a county-wide scale. Much of it, however, will take place at lower levels in distinct Planning Areas within the county. Not every task will be completed at the same time for every part of the county; instead, some tasks will proceed in a step-wise fashion in different Planning Areas, eventually to be brought together at county level. Therefore, a key task in the Pre-Planning phase of county spatial planning is to identify Planning Areas.

In some cases, a county may simply choose to use its sub-counties as the Planning Areas. However, sub-county or other administrative boundaries are not always very relevant for how rangelands are used and managed. There are a variety of resources that are used by pastoralists which are spread across rangeland landscapes namely:

- Dry season pastures
- Rainy season pastures
- Drought reserve pastures
- Stock routes
- Mineral licks
- Permanent water sources
- Short-term water sources.

Customary and community organizations and institutions often have systems in place for managing rangeland use at

the level of large landscapes, and may even have some sort of land use plan, whether or not such a plan is formally documented or is called a “land use” or “spatial” plan. Some pastoralist ethnic groups have large, traditionally-defined Planning Areas. These territories seldom correspond to ward, constituency, or sub-county boundaries.

Are there traditionally defined territories, and if so, how strong a role do they play in rangeland management today?

Are there inter-community or other large-scale natural resource management, grazing, or land use plans already in place?

Do normal mobility patterns lead some pastoralist communities to regularly interact with certain places and certain other communities?

Which resources are regularly shared among communities?

Figure 3.1 – Questions to Ask when delineating the County into Geographic Planning Areas

Stakeholder Analysis

Another activity that is part of the *Pre-Planning* Step is identification and analysis of stakeholders. Some factors to bear in mind in this analysis are:

- Differences in herd composition. For instance, the challenges and opportunities of pastoralists who emphasize keeping cattle, are different from those who primarily keep camels, and different again from households who primarily have small stock.
- Ethnicity and social structure. Traditional institutions, customs, and social structure differ between, and sometimes even within, different ethnic groups. Simply including a category of “elders” in a stakeholder analysis is often a great oversimplification.
- Different kinds of local organizations. There are a wide variety of local organizations involved in managing rangelands, water resources, and herd movements, and also a different *mix* of organizations in different places. Depending on the particular location, community conservancies, grazing committees, Water Resource Users Associations, and/or traditional organizations may be important.
- Some of the interests, challenges and opportunities of women are different from those of men. For example, it is often women who manage the milk animals. They may see the management of pastures close to settlements and to the water points that are used by milk herds as being more important than do men.
- The importance of youth. The gradual breakdown of the authority of elders in some places makes participation by youth very important for the success of the plan.



3.1.2 VISIONING AND OBJECTIVE SETTING

Step Two in the county spatial planning process is *Visioning and Objective Setting*. Some considerations for this step in pastoral areas are:

- The long-term past as well as the long-term future. The very gradual change in the condition of some landscapes, for example through creeping bush encroachment or soil degradation, can result in “a shifting baseline” as people’s expectations are constrained by what they know through their own observation. At least some of these areas, through careful management and rehabilitation, might be returned to their former condition. Part of visioning, in other words, involves helping stakeholders to understand not only what could be, but also what was.
- The need for drought preparedness. Developing a vision is not only about “blue-sky thinking”—drought is a way of life in Kenya’s Pastoral Areas and the vision and objectives for the CSP should incorporate strategies for coping with the effects of drought.
- How to build on pastoralism. Many features of pastoralist practices are ecologically appropriate and economically rational adaptations to the climatic variability of Kenya’s rangelands. A vision for the future should build on those positive features of pastoralism rather than attempting to create a completely new way of life that may not be adapted to the characteristics of pastoral areas.

3.2 RESEARCH AND MAPPING (CSP STEP 3), AND SITUATION ANALYSIS (CSP STEP 4)

3.2.1 WHY THESE STEPS ARE IMPORTANT

The complexity, challenges and potentials of rangelands have often been misunderstood or ignored in planning processes, and because of lack of understanding rangelands are often undervalued. Therefore, the *Research and Mapping and Situation Analysis* steps of the county spatial planning process are very important. Livestock-based livelihoods in rangelands are affected by the complex interaction amongst a range of factors: changing norms and values, growing human population, evolving institutions, climate change, changes in vegetation and rangeland condition, land tenure, and conflict, to name a few. Understanding these interactions is key to having a useful situation analysis that can then guide the subsequent steps in the spatial planning process.

3.2.2 DATA NEEDS AND SOURCES

The *County Spatial Planning Monitoring and Oversight Guidelines* identify broad thematic areas that will guide data collection. In addition to this, in rangelands there are specific categories of data that need special attention for assessment and understanding of social, environmental and livestock production issues in rangelands. These are described in Table 3.2. For each of these categories, it will be helpful to have not only a snapshot of the current situation but an analysis of historical trends up to the present and possible future projections of demography and climate change.

There are various possible methods for collecting the types of data that are needed:

- Pre-existing data available from previous assessments or other kinds of research or from already existing community plans,
- Remote sensing and aerial photos,
- Field surveys,
- Participatory mapping, and
- Participatory GIS.

Table 3.2 - Information Needed for Spatial Planning in Pastoral Areas

THEMATIC AREAS	TYPE OF DATA
Land, Natural Resources, and Environment	<ul style="list-style-type: none"> • Soils • Vegetation and rangeland condition <ul style="list-style-type: none"> ○ Type (grassland, bushland, woodland, etc.) ○ Suitability of different areas for different livestock species ○ Productivity ○ Invasive species • Water resources <ul style="list-style-type: none"> ○ Catchments/watersheds

THEMATIC AREAS	TYPE OF DATA
Land, Natural Resources, and Environment	<ul style="list-style-type: none"> • Water points/sources <ul style="list-style-type: none"> ◦ Types ◦ Distribution and location ◦ Quality ◦ Quantity • Land carrying capacity analysis • Hazard prone areas (flood-prone areas, laggas) • Climate (rainfall and temperature)
Land tenure, Governance and Social Organization	<ul style="list-style-type: none"> • Cadastral information with boundaries • Registered communities (Community Land Act 2016) • The territories of community NRM organizations • Private land (private ranches, individual land, etc.) • Protected areas (gazetted forests, game parks and reserves, conservancies) • Livelihood zones/groups, vulnerability maps, etc. • Conflict hotspots
Land uses	<ul style="list-style-type: none"> • Local, community-managed pastures (incl. boundaries of community managed grazing areas, community core conservation zones, etc.) • Shared pastures areas (e.g., drought reserve pastures), water sources and other resources • Livestock migration routes • Livestock population, distribution and density • Wildlife migratory routes • Grazing pressure

3.2.3 UNDERSTANDING COMMUNITY PLANS

The County Spatial Planning process also needs to take account of planning done at lower levels by communities. Many communities may have local land use plans or grazing plans. Grazing committees, WRUAs, community conservancies or other types of community organizations may have identified different pastures for different seasons or for particular uses. They may have identified certain areas as being temporarily protected (e.g., pastures being rested for rehabilitation) or permanently protected (e.g., sacred sites only accessible to livestock for particular cultural ceremonies, or core conservation areas in conservancies). The county spatial planning process should be aware of these community plans. Among the tasks in the *Research and Mapping and Situation Analysis steps*, therefore, are to identify which communities do have some kind of land use plan and collect maps and other information about those plans.

INFORMATION NEEDED ON COMMUNITY PLANS FOR THE RESEARCH AND MAPPING STEP

Information, particularly GIS data, should be collected on the following:

- The location and boundaries of community managed areas including community conservancies, group ranches, “communities” registered under the Community Land Act, WRUAs, and others.
- Different zones *within* community managed areas: rainy season, dry season and drought pastures, community enclosures, areas set aside for rest and rehabilitation, core conservation areas in conservancies, and any other zones they may have.
- Areas designated in community plans for sharing with other communities: e.g., migration corridors, shared drought pastures.
- Long-term plans—areas identified in community plans for conversion to different uses. For example, a community may be planning to develop an under-used pasture area as a dry season pasture if new livestock water points could be developed there.

The issue of how the county spatial planning process relates to community level land use planning is described in more detail in Section 4.0.

3.2.4 ANALYSIS

In rangelands, analysis of the kinds of information listed above should contribute to understanding in four areas:

- The role that particular parcels of land play in the broader landscape, in ecosystems, and in livelihoods;
- The interconnections between land use, biophysical characteristics, and tenure and social organization;
- How the dynamics in rangelands relate to other thematic areas and sectors such as infrastructure,

- urban areas, agricultural development, mining, wildlife etc.; and
- Interconnectivity and dynamics at different levels, including landscape, county, and inter-county levels.

The understanding derived from this analysis informs the subsequent stages of scenario development and plan formulation. The situation analysis should aim to highlight the potential and the constraints for improvement in management of resources and the development of livelihoods. It must consider trends and also recognize our uncertainty about those trends*. It provides information and analysis that will help in the evaluation of different plan scenarios that are proposed (Step Five). And it must highlight the role played by key pasture areas and other key resources in the broader system. This last factor is vitally important: the lands in pastoral areas that are seen as most desirable for other uses such as urban expansion, irrigation, or other uses are often of pivotal importance in the broader livestock system, serving, for example, as drought reserve pastures or finishing pastures for livestock destined for market. The situation analysis must take a systems perspective if it is to provide the insights necessary to guide protection and wise development of these areas in the next stages of the county spatial planning process.

INFORMATION NEEDED ON COMMUNITY PLANS FOR THE SITUATION ANALYSIS STEP

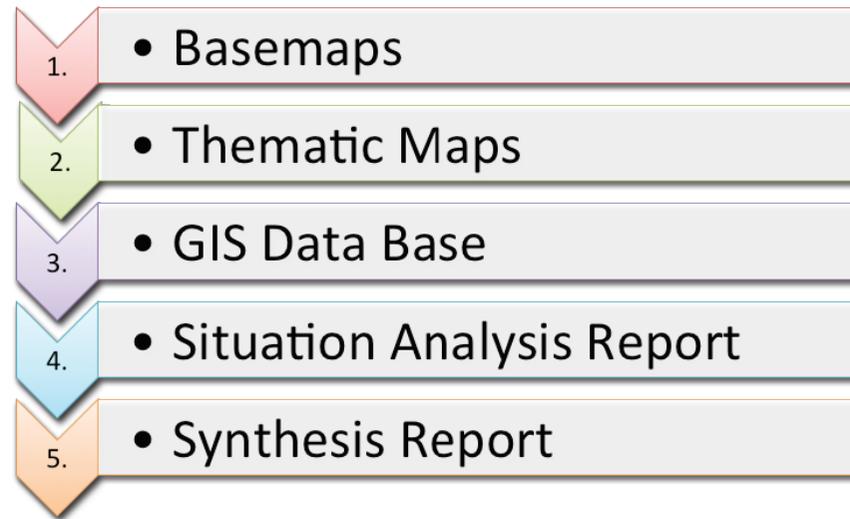
For the Situation Analysis step, more detailed qualitative information will be helpful:

- The relative success of communities in implementing and enforcing their plans and rules.
- Disputes with neighbouring communities and herders from more distant locations over boundaries, enforcement of grazing plans, sharing of resources, through-migration, etc.
- Plans in place for mobilizing and organizing communities in new locations.

* One approach to analysing trends and future trajectories is to develop narratives and quantitative speculations of different possible future conditions, often referred to as "scenario planning". This is a useful approach but is not to be confused with the development of alternative plan scenarios, which is Step Five of the county spatial planning process. Step Five considers drivers, trends and projections, but also involves developing a range of alternative strategies, development option and other measures for possible inclusion in the CSP.

3.2.5. OUTPUTS

Outputs of the *Research and Mapping and Situation Analysis* steps of the county spatial planning process include:



For pastoral areas, these outputs involve one or more composite rangeland thematic maps, a thematic rangelands or pastoralism section in the situation analysis report, and the kinds of data described above for the GIS database.

3.3 DEVELOPING SCENARIOS (CSP STEP 5) AND FORMULATION OF PLAN PROPOSALS (CSP STEP 6)

3.3.1 FACTORS TO CONSIDER IN DEVELOPING PLAN SCENARIOS

After the *Research and Mapping and Situation Analysis* steps, the process moves on to formulating elements of the plans. Informed by careful analysis and meaningful public participation, alternative plan scenarios are developed.

In most of Kenya's rangeland counties, where water and pasture resources are limited and unreliable, livestock production has a comparative advantage over crop agriculture. Herd mobility is the pivotal strategy that pastoralists use: adaptively moving livestock in response to the changing availability of resources. To harness this comparative advantage, these key features of pastoral rangeland systems—the resource scarcity, the variability, and mobility—need to be considered in plans. The development of alternative plan scenarios must take at least four key considerations into account:

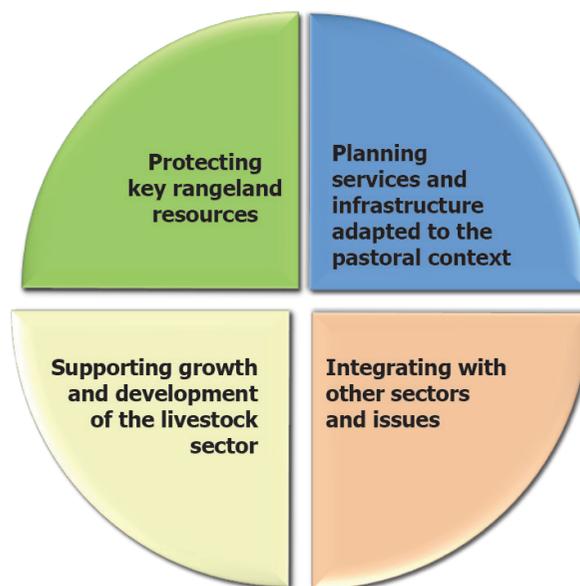


Figure 3.2 – Four Key Considerations for Rangelands and Pastoral Livelihoods in CSPs



- How to protect and conserve key resources such as drought reserves, stock routes, wildlife dispersal areas, migration corridors, wildlife breeding areas and cultural heritage sites;
- How to provide services and infrastructure that are adapted to the pastoral context;
- How to relate livestock production and pastoralist livelihoods to other dimensions of the spatial plan, including achieving balance among sectors such as infrastructure, urban development, mining, industry, agriculture, and livestock production and rangelands; and
- How to support the growth and development of the livestock sector.

First, plan scenarios must consider the protection, sustainable use, and management of pastureland and other rangeland resources. Scenarios may include elements such as protection and improvement of livestock routes, and zoning of drought reserve areas for protection from settlement and other forms of development.

Second, plan scenarios should address the provision of services and infrastructure to people whose livelihoods require mobility. The mobile nature of livestock production in pastoral areas has often challenged the delivery of services such as medical care, education, financial services, communication infrastructure, and so on. The CSP must consider how such services and infrastructure can reach the entire population.

Third, planning for rangelands and pastoral livelihoods needs to be integrated with planning for other issues and sectors. The aim is to develop a holistic, all-inclusive CSP that integrates components of infrastructure, urban growth and development, mining, conservation, livestock production and crop agriculture, as well as rangelands (Figure 3.3). To ensure that the pastoralist livestock production system is adequately accounted for, the spatial plan must address questions such as where provision of new infrastructure or other developments should not happen: for example, development of new water points or creation of new settlements in rainy season pasture areas that would disrupt grazing patterns. Plan scenarios can also involve identifying zones for multiple and integrated land uses such as integrated conservation and livestock grazing activities, dual-purpose livestock-wildlife migration corridors,

and provision for the location of tourist facilities and road development.

Fourth, the spatial plan can do more than simply protect rangeland resources; it should also be forward looking. Different plan scenarios should include options such as prioritizing sites for the development of pasture areas for finishing of livestock, and auxiliary services such as cattle dips, holding areas, quarantine facilities, and veterinary stations. Many of these are best located along livestock routes or close to livestock markets.

All three of these elements are considered in light of a strong understanding of the economic, social, demographic, climatic and other factors that are driving the transformation of many pastoralist communities.

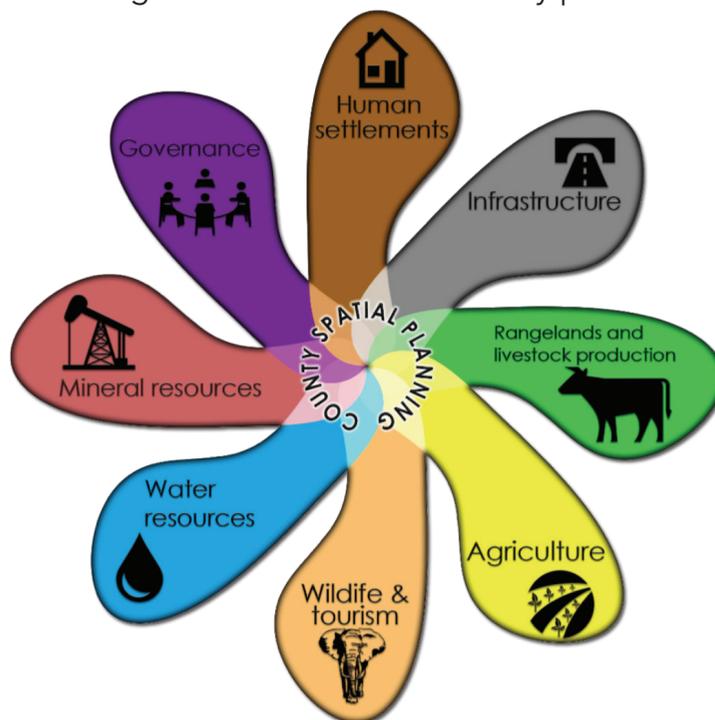


Figure 3.3 - The Cross-Cutting, Integrative Nature of County Spatial Planning

3.3.2 ZONING CATEGORIES

One of the primary tools in spatial planning is zoning. Zoning categories can be used to limit what can and cannot be done on different section of land, what kinds of development should and should not happen there, to prioritize among different land uses, and so on. This can be very important in rangeland areas because pasture resources are notoriously susceptible to being converted to other uses. It is typically the most important pasture resources that are lost in this way.

While zoning can help to protect rangeland resources, great care must be taken in designing and applying zoning schemes. Land in pastoral areas can serve multiple purposes. Some areas, for instance, may be used for both grazing and cropping. It is also important to note that the community institutions that plan and manage grazing systems and carry out management of rangelands often need to adjust their plans on an ongoing bases, so excessive rigidity in zoning is to be avoided. Rules and guidelines will need to be developed for any zoning scheme, and balance needs to be struck between effective protection of key rangeland resources through zoning and flexibility that recognizes multiple use and the needs of communities to adjust their plans.

One way to approach these issues is to understand that the kinds of zoning activities that a community may do is different than, but connected to, the zoning done in a CSP. The zoning done for rangeland areas in county spatial planning is less detailed than a community's local zoning. For instance, a broad zoning category such as "community planned grazing area" could be applied to all of a community's different pasture management categories. Each community, within its "community planned grazing area", would have its own more detailed zones and plans.

A few suggested zoning categories relevant to pastoralist rangelands which a County Government might include in its zoning scheme are described in Table . These are in addition to other zoning categories that might apply to areas designated for the large-scale agricultural investment, for wildlife conservation, etc.

Table 3.2 – Suggested Zoning Categories Relevant to Pastoral Areas

ZONING CATEGORY	EXPLANATION
Community planned grazing area	Land that is recognized as Community Land and designated by the community as a grazing area. Communities may, themselves, sub-categorize their grazing areas into dry season pastures, rainy season pastures, community enclosures, pastures identified for particular livestock species, etc.
Shared grazing areas	Special pasture areas designated as shared among multiple communities. This would include inter-community drought reserve pastures, including pastures accessed by herders across county boundaries.
Stock routes	Areas designated as migration corridors, protected from use for cultivation or for other developments other than approved livestock-related services.
Agro-pastoral areas	Areas designated as being available for either farming or grazing.
Fodder production area	Areas designated for the development of fodder production.
Livestock growth zone	Areas prioritized for development of the livestock economy, including livestock markets, holding pastures near to markets or abattoirs, and livestock services such as dipping stations.
Wildlife-livestock multiple use zone	Areas designated for use both for wildlife conservation and for grazing by livestock.
Ecosystem protection and conservation zone	Areas of critical importance for the protection of wildlife and fragile ecosystems. These may or may not already have protected status as parks or reserves.

In addition to other land use zoning categories used in CSPs, the above are zoning categories that can be used in pastoral areas.

PART 3

THE PLACE OF

COMMUNITY

GRAZING PLANS

IN COUNTY SPATIAL PLANNING

4.0

COMMUNITY LAND **USE PLANNING**

The Community Land Act, No. 27 of 2016 vests primary responsibility for land use planning at community level with communities. The Act recognizes that communities may develop land use plans for community land administered by them and that these plans will be informed by the County Spatial Plan and may be submitted to the county government for approval (Section 19). It also recognizes that communities may develop rotational grazing systems or other kinds of grazing plans and have the right to designate portions of community land as grazing areas for which certain activities such as erection of structures, ploughing and cultivation, or restricting access to water sources may be proscribed (Section 28).

Many communities, whether or not they have yet been registered under the Community Land Act, already engage in land use planning and spatial grazing planning at their level. As implementation of the Community Land Act, including demarcation and registration of communities, will take some time, community level land use or grazing plans developed by other community mechanisms such as WRUAs, local grazing committees, or community conservancies should also be recognized by the county spatial planning process.

Often the precise details of these kinds of community land use and grazing plans may be adjusted from year to year. The spatial distribution of rainfall, changes in grazing pressure, or the success or failure of pasture management interventions may necessitate a community changing a portion of land from one category to another. For instance, a section of *dry season pasture* may be re-designated *drought reserve pasture* or vice versa, a new area may be identified for a community enclosure, etc. Typically, therefore, plans at the community level will be somewhat more flexible and updated more frequently than a CSP.

The county spatial planning process has three roles in relation to community level land use and grazing plans:

- Helping to protect community rangeland resources from inappropriate capture and conversion to other uses.
- Synchronizing community plans with the planning that takes place at inter-community, large landscape and county level through the county spatial planning process.
- Providing a broader plan upon which approval of community land use plans can be based as per the Community Land Act, Section 19.

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PHOTO CREDITS

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Page 2 Lance Robinson, International Livestock Research Institute, participatory mapping workshop in Garissa County.

Page 3 Dave Elsworth, International Livestock Research Institute, Kenyan rangelands and wildlife.

Page 4 Stevie Mann, International Livestock Research Institute, herder with bull, Kajiado County.

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Page 29 Fiona Flintan, International Livestock Research Institute, camels taking water in Isiolo County.





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