Strategic Environmental Assessment of the Eselenkei Group Ranch Landuse and Subdivision Plan, Kajiado South Sub-County, Kajiado County



DRAFT SEA REPORT
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The Draft Report for the Strategic Environmental Assessment (Plan SEA) of the Eselenkei Landuse and Land Sub-Division Plan, the Kajiado County, is submitted to NEMA on behalf of the Eselenkei Group Ranch, Big Life Foundation and Amboseli Ecosystem Trust by Habitat Planners Ltd by:

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ACRONYMS & ABBREVIATIONS

AEMP	-	Amboseli Ecosystem Management Plan
AET	-	Amboseli Ecosystem Trust
ALOCA	-	Amboseli Landowners Conservancy Association
ASALs	-	Arid and Semi-Arid Lands
BLF	-	Big Life Foundation
CGK	-	County Government of Kajiado
CMS	-	Convention on Migratory Species
DSWT	-	David Sheldrick Wildlife Trust
EIAs	-	Environmental Impact Assessments
EMCA	-	Environmental Management and Coordination Act
GAE	-	Greater Amboseli Ecosystem
GoK	-	Government of Kenya
HWC	-	Human Wildlife Conflict
KENHA	-	Kenya National Highway Authority
KFS	-	Kenya Forest Services
KWS	-	Kenya Wildlife Service
LSP	-	Landuse and Subdivision Plan
MEAs	-	Multilateral Environmental Agreements
EGR	-	Eselenkei Group Ranch
MWCT	-	Maasai Wilderness Conservation Trust
NBSAP	-	National Biodiversity Strategy and Action Plan
NCCRS	-	National Climate Change Response Strategy
NEMA	-	National Environmental Management Authority
NGOs	-	Non-Governmental Organizations
NIA	-	National Irrigation Authority
NRM	-	Natural Resources Management
PEIA	-	Plan Environmental Impact Assessment
PPP	-	Policies, Plans and Programmes
REDD+	-	Reducing Emissions from Deforestation and Forest Degradation
SEA	-	Strategic Environmental Assessment
UNESCO	-	United Nations Educational, Scientific and Cultural Organization
WCMA	-	Wildlife Conservation and Management Act
WRA	-	Water Resources Authority
WRUAs	-	Water Resources User Associations

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Tiffany Mwake of the Habitat Planners is appreciated for field and office support

NON-TECHNICAL SUMMARY

1. BACKGROUND

The promulgation of the National Constitution of Kenya 2010 which created three types of land tenure, namely, public, community and private land has recently accelerated the winding up of group ranches in Kenya through their transformation from community to private land tenure. This is likely to affect wildlife conservation and communal pastoralism through the privatization of rangelands which might eventually restrict seasonal livestock movement in private land parcels. The land reform is likely to trigger a wide range of environmental and social transformations such as increased fencing of individual land parcels, further land subdivision, and sale of land to outsiders. Apart from increasing dispossession of land from the Maasai people, the transformation will likely lead to increased introduction of landuse practices which are incompatible with traditional livestock husbandry and wildlife conservation.

2. ESELENKEI LANDUSE AND SUBDIVISION PLAN (LSP)

The need for Eselenkei LSP arose following the desire of the Eselenkei Group Ranch (EGR) landowners to subdivide their ranch and acquire individual title deeds. In line with the resolution, the group ranch representatives subsequently applied for and obtained consent from the Director of Land Adjudication and the Settlement Officer to dissolve the group ranch and subdivide the land among members. Consequently, the MGR management prepared the Landuse and Subdivision Plan (LSP) to facilitate issuance of individual land titles to members. The LSP was necessary to guide the land subdivision and the subsequent registration of land rights for private landowners . The aim of the LSP was to fulfil the desire of members to own individual land, while ensuring sustainable conservation and management of natural resources to secure communities' livelihoods now and in the future. The principal role of the LSP is to serve as a governance tool for regulating landuse in the new private tenure regime. The LSP was approved by the County Government of Kajiado (CGK), and the primary ownership and responsibility for implementation of the LSP is vested in the Eselenkei Board of Trustees and Cooperative Society.

The zoning plan used for the Eselenkei LSP was aimed at achieving prosperity, efficiency, equity, and sustainable development by promoting and accommodating competing landuses. The zoning strategy is expected to promote socio-economic growth while ensuring effective conservation of the environment and natural resources. It seeks to reduce human-wildlife conflicts through active interventions that maintain and protect the ecosystem through adoption of the following landuse zones:

a) *Settlement zone*: This zone has been set aside for the settlement of members. It comprises the existing settlement areas where members were previously residing in which each landowner was allocated 10 acres with a title deed.
b) *Agriculture and settlement zone*: This zone is focused on the irrigated agricultural areas along the Nolturesh water pipeline and Eselenkei River. Each landowner was allocated 2-5 acres with title deed for this zone.
c) *Grazing and settlement zone*: This zone has been designated as the main livestock grazing zone in which human settlement will be allowed. Each landowner was allocated 42 acres with title deed for this zone.
d) *Pastoralism development and wildlife zone*: This zone covers the Tulakaria-Osewan and Marite–Oseki which sustain traditional wildlife movements between the Selenkay Conservancy, Amboseli National Park and the Greater Amboseli Ecosystem. 700 EGR

members were allocated 47 acre land parcels each in this zone without title deeds. The landowners have entered into a lease agreement with Big Life Foundation for the 33,000 acres to be sustained as an intact block of land mainly for wildlife and controlled dry season grazing.

e) *Wildlife corridors, conservancy and tourism zone*: The zone is mainly centred around the Selenkay Conservancy whose primary focus is wildlife conservation and tourism.
f) *Transportation and infrastructure*: This is associated with the transport, communication and related infrastructure.

The LSP has clearly prescribed the permitted activities and landuse restrictions for each of the above zones.

3. JUSTIFICATION FOR STRATEGIC ENVIRONMENTAL ASSESSMENT

The SEA is one of the tools used to protection the environment for the benefit of present and future generations as enshrined in Articles 42, 69 (a & g), and 70 (2b) of the National Constitution of Kenya 2010. Article 42 of the National Constitution of Kenya 2010 pertains to the right to a clean and healthy environment, which can be violated through implementation of policies, plans and programmes which are environmentally unsustainable. The Eselenkei LSP SEA is in compliance with S57A(1&2a) which requires all new policies, plans and programmes (including those from local communities like MGR) to be subjected to strategic environmental assessment., The purpose of the LSP SEA is to reinforce and legitimize the LSP beyond the County Government of Kajiado (CGK) approval by legalizing it under section 57A (1) of the Environmental Management and Coordination Act (Amendment Act 2015) by subjecting the LSP to comprehensive environmental and social screening for effective environmental and natural resources governance. The SEA would ensure that the LSP is well aligned with relevant policies, legal frameworks and subsidiary regulations at local, county and national levels for ease of implementation and enforcement as the principal landuse governance instrument under the private land tenure regime. The gazettement of the SEA report will legalize the Eselenkeii LSP and support its application including legal enforcement of landuse restrictions to avoid landuse disorder and irreversible environmental and social problems that are likely to be triggered by land sub-division and land reforms such as widespread land disposal, land leasing, fencing, charcoal burning and landuses which are incompatible with pastoralism and wildlife conservation.

The Eselenkei LSP SEA will address management gap associated with the emerging and inevitable challenge of land subdivision and landuse change in the Amboseli ecosystem. The issue was not considered in the 2014 Plan SEA for the AEMP (2008-2018) because the SEA was mainly commissioned in response to the one-year Amboseli Moratorium of 2013 which suspended all development activities especially in the tourism sector until AEMP was gazetted so that it could serve as a regulating instrument for development activities in the ecosystem. The 2014 Amboseli ecosystem-wide Plan SEA did not consider the issue of group ranch land sub division which mainly started after 2019. Prior to that land sub division had only occurred in the Kimana Group Ranch without a SEA which culminated in a wide range of negative environmental and social impacts (including widespread land dispossession through mass acquisition of land by "outsiders", fragmentation of pastoral and wildlife landscapes through fencing, loss of critical wildlife habitats and migratory corridors, and degradation of environmentally sensitive environments such as the Kimana wetland and wildlife sanctuary). The Eselenkei LSP SEA and other similar interventions

will reinforce the Amboseli Ecosystem SEA by the AET which was not covered in the umbrella SEA.

4. APPROACH AND METHODOLOGY FOR THE STRATEGIC ENVIRONMENTAL ASSESSMENT

The ex-post plan SEA was undertaken in accordance with the National Guidelines for Strategic Environmental Assessment in Kenya and the standard best practice roadmap and protocol as highlighted below:

- Screening and scoping to determine the specific issues to be considered in the SEA,
- Preparation of a PPP Brief (LSP Brief) and submission of the same to NEMA for the records,
- Preparation of a screening and scoping report and ToRs for submission to NEMA for approval,
- Preparation of a comprehensive environmental and social regulatory framework for the SEA through identification of relevant PPPs and collation and review of PPP documents,
- Detailed PPP analysis to determine the environmental regulatory framework for the SEA,
- Compliance assessment of Eselenkei LSP against relevant environmental regulatory benchmarks,
- Establishment of a suitable stakeholder's engagement and participation strategy for the SEA process,
- Stakeholders consultations and public participation,
- Field missions and case studies for baseline situation analysis,
- Plan environmental impact assessment (PEIA) and mitigation,
- Identification of plan alternative options,
- Preparation of a comprehensive Environmental Management and Monitoring Plan, and
- Compilation and validation of the LSP SEA report.

5. ENVIRONMENTAL REGULATORY FRAMEWORK AND PPP ANALYSIS

The Eselenkei LSP was screened against the environmental and social obligations in relevant frameworks at local, county, national and international levels as highlighted below:

Framework level	Relevant frameworks
Local	1. EGR Landuse and Sub-Division Plan 2. Amboseli Ecosystem Management Plan 2020-2030
County	3. Kajiado County Land Sub-Division Guidelines 2018 4. Kajiado County Spatial Plan 2019-2029
National	5. National Constitution, 2010 6. National Environment Policy, 2014 7. EMCA Cap 387 8. National Landuse Policy, 2017 9. Integrated National Landuse Guidelines, 2011 10. National Wildlife Policy, 2020 11. Wildlife Cordination and Management Act, WCMA 2013 12. National Climate Change Framework Policy, 2016 13. Kenya Vision 2030 14. Kenya National Spatial Plan 2015-2045 15. National Water Master Plan 2030 16. National Biodiversity Strategy and Action Plan (NBSAP 2021-2030) 17. National Climate Change Response Strategy (NCCRS) 2010
Regional & global	18. EAC Protocol on Environment and Natural Resources 19. Convention on Migratory Species (CMS) 20. UNESCO's Programme on Man and the Biosphere (MAB)

6. SEA FINDINGS

The potential positive impacts expected from implementation of Eselenkei LSP after land subdivision will include:

- Higher land value,
- Security of land tenure,
- Absolute land ownership rights,
- Provision of individual landuse freedom,
- Individual right for individual landowners to enjoy the right to freely own, use, gift or bequest land,
- Benefits of more diversified livelihood opportunities beyond traditional pastoralism,
- Freedom from ineffective group ranch governance and management regime,
- Improved and well-planned human settlements,
- Improved provision of infrastructure and essential services,
- Increased employment and business opportunities,
- Improved cushioning of households against low livestock returns through introduction of alternative economic options, and

The potential negative impacts and mitigation options are highlighted below.

Landuse zone	Potential negative impacts with violation of landuse restrictions	Mitigation options
1. Settlement areas	• Uncontrolled land subdivisions and disposal • Mass acquisition of land by outsiders • Disputed land sales leading to disinheritance, loss of family wealth, numerous clan or family feuds • Introduction of a desperate class of landless Maasai • Dilution of the norms and values of the Maasai culture • Increased crime and indecency due to collapse of traditional customary systems • Lower aesthetic appeal of Eselenkei as a tourism hub due to negative visual impacts • Increased water demands and scarcity • Increased wildlife crime	• Controlling land disposal without the consent of family members, especially women and youth • Controlling the sale of settlement land to outsiders • Addressing the potential problem of increased crime and social vices in the zone • Addressing the potential problem of inadequate water supply for mushrooming settlements • Controlling illegal bush meat activities • Controlling solid waste disposal
2. Agriculture and settlement areas	• High influx of high-end irrigation farmers from agrarian regions • Mass acquisition of land by outsiders • Increased water demands and scarcity	• Regulating water abstraction to prevent the drying up of Eselenkei River • Regulating encroachment of agriculture into riparian buffer zones through proper zoning • Regulating new irrigation farms on private land • Mitigating water-related conflicts • Limit use of agro-chemicals especially pesticides
3. Grazing and settlement areas	• Uncontrolled land subdivisions and disposal • Mass acquisition of land by outsiders • Disputed land sales leading to disinheritance, loss of family wealth, numerous clan or family feuds • Introduction of a desperate class of landless Maasai • Dilution of the norms and values of the Maasai culture • Increased crime and indecency due to collapse of traditional customary systems	• Controlling land disposal without the consent of family members, especially women and youth • Controlling the sale of settlement land to outsiders • Addressing the potential problem of increased crime and social vices in the zone

	• Increased wildlife crime	• Addressing the potential problem of inadequate water supply for mushrooming settlements • Controlling illegal bush meat activities
4. Pastoral and wildlife rangeland	• Uncontrollable land subdivisions and disposal • Fragmentation of pastoral and wildlife landscapes through fencing • Mass acquisition of land by outsiders • Introduction of land activities which are incompatible with nomadic pastoralism and wildlife conservation • Disputed land sales leading to disinheritance, loss of family wealth, numerous clan or family feuds • Introduction of a desperate class of landless Maasai • Dilution of the norms and values of the Maasai culture and traditions • Escalation of rangeland degradation • Curtailing of traditional livestock mobility networks in pursuit of pasture and water • Collapse of traditional pastoral systems and practices • Increased crime and indecency due to collapse of traditional customary systems • Reduced capacity to cope with and adapt to climate change • Increase in human-wildlife conflicts and retaliatory attacks against wildlife • Increase in wildlife crime	• Controlling of further land subdivision and disposal • Regulating land disposal without the consent of family members, especially women and youth • Creating private land as common land for shared use for communal livestock grazing and wildlife use • Establishing conservancies in the pastoralism and wildlife zone • Regulating livestock population by introducing improved breeds • Preventing collapse of the proposed REDD+ carbon credit project
5. Wildlife corridors, conservancy and tourism	• Lower aesthetic appeal of Eselenkei as a tourism hub in the Amboseli ecosystem due to negative visual impacts of landscape change • Curtailing of traditional livestock mobility networks in pursuit of pasture and water • Collapse of traditional pastoral practices • Collapse of the proposed REDD+ carbon credit scheme in Eselenkei • Collapse of existing tourism revenue-generating opportunities • Increased wildlife-related conflicts • Increased wildlife crime	• Conversion of the conservation zone into a conservancy • Ensuring equitable sharing of benefits accruing from wildlife conservation and tourism • Regulating livestock population by introducing improved breeds • Preventing collapse of the proposed REDD+ carbon credit project in Eselenkei
6. Transportation and infrastructure	• Fragmentation of grazing and wildlife landscapes through construction of access roads • Obstruction of wildlife and livestock movement corridors by roads • Increase vehicle-wildlife-livestock collisions • Increased crime including wildlife crime due to the opening up of the area	• Controlling obstruction of wildlife-livestock corridors by roads in the rangelands • Addressing potential risk of vehicle-wildlife-livestock collisions • Addressing the potential problem of increased crime including wildlife crimes due to greater landscape accessibility and penetration

7. STAKEHOLDER VIEWS AND CONCERNS

The findings showed that the Eselenkei landowners were aware of the subdivision process and were conversant with the six landuse zones that have been created and were in agreement with the landuse zones. The consultations established that prior to the subdivision process, a verification of the official and bona vide EGR members was done to ensure non-members were not introduced. It was also established that landowners were adequately informed about,

sensitized on and agreed with the permitted activities in each zone. Similarly, landowners were aware about the land restrictions in the six landuse zones. The consultation findings showed that landowners and their leaders had agreed the duration for the landuse restrictions should be 30 years with a review after 10 years. Some landowners however suggested that the review should be done after five years to enable people experience private land tenure and make amendments without overburdening them.

8. ENVIRONMENTAL MANAGEMENT AND MONITORING PLAN

A detailed Environmental Management and Monitoring Plan (EMMP) has been prepared to support effective implementation of the Eselenkei LSP as an instrument for land sub-division and landuse governance after the land reform and transition into private land tenure regime. The EMMP will support the long-term management, monitoring and evaluation of the environmental and social status in the landuse zones.

9. CONCLUSIONS

The PPP analysis for the Eselenkei LSP SEA showed that the LSP is compliant with environmental and social obligations in relevant frameworks at local, county, national and international levels. Demarcation of landuse zones in the Eselenkei LSP is compliant with the landuse zones, permitted activities and landuse restrictions in the Amboseli Ecosystem Management Plan (AEMP) 2020-2030. The Eselenkei LSP is aligned with the Kajiado County Land Sub-Division Guidelines of 2018. The guidelines advocate for retention of the group ranches in their traditional state. Similarly, the LSP is well aligned with the Kajiado County Spatial Plan of 2019-2029.However, the LSP has prescribed the licensing of non-commercial harvesting of natural products (such as medicinal plants and firewood) in the pastoralism and wildlife zone but the licensing criteria has not been spelt out. It has also prescribed the undertaking of scientific research in the conservation and tourism development zone but the approval modalities for these activities is unclear.

The overall impact analysis for the Eselenkei LSP including the environmental scenario building clearly showed that the negative environmental and social impacts of land sub-division in the group ranch might exceed the positive impacts. This observation is consistent with the findings of many scientific research studies which have been undertaken on the subject both locally and abroad. Despite this, the desire of the landowners to subdivide the communal land is strong and resolute. This is probably due to strong desire for absolute land ownership rights by the landowners and the systemic weaknesses in the group ranch management regime including poor transparency and accountability.

The Eselenkei LSP offers suitable landuse prescriptions for each zone as key pillars for effective planning and sustainable management of land for current and future generations. There's no guarantee however that these restrictions won't be challenged and violated. This eventuality can be mitigated through firm decrees and agreements among the landowners on compliance with gazetted restrictions including fines and penalties for restriction violators.

10. RECOMMENDATIONS

The headline recommendations for each landuse zone are highlighted below.

10.1: Settlement zone

a) Land disposal without the knowledge and approval of family members, including women and youth, should be controlled by enforcing the Land Control Board disposal consent requirement for involvement of family members as prescribed in the Land Act.
b) Sale of settlement land to outsiders by private landowners should be controlled through gazettement of restrictive regulations and signing by landowners at issuance of title deeds on the following:-
    i) Restricted sale of settlement land and migration to the pastoralism and wildlife zone,
    ii) Forfeiture of conservation fees and carbon credit revenue benefits accruing from the communal land in the pastoralism zone, and
    iii) Grazing prohibition rules for private landowners who dispose their land in the settlement zone and migrate to the pastoral rangeland and wildlife zone.

10.2: Agriculture and settlement zone

a) Establishment of new irrigation farms on private land should be controlled through the involvement of Nyumba Kumi Groups which should approve the leasing of new farms in their local areas and regulate the number of water abstraction pumps and pumping hours through common agreements.
b) The WRUAs in the zone should clearly demarcate the riparian buffer zones with clear beacons according to relevant legal frameworks in partnership with private landowners through Nyumba Kumi Groups and enter common agreements to control encroachment by irrigation farms.

10.3: Grazing and settlement zone

a) Land disposal without the knowledge and approval of family members, including women and youth, should be controlled by enforcing the Land Control Board disposal consent requirement for involvement of family members as prescribed in the Land Act.
b) Sale of settlement land to outsiders by private landowners should be controlled through gazettement of restrictive regulations and signing by landowners at issuance of title deeds on the following:-
    iv) Restricted sale of settlement land and migration to the pastoralism and wildlife zone,
    v) Forfeiture of conservation fees and carbon credit revenue benefits accruing from the communal land in the pastoralism zone, and
    vi) Grazing prohibition rules for private landowners who dispose their land in the settlement zone and migrate to the pastoralism zone.

10.4: Pastoral rangeland and wildlife zone

a) Landowner owners in this zone can enter into a legally binding agreement to transfer their property rights to the Eselenkei Land Trust and the Cooperative Society for governance and management as shared common land for pastoralism and wildlife use and the collective interests of Eselenkei landowners.
b) Access to conservation fees, carbon credit revenue and mining royalties should be linked to preservation of private land through a signed agreement.
c) Conservancies can be established in the pastoralism and wildlife zone through conservation easement agreements between willing private landowners, AET and other conservation

partners with clear strategies to ensure that private landowners earn good revenue failure to which they might decide to dissolve them.

d) The REDD+ carbon credit project in Eselenkei should be sustained by entering into lease agreements with beneficiary landowners outlawing further subdivision and rampant vegetation clearance.
e) Enforcement of licensing regulations for non-commercial harvesting of natural products in the pastoralism and wildlife zone.

10.5: Wildlife corridors, conservancy and tourism

a) The constitution for the Eselenkei Land Trust and/or Cooperative Society should clearly define the formula for equitable sharing of revenue accruing from wildlife conservation and tourism and provide a strategy for dispute resolution.
b) The REDD+ carbon credit project should be sustained by entering into lease agreements with beneficiary landowners outlawing further subdivision and rampant vegetation clearance.

It is recommended that a review of landuse restrictions should be undertaken after 10 years after gazettement of the Eselenkei LSP SEA based on recommendations of a wide section of stakeholders. The Eselenkei LSP SEA and other similar interventions will reinforce the 2014 Amboseli Ecosystem SEA by the AET in terms of addressing the potential negative impacts of land sub division which was not covered in the umbrella SEA. It is therefore necessary for the recommendations of the Eselenkei LSP SEA especially regarding the landuse restrictions to be annexed to the Amboseli Ecosystem SEA by the AET.

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1. INTRODUCTION AND BACKGROUND

1.1: Group Ranch Land Sub-division in Kajiado County

The promulgation of the National Constitution of Kenya 2010 which created three types of land tenure classes, namely, public, community and private land has recently accelerated the winding up group ranches in Kenya through their transformation from community to private land tenure. Kajiado County in southern Kenya has traditionally been associated with communal land tenure through the group ranch framework which was previously authorized by the Group (Land Representatives) Act of 1968, and which was later repealed by the Community Land Act, No. 27 of 2016. The group ranch model enabled communal pastoralism as the dominant landuse practice in the dryland rangelands (ASALs) which are often too dry for rain-fed agriculture and have low capacity for livestock husbandry in restricted space.

Rangeland communal pastoralism relies heavily on extensive opportunistic movement of household livestock in shared common land based on the availability of pasture and water (BurnSilver & Mwangi 2007, Thornton *et al*, 2006, Ntiati 2002). The land reforms from communal to private land tenure is likely to trigger a wide range of environmental and socio-economic transformations including increased fencing of individual land parcels, further land subdivision, and sale of land to outsiders. Apart from increasing dispossession of land from the Maasai people, the transformation is likely to result in increased introduction of landuse practices which are incompatible with traditional livestock husbandry and wildlife conservation through encroachment into livestock grazing and wildlife conservation areas. Land subdivisions in Maasai group ranches is therefore likely to affect communal pastoralism and wildlife conservation and through privatization of the rangelands which might restrict seasonal livestock and wildlife movement in private land parcels.

1.2: Eselenkei Landuse and Subdivision Plan (LSP)

The need for the Eselenkei LSP arose following the desire of the Eselenkei Group Ranch (MGR) landowners to subdivide the ranch and acquire individual title deeds. The push for the subdivision of the group ranch was influenced in part by the experience of neighbouring group ranches such as Kimana and Mailua which had been subdivided communal land and members were issued with title deeds for their respective land parcels. The sub division was also influenced by increased awareness on land rights as guaranteed in the National Constitution of Kenya 2010. In line with members resolution to subdivide the group ranch, the Eselenkei representatives subsequently applied for and obtained consent from the Director of Land Adjudication and the Settlement Officer to dissolve the group ranch and subdivide the land among members.

Subdivision of EGR was guided by and implemented in line with the principles and provisions of the relevant laws, namely, the National Land Policy, Land (Group Representatives) Act, Community Land Act, Physical Planning and Landuse Act, Survey Act, Land Act, County Government Act, Urban Areas and Cities Act, Wildlife Conservation and Management Act, and the National Land Commission Act.

In 2021, the Eselenkei management commissioned Geodev (K) Consultants to prepare the Landuse and Subdivision Plan (LSP) to facilitate land subdivision and issuance of individual land titles to members. The LSP was necessary to guide the land subdivision and subsequent registration of land rights for private landowners. The aim of the LSP was to fulfil the desire of members to own individual land, while ensuring sustainable conservation and natural resources. The overall purpose of the Eselenkei LSP was to:-

a) guide land surveying and issuance of title deeds for registration of individual land rights,
b) ensure sustainable development especially with regard to the following considerations:
    i. organized distribution of human settlements,
    ii. allocation of land for various landuse activities especially pastoralism, agriculture, and tourism,
    iii. preserving land for environmental conservation including protection of wildlife corridors, habitats and dispersal areas, and
    iv. land allocation for essential infrastructure and social services, and
c) serve as the tool for overall governance and development coordination of the area after dissolution of the group ranch management.

The specific objectives of the LSP are to:-
a) manage human settlement by creating liveable and functional centralized places for Eselenkei landowners to live, work and play to forestall the possibility of spontaneous and unregulated settlements,
b) provide social and physical infrastructure proximate to the population concentration areas and commensurate to demand,
c) spur economic development of Eselenkei by expanding livelihood domains and income-generating options by:-
    i. improving pastoralism practices,
    ii. strengthening tourism in the area, and
    iii. developing crop and fodder farming,
d) protect and conserve the fragile natural environment including wildlife heritage including preservation of local and regional ecological connectivity to improve the quality of life and livelihoods, and
e) promote good governance by mainstreaming transparency and accountability and by institutionalizing community participation in the management of the affairs of Eselenkei's development after the dissolution of the group ranch.

Land subdivision in Eselenkei will transform traditional communal land into multiple parcels of private land through the issuance of titles to individual members. The land subdivision will mark the dissolution of the group ranch leadership after the transition from communal to a private tenure regime. The principal role of the LSP is to serve as an important governance tool for regulating landuse in the new private land tenure regime.

The LSP was approved by the County Government of Kajiado (CGK) and the primary ownership and responsibility for the implementation vested in the Eselenkei Board of Trustees and Cooperative Society.

1.3: Justification for Strategic Environmental Assessment (SEA)

The SEA is one of the tools used to protect the environment for the benefit of present and future generations as enshrined in Articles 42, 69 (a & g), and 70 (2b) of the National Constitution of Kenya 2010. Article 42 is associated with the universal right to a clean and healthy environment, which can be violated through implementation of policies, plans and programmes which are environmentally unsustainable. Article 69 (a) is aimed at ensuring sustainable exploitation, utilisation, management and conservation of the environment and natural resources including equitable sharing of accruing of benefits. Article 69 (g) aims at eliminating processes and activities that are likely to endanger the environment while Article 70 (2b) empowers relevant public officers to take measures to prevent or discontinue any act or omission that is harmful to the environment.

The purpose of the Eselenkei LSP SEA was to reinforce and legitimize the Eselenkei LSP beyond the CGK approval by legalizing it under section 57A (1) of the Environmental Management and Coordination Act (Amendment Act 2015) after subjecting it to comprehensive screening against relevant environmental and social governance frameworks. The SEA was expected to ensure that the LSP is well aligned with relevant policies, legal frameworks and subsidiary regulations at local, county and national levels for ease of implementation and enforcement as the principal landuse governance instrument under the private land tenure regime. The gazettement of the SEA report would legalize the Eselenkei LSP and support its application including legal enforcement of landuse restrictions in order to avoid landuse disorder and irreversible environmental and social problems that are likely to be triggered by land subdivision and land reform including widespread land disposal, land leasing, fencing, charcoal burning which are incompatible with pastoralism and wildlife conservation. The aim of the SEA was to legalize and legitimize the LSP through its gazettement to instil the required muscle as a communal strategy against negative landuse changes which are likely to affect community livelihoods in a negative way.

2. ESELENKEI LANDUSE SUBDIVISION PLAN

2.1: Background

Eselenkei Group Ranch (2,19' 57"S; 37°18',8"E) with an approximate total area of 188,994 acres and 3,407 registered members is registered under Land Title No. Loitokitok/Selenkei/1) under the Land Group Representative Act 287 (Revised 2010). Preparation of the LSP for the EGR was guided by the following principles according to Geodev Consultants (2021):

a) The need to maintain ecological integrity of the area for continued flow of environmental services including sustaining the provision of livestock pasture, sustenance of traditional wildlife migratory routes and dispersal habitats for tourism revenue, exploitation of alternative socio-economic opportunities including agriculture, commerce, and industry,
b) The desire to reduce incidences of human-wildlife conflicts, while at the same time maintaining wildlife and livestock interactions,
c) Ensuring rational use of land for socio-economic development.

The zoning plan, in order to conform with the above guiding principles, combined traditional and cultural norms with contemporary concepts for sustainable natural resource management to arrive at a rationalized model for the optimum use of land resources with conflict-free gains by the community while taking into consideration space requirements for wildlife. The zoning plan was informed by:-

a) the desire by Eselenkei landowners to maintain an ecologically sound environment without further land sub-division to allow continuation of traditional pastoralism practice,
b) the knowledge that pasture management and livestock numbers are critical to socio-economic development and socio-economic sustainability of Eselenkei,
c) traditional ecological knowledge and analysis by wildlife ecology experts, both of which indicate that the Tulakaria-Osewan and Marite–Oseki which sustain traditional wildlife movements between the conservancy, Amboseli National Park and the Greater Amboseli Ecosystem especially in the wet season, and
d) the desire by Eselenkei landowners to continue accessing wildlife-related tourism benefits.

2.2: Designated Landuse Zones

The zoning plan for the Eselenkei LSP was aimed at achieving prosperity, efficiency, equity, and sustainable development in the area by promoting and accommodating competing landuse practices in a harmonious way. The zoning strategy is expected to promote economic growth while ensuring effective conservation of the environment and natural resources including wildlife heritage. It seeks to reduce human-wildlife conflicts through active interventions that maintain and protect the ecosystems through the adoption of the following landuse zones:

a) *Settlement zone*: This zone has been set aside for the settlement of members. It comprises the existing settlement areas where members were previously residing for which each landowner was allocated 10 acres with title deed.
b) *Agriculture and settlement zone*: This zone is focused on the irrigated agricultural areas along the Nolturesh water pipeline and Eselenkei River. Each landowner was allocated 2-5 acres with title deed.
c) *Grazing and settlement zone*: This zone is designated as the main livestock grazing zone in which human settlement is allowed with each landowner getting 42 acres with title deed.
d) *Pastoralism development and wildlife zone*: This zone covers the Tulakaria-Osewan and Marite–Oseki which sustain traditional wildlife movements between the Selenkay

Conservancy, Amboseli National Park and the Greater Amboseli Ecosystem. 700 EGR members were allocated 47 acre land parcels each in this zone without title deeds. The landowners have entered into a lease agreement with Big Life Foundation for the 33,000 acres to be sustained as an intact block of land mainly for wildlife and controlled dry season grazing.

e) *Wildlife corridors, conservancy and tourism zone*: The zone is mainly centred around the Selenkay Conservancy whose primary focus is wildlife conservation and tourism.
f) *Physical and social infrastructure*: This is associated with the transport, communication and related infrastructure

Figure 2-1 shows the distribution and area coverage for each of the land zones**.**

2.3: Designated Landuse

Table 2-1 shows the designated landuse zones, their permitted activities and landuse restrictions including per capita land allocations as provided in the Eselenkei LSP.

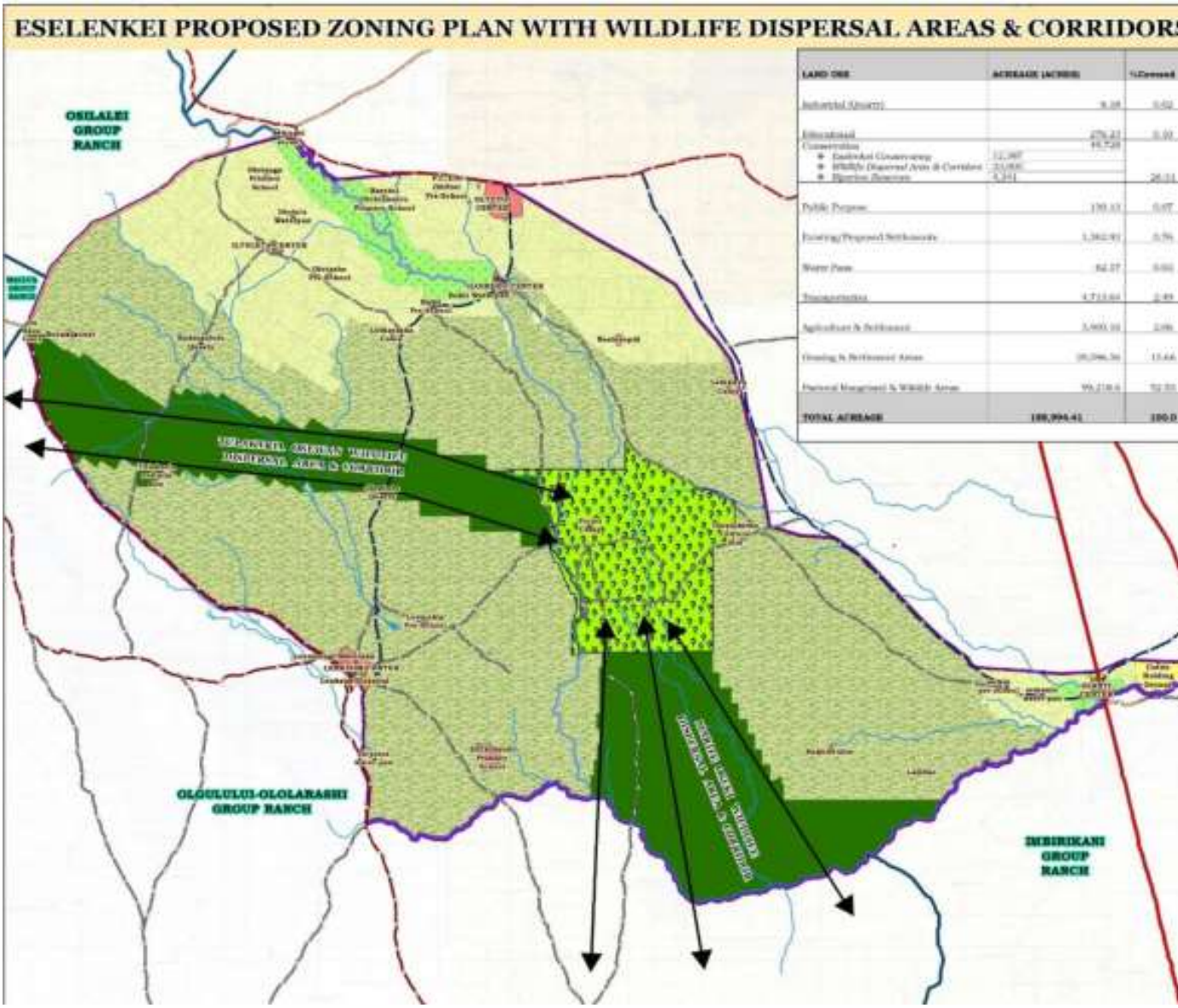


Figure 2-1: Distribution of the Eselenkei Landuse Zones

Table 2-1: Designated landuse zones, permitted activities and restrictions in the Eselenkei LSP

Landuse zone	Permitted landuse activities	Restricted landuse activities	Management standards
1. Settlement areas	1. Commercial and residential development 2. Light industries 3. Social amenities such as education, health, etc 4. Permanent buildings 5. Road construction 6. Street lighting 7. Change of user 8. Greening the residential areas and road reserves **Note**: - Prior to undertaking any of the above activities, development approval shall have to be granted by the competent planning authority	1. Livestock rearing 2. Further subdivision and change of user 3. Row housing 4. Illegal boreholes	1. The type, location, and management of wastes to form pre-requisite conditions prior to approval 2. Setbacks; at 3m front,2 m side back for residential areas 3. Land use plans to be prepared for existing and proposed settlements to guide on infrastructural development and environmental conservancy 4. 50% plot coverage for residential sites 5. Designated burial site 6. 75% plot coverage for commercial plots 7. Setback of 2 m front for commercial 8. Plot ratio, ground+1 for all users **Note:** The settlement committee or each of the nucleated settlement shall be established including a residential association
2. Agriculture and settlement	1. Cultivation of high value crops such as vegetable, tomatoes, onions, capsicum, coriander, and herbs 2. Perimeter fencing of irrigation and settlement areas 3. Laying of irrigation infrastructure 4. Settlement 5. Animal husbandry 6. Permanent buildings 7. Fencing of individual parcels 8. Agroforestry	1. Change of user 2. Construction of multiple permanent "bomas" or building units 3. Further land subdivision 4. Change of ownership 5. Mon-organic farming	1. Soil erosion control and water conservation to be prioritized 2. Restriction of the number of animals per household 3. Plot coverage at 25% 4. Enforcement of the Water Act 2016 to protect riverbanks by maintaining the 30m buffer zone 5. Restriction of illegal water abstraction and illegal boreholes
3. Grazing land and settlement	1. Pastoralism 2. Wildlife conservation 3. Animal watering 4. Cattle dips	1. Permanent settlements units 2. Change of ownership 3. Road construction 4. Crop farming	1. Rehabilitation of degraded areas affected by erosion and invasive species

	5. Ecolodges 6. Telecommunication infrastructure 7. Apiculture 8. Research activities 9. Reforestation through indigenous species	5. Fencing 6. Further land subdivision 7. Change of user to commercial, residential, recreational and industrial use	2. Restriction of any form of commercial development 3. Controlled scientific research, wildlife watching and filming 4. Controlled settlement to ensure temporary structures only 5. Reforestation control to allow indigenous species only
4. Pastoral and wildlife rangeland	1. Temporary manyattas 2. Pastoralism 3. Wildlife conservation 4. Animal watering points 5. Research expeditions 6. Collection of firewood and medicinal plants 7. Construction of classified roads only	1. Commercial development 2. Crop cultivation 3. Fencing 4. Construction of permanent buildings 5. Further subdivision of the 47 acres 6. Change of user 7. Road construction in the hinterlands	1. Type, design and number of beehives to be controlled 2. Number and location of telecommunication masts to be controlled 3. Number of wildlife watching nature trails to be controlled 4. Number and location of ecolodges and tourism facilities to be controlled 5. Regulated sporting activities e.g. marathons and motor sports
5. Wildlife corridors, conservancy and tourism	1. Wildlife conservancy 2. Ecological research 3. Laying of underground infrastructure 4. Construction of water pans 5. Planting of indigenous trees	1. Crop cultivation 2. Any form of land subdivision 3. Change of current user 4. Human settlements or buildings in any form 5. Road construction 6. Construction of dams and wells 7. Planting of exotic trees	1. Bed capacity for each camp to range between 10 and 20 beds 2. Location of tent camps to be restricted through stakeholder consultation 3. Cultural manyattas based on the Maasai concept 4. Vehicles to be restricted to 4X4 to limit road construction 5. Opening and grading of access roads
6. Transportation and infrastructure	1. Classified primary and secondary roads 2. Creation of buffer roads around the conservancy 3. Gravelling of all roads that link Eselenkei with the region and collector and distributor roads	No specified restrictions	1. Maintain appropriate road widths 2. Restrict development other than transportation 3. Encourage establishment of road furniture to enhance safety 4. Encourage greenery along the roadways

	4. Primary, secondary and nucleated settlement road reserves may be used in laying utility and services 5. Establishment of an airstrip in the conservancy		5. Encourage regular opening of roads particularly access roads to maintain width 6. Full implementation of the proposed scheme plans road provisions

3. APPROACH AND METHODOLOGY FOR THE STRATEGIC ENVIRONMENTAL ASSESSMENT

3.1: SEA Objectives and Scope

The motivation for the *ex-post* plan SEA was associated with the decision by the Eselenkei landowners to subdivide the group ranch land following the land reform from communal land tenure to private land tenure. Subsequently, the Eselenkei LSP is expected to serve as an important governance tool for regulating landuse under the new private land tenure regime. Consequently, there was need to ensure proper integration of all the necessary instruments of environmental and social governance and control in the LSP.

The aim of the plan SEA was to interrogate the effectiveness of the LSP as the governance tool for regulating landuse after the transition to the private land tenure regime. The overall aim was to strengthen the legal status of the LSP (which has already been approved by the CGK)through its gazettement by NEMA under EMCA Cap 387 in order for it to serve as the long-term landuse and environmental governance tool under the new land tenure dispensation. The specific objectives of the plan SEA were to:-

a) undertake compliance screening of Eselenkei LSP against relevant environmental and social policies, legal frameworks, subsidiary regulations, guidelines and standards both at local, county and national levels for sustainable development,
b) consult Eselenkei landowners and partners in order to ensure they understand the necessity of the SEA for the legalization of the LSP under the new land ownership arrangements associated with private owner driven landuse management regime,
c) create awareness on the LSP as the principal instrument of land governance as opposed to the group ranch governance regime with emphasis on:-
   - awareness and acceptance of the LSP,
   - awareness and acceptance regarding the land subdivision zones,
   - awareness and acceptance regarding the permitted activities in each landuse zone,
   - awareness and acceptance regarding the restrictions in each zone with emphasis on the pastoralism and wildlife zone as well as the conservation and tourism zone.
d) prepare a comprehensive SEA report which:- i) demonstrates the compliance of LSP to relevant multi-level environmental and social frameworks, ii) demonstrates the LSP acceptance by all the stakeholders, and iii) addresses any LSP gaps especially with regard to compliance with environmental and social frameworks as well as any disregarded stakeholders' interests and concerns, and
e) Facilitate gazettement of the Eselenkei LSP SEA under s57A of EMCA Cap 387 for legitimate enforcement of permitted landuse activities and restrictions.

3.2: Terms of Reference

a) *Review of the LSP and other documents*: The documents included Kajiado County Land Sub-division Guidelines of 2018, Kajiado County Spatial Plan of 2019-2029, Amboseli Ecosystem Management Plan 2020-2030, among other relevant frameworks at national, regional and international levels including MEAs. The aim of this was to identify areas of interface and linkages between the LSP and other binding frameworks for effective governance and management of the group ranch after its subdivision,
b) *Determining the scope of the SEA*: This was to be undertaken through the standard participatory scoping approach as provided in the National Constitution, EMCA Cap 387 and National SEA Guidelines of 2012, among other guidelines,

c) *Gathering baseline information and situation analysis*: The aim was to provide a comprehensive understanding of the potential environmental and social risks (including unsustainable landuse) which are likely to emerge during implementation of the LSP. The SEA was then expected to recommend suitable mitigation for any potential risks and impacts,
d) *Exploiting participatory approaches to effectively engage relevant stakeholders*: The main aim was to ensure effective and sustained public engagement during the SEA process including adequate engagement with vulnerable and marginalized groups (e.g., women, youth, elderly). The SEA engagement process was expected to ensure a clear understanding of the power relations between different stakeholders, and how they interact with each other and the environment in order to eventually ensure agreeable options for the smooth implementation and enforcement of the LSP,
e) *Prediction and analysis of environmental and social impacts*: The consultant was expected to undertake a comprehensive analysis of the potential short term, medium term and long-term impacts which are likely to emerge through implementation and enforcement of the Eselenkei LSP based on the review of documents, baseline surveys and stakeholder consultations. This was to include prediction of scale, magnitude (low, medium and high risks) and level of significance for the potential environmental (soil, water, biodiversity, climate change, etc.) and social impacts (poverty, human wildlife conflicts, gender inequality, household conflicts etc.),
f) *Identification of suitable environmental and mitigation options*: The consultant was expected to identify suitable alternative measures for addressing mitigating environmental and social impacts during implementation of the LSP including enforcement of agreed landuse restrictions in order to identify suitable trade-offs and best-fit options to avoid unacceptable and unsustainable environmental and social situations in the group ranch subdivision. The consultant was expected to rely heavily on the application of the standard impact management hierarchy for identification of the most appropriate options,
g) *Identification of measures to enhance opportunities and mitigate adverse impacts*: The Consultant was expected to focus on the realization of the positive opportunities during implementation of the LSP including the enforcement of agreed landuse restrictions especially in line with the Sustainable Development Goals (SDGs) and recommend suitable strategies for minimizing any negative risks. The aim of the SEA was to develop "win-win" situations where multiple, mutually reinforcing gains could strengthen the economic base, provide equitable conditions for all, and protect and enhance the state of environment within Eselenkei as well as the Greater Amboseli Ecosystem (GAE) and Kajiado County,
h) *Identification and gazettement of nature-based enterprises*: These was to include compatible landuses and sustainable income options especially within the within the pastoral rangeland and wildlife conservation areas in Eselenkei,
i) *Developing a binding framework for coherent landuse management*:- This was to include sustainable livestock production, sustainable grazing strategy such as binding grazing regulations, approved grazing management committee and clear obligations for landowners in order to ensure sustainable landuse, equitable benefit sharing and reduced human wildlife conflicts especially within the pastoral rangeland and wildlife conservation areas,
j) *Draft report on the findings of the SEA:* This was to involve preparation, compilation and presentation of a Draft SEA Report for review once the technical analysis and stakeholder consultations are completed. This was expected to include a succinct, non-technical summary which would be of particular use in explaining the findings to the members, who should be well informed about the environmental implications of the management plan in order to submit their SEA comments and validate the final document, and

k) *Final SEA report for submission to NEMA and making recommendation to decision makers*: The Consultant was expected to prepare and present the final SEA report after incorporating the comments from all stakeholders for submission to NEMA. Thereafter, the Consultant was expected to follow-up with NEMA regarding provision of the necessary approvals to support gazettement of the Eselenkei LSP including the enforcement of agreed landuse restrictions.

3.3: Approach, Methodology and Workflow

The SEA was undertaken in accordance with the National Guidelines for Strategic Environmental Assessment in Kenya and the standard best practice roadmap as highlighted below and also in **Figure 3-1**:-

- Screening and scoping to determine the specific issues to be considered in the SEA,
- Preparation of a PPP Brief (LSP Brief) and submission of the same to NEMA for the records,
- Preparation of screening and scoping report and ToR for submission to NEMA for approval,
- Preparation of a comprehensive environmental and social regulatory framework for the SEA through identification of relevant PPPs for the SEA and collation and review of PPP documents,
- Detailed PPP analysis to determine the environmental regulatory framework for the SEA,
- Compliance assessment of the Eselenkei LSP against relevant environmental regulatory benchmarks,
- Establishing a suitable stakeholder engagement and participation strategy to be used in the SEA process,
- Stakeholder consultations and public participation,
- Field missions and case studies for baseline situation analysis,
- Plan Environmental Impact Assessment (PEIA) and mitigation,
- Identification of plan alternative options,
- Preparation of a comprehensive Environmental Management and Monitoring Plan, and
- Compilation and validation of the LSP SEA report.

3.3.1. Baseline Situation Assessment

A two day intensive baseline assessment field mission was undertaken in the area in May 2022. The aim of this activity was to get a clear understanding of the LSP landuse zones and their current status in terms of the environmental and social situation as a basis for subsequent environmental scenario building. The situation analysis was carried out in order to understand the likely environmental and social impacts during the implementation of the Eselenkei LSP.

3.3.2. Identification of the Environmental PPP Framework

A comprehensive PPP framework was developed for the Eselenkei LSP SEA by considering the relevant local, county, national and international frameworks against which the LSP was interrogated. The aim of this was to ensure compliance with relevant environmental and social obligations in policies, legal frameworks, subsidiary regulations, guidelines and standards. **Table 3.1** provides a summary of the PPP framework used in the Eselenkei LSP SEA.

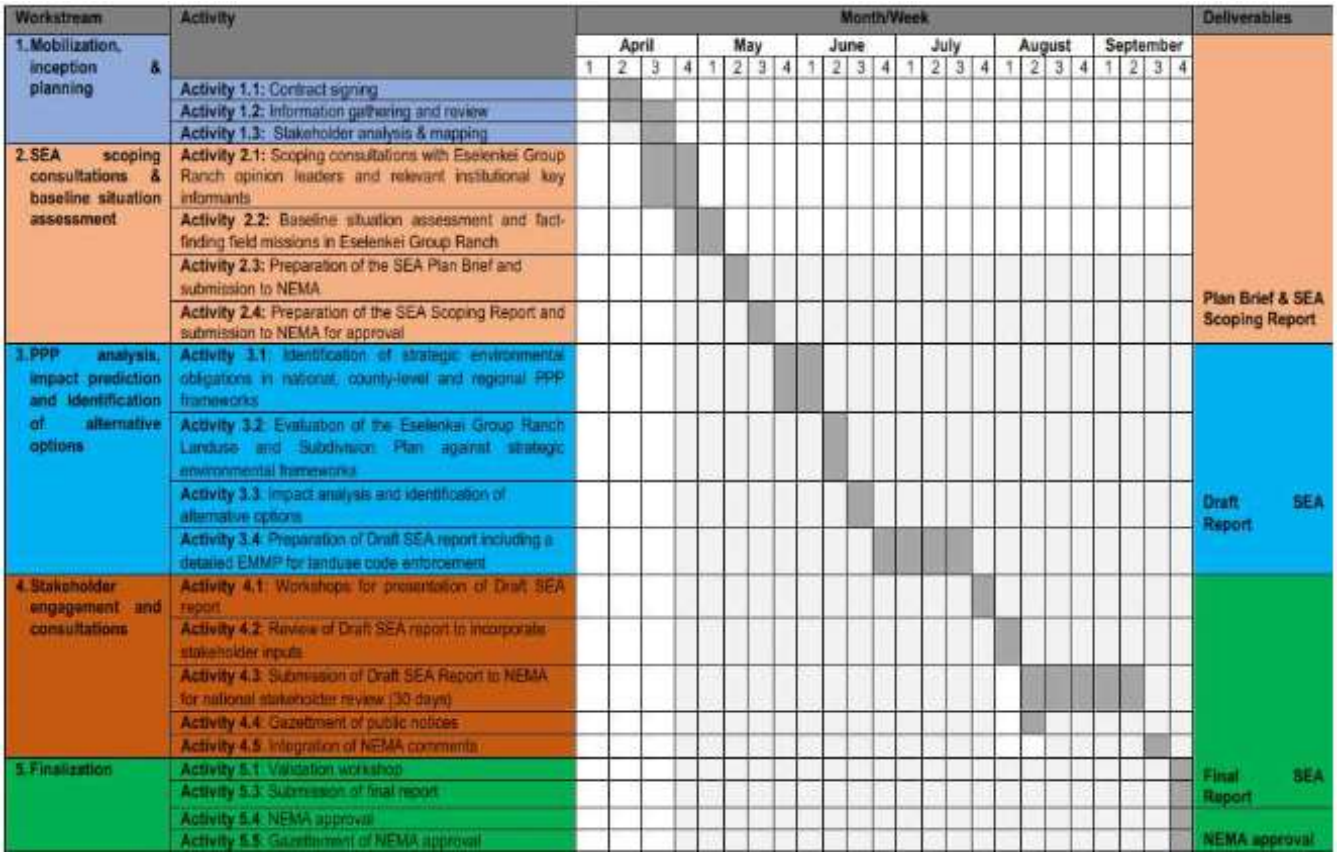


Figure 3-1: Summary of workstreams and activities for the EGR LSP SEA

Table 3.1: Summary of the PPP Framework for the Eselenkei LSP SEA

Framework category	Relevant instruments
Local level	1. Amboseli Ecosystem Management Plan 2020-2030
County level	1. Kajiado County Land Sub-Division Guidelines 2018 2. Kajiado County Spatial Plan 2019-2029
National level	1. National Constitution 2. National Environment Policy, 2014 3. EMCA Cap 387 4. National Landuse Policy, 2017 5. Integrated National Landuse Guidelines, 2011 6. National Wildlife Policy, 2020 7. Wildlife Conservation and Management Act (WCMA), 2013 8. National Climate Change Framework Policy, 2016 9. Kenya Vision 2030 10. National Wildlife Strategy 2030 11. Kenya National Spatial Plan 2015-2045 12. National Water Master Plan 2030 13. National Biodiversity Strategy and Action Plan (NBSAP 2021-2030) 14. National Climate Change Response Strategy (NCCRS) 2010
International level	1. UNESCO Man & Biosphere Reserves
	2. Convention on Migratory Species (CMS)

3.3.3. Scoping Consultations

The objective of the scoping consultations was to integrate the views and concerns of all the relevant stakeholders in the entire SEA process including final report content. **Table 3.2** shows the engagement plan used in the SEA scoping consultations. **Plate 3.1** and **Plate 3.2** shows the engagements with the client and some of the target stakeholders.

Table 3.2: Engagement plan for the Eselenkei LSP SEA scoping consultations

Zone	Coverage	Venue	Date
1. Iltuleta	Iltuleta, Ololunga, Noonkikonyi, Enkaigululu	Iltuleta centre	4th May 2022
2. Lenkism	Lenkism, Loormongi, Olepolos, Lormukia, Enchilichili, Olaaturo	Lenkism market centre	4th May 2022
3. Olanti	Olanti centre, Olanti irrigation, Lorkiu, Ormanie, Lambec	Olanti irrigation area	20th April 2022
4. Oltotoi	Oltotoi market centre	Oltotoi market centre	20th April 2022
5. Iloirero	Iloirero market centre	Iloirero market centre	20th April 2022
6. EGR partners	County Government of Kajiado (CGK), Amboseli Ecosystem Trust (AET), ALOCA, KWS	Various venues	Various dates

Plate 3.1: Inception consultations with the client





Plate 3.2: Scoping consultations



a) Olanti meeting



b) Lenkism meeting



a) Iltuleta meeting

3.3.4 PPP Analysis

This involved a comprehensive assessment of the Eselenkei LSP against relevant environmental and social obligations in the frameworks provided in **Table 3.1**. The PPP analysis involved a comprehensive review of relevant policies and legislation to identify all the environmental and social obligations and confirm their integration in the Eselenkei LSP.

3.3.5 Indicators and Targets for Plan Environmental Impact Analysis (PEIA)

Table 3.3 shows the list of environmental indicators and targets used in the PEIA. These were identified mostly from the information and realities on the ground as gathered during the baseline situation assessment. This was also done with reference to the findings of the strategic environmental assessment (SEA) for the Amboseli Ecosystem Management Plan which was undertaken by AET in 2011.

3.3.6 Identification of Alternative PPP Options

The identification of alternative PPP options was considered in order to determine the most effective way to improve the long-term outcome of the Eselenkei LSP implementation process. The identification of alternative PPP options was mostly be undertaken on the basis of the following considerations: - a) embracing the obligatory PPP environmental issues which have not been effectively embraced in the Eselenkei LSP. This is necessary in order to ensure that the LSP is properly aligned to the overall goals, principles and plans for environmental sustainability in Kenya. The identification of alternative PPPs was undertaken through a combination of methods including PPP gap analysis, expert judgment, institutional requirements and key stakeholder inputs and contributions during the SEA consultation meetings.

Table 3.3: indicators and targets for plan environmental impact analysis (PEIA)

Impact category	Environmental indicators	Environmental targets
Physical impacts	Range degradation	Reversing current degradation
	Land subdivision	Reducing or stopping the sub-division
	Water resources	Sustainable utilization and equitable sharing
	Climate change mitigation and adaptation	Improving the level of community preparedness, coping, adaptation and resilience
Biological impacts	Protection of wildlife movement corridors	Restoration of traditional movement corridors
	Protection of threatened species	Conservation of threatened species
	Protection of springs and wetlands	Conservation of springs and wetlands
	Sustenance and expansion of conservancies	Establishment of additional conservancies for sustenance of traditional wildlife movement corridors, habitats and dispersal areas
	Ecosystem connectivity	Maintaining the traditional ecosystem landscape and ecological connectivity/linkages
	Environmental rehabilitation	Restoring high quality rangeland, riverine and wetlands
Social impacts	Sustainable alternative livelihoods	Improving community livelihoods
	Poverty reduction	Reducing poverty at household level
	Resource conflict alleviation and dispute resolution	Elimination of resource conflicts
Economic impacts	Equitable ecosystem benefit sharing	Equitable resource and tourism revenue sharing
	Boosting county economy	Vibrant county economy
	Boosting Vision 2030	Supporting realization of the goals of Vision 2030
Institutional and transboundary impacts, international implications and public interest	Regional cohesion and partnerships	Improved collaborative trans-boundary environmental management
	Implementation of MEAs	Supporting implementation of MEAs in Kenya
	Public interests	Embracing public concerns in the land subdivision management plan
	Institutional integration and capacity	Improved cross-sectoral integration

4. ENVIRONMENTAL REGULATORY FRAMEWORK AND PPP ANALYSIS

The Government of Kenya has put in place a wide range of policies, legal frameworks, national strategies and action plans to address issues of environmental protection and conservation. The frameworks are derived from statutes in the National Constitution of 2010 as well as obligations in relevant international conventions which the state has ratified. Other environmental governance instruments include subsidiary regulations, guidelines and standards all of which are implemented and enforced by different institutions and lead agencies. The role of the SEA is therefore to ensure integration of relevant environmental obligations existing policies, plans and programs in new development policies, plans and programs such as the Eselenkei LSP. The aim of this is to alleviate, prevent or minimize the risk of environmental degradation. The role of the EIAs for the same purpose is expected later to screen the environmental integrity of projects which originate from development policies, plans and programmes mainly by cross-checking their compliance with specific environmental obligations as prescribed in legal frameworks.

The Eselenkei LSP was screened against the environmental and social obligations in relevant frameworks at local, county, national and international levels which are provided in **Table 3.1**. The PPP analysis involved a comprehensive review of relevant policies and legislation to identify all the environmental and social obligations and confirm their integration in the Eselenkei LSP.

The findings of the PPP analysis are presented below.

4.1: Local level frameworks

Framework	Environmental & Social Obligations for the Eselenkei LSP	Compliance Status
1. Amboseli Ecosystem Management Plan (AEMP) 2020-2030 (AET 2020)	Plan Foundations (Issue 8): Land subdivision and landuse planning:- - Need to consider landuse models that will ensure that a viable minimum area is maintained to support viable wildlife populations as well as traditional pastoralism after the group ranches are subdivided	The Eselenkei LSP has identified and demarcated the following zones as areas to be held and used in common in order to continue supporting wildlife as well as traditional pastoralism:- a) Pastoralism rangeland and wildlife zone - 99,218.6 acres (equivalent to 52.5% of the total area) b) Wildlife dispersal area and corridors - 33,000 acres c) Selenkay Conservancy – 12,387 acres The total coverage of this is 144,605 acres which is equivalent to approximately 76.5% of the Eselenkei group ranch area
	Section 3-2: AE zoning scheme:- - The AEMP has classified the Eselenkei as an Exclusive Use and Low-Use Zone with the following landuse prescriptions:- • Exclusive Use Zone o Recreational activity prescriptions: Game drives, guided nature walks, walking safaris, camel and horseback safaris, balloon safaris, bird shooting, bird watching, bush breakfast, sundowners, and dinners.	The prescribed recreational activities and facilities in the AEMP have been adopted in Eselenkei LSP

	○ Permitted recreational facilities: Camping sites, lodges, eco-lodges, bandas, campsites, interpretation signs, wildlife viewing roads, walking trails (associated with a tourist attraction), administration buildings and compounds, bird hides • Low Use Zone ○ Recreational activity prescriptions: Game drives, walking safaris, camel and horseback safaris, balloon safaris, bird watching, visit to cultural centers, bush breakfast, sundowners, and dinners ○ Permitted recreational facilities: Accommodation facilities targeting the international market will be limited to special campsites along designated walking, camel or horseback safari routes, while accommodation facilities for the domestic market will be limited to student hostels	
	Landuse zones:- The Eselenkei LSP has adopted the following landuse zones as prescribed in the AEMP:- i) settlement, ii) agriculture and settlement, iii) grazing land and settlement, iv) pastoralism and wildlife conservation, v) conservation, wildlife conservation and tourism, and vi) transportation infrastructure The AEMP prescriptions for permitted activities and landuse restrictions for the above landuse zones are highlighted below. 1. Pastoralism zone: Permitted activities: Livestock grazing, construction of traditional 'manyatta's, livestock 'bomas', livestock watering points, cattle dips and fodder storage facilities Restrictions: Construction of permanent 'bomas' or buildings, fencing, further land subdivision, change of user, change of ownership, road construction	The Eselenkei LSP has adopted the permitted activities and landuse restrictions for the pastoral and wildlife rangeland zone as prescribed in the AEMP (**Table 2-1, Part 4)** Additional activities in the Eselenkei LSP:- a) Licensed the non-commercial harvesting of natural products (e.g. medicinal plants, firewood) for household use only Unclear issues in the Eselenkei LSP:- a) Licensing modalities for the harvesting of natural products in the pastoral and wildlife rangeland zone
	2. Conservation & tourism zone: Permitted activities: wildlife conservation, wildlife viewing and associated infrastructure, controlled construction of visitor accommodation facilities, research, controlled filming and photography, controlled construction of cultural 'manyattas', controlled livestock grazing, laying of underground infrastructure, construction of water pans, drawing water from rivers Restrictions: Location of visitor accommodation facilities, bed capacity of visitor accommodation facilities, human settlement or buildings in any form without authority, number of traditional livestock in the	The Eselenkei LSP has adopted the permitted activities and landuse restrictions for the conservation and tourism zone (appearing as pastoralism and wildlife conservation, v) conservation, wildlife conservation and tourism,) as prescribed in the AEMP (**Table 2-1, Parts 4** & **5)** Additional activities in the Eselenkei LSP:- a) Temporary manyattas b) Ecological research c) Construction of community ranger camps

	'manyattas', fencing, planting of exotic tree species, change of user and further subdivision	Additional restrictions in the Eselenkei LSP:- i. Crop farming ii. Road construction iii. Construction of dams and wells Unclear issues in the Eselenkei LSP:- a) Approval of research activities
	3. Cultivation zone: Permitted activities: Cultivation of high value crops (e.g. tomatoes, onions, capsicum, coriander, herbs etc.), cultivation of subsistence crops, farming and bulking of fodder, perimeter fencing of the cultivation blocks Restrictions: Change of user, further subdivision, change of ownership	The Eselenkei LSP has adopted the permitted activities and landuse restrictions for the cultivation zone (appearing as irrigation zone) as prescribed in the AEMP (**Table 2-1, Part 2)** Additional activities in the Eselenkei LSP:- a) Laying of irrigation infrastructure b) Fencing to reduce human-wildlife conflict Additional restrictions in the Eselenkei LSP:- i. Construction of permanent 'bomas' or buildings ii. Road construction iii. Tree cutting
	4. Settlement Zone Permitted activities: Commercial and residential buildings, light industrial facilities, social amenities (educational, health, community halls, play grounds, administration, churches, shops, hotels, open air markets etc.), permanent buildings by GR members, burial sites, semi-detached bungalows and flats encouraged, road construction, street lighting, greening the residential areas and road reserves is encouraged, nucleated settlements to be protected by a wildlife fence, urban agriculture; kitchen gardening, small scale poultry industry Note: Prior to undertaking any of the above activities, development approval shall have to be granted by the competent planning authority. Development applications seeking for approval or development permission shall be sought from the competent planning authority in a manner prescribed by the law Restrictions: Further subdivision and change of user, row housing, burial will be undertaken only in the designated areas	The Eselenkei LSP has adopted the permitted activities and landuse restrictions for the cultivation zone (appearing as irrigation zone) as prescribed in the AEMP (**Table 2-1, Parts 1, 2 & 3)** Additional activities in the Eselenkei LSP:- 1. Installation of social infrastructure utilities including electricity, water supply, sewage and waste management structures 2. Green belts Additional restrictions in the Eselenkei LSP:- i. illegal boreholes ii. Dumping of waste outside designated areas
	5. Physical infrastructure zone	The Eselenkei LSP has adopted the permitted activities and landuse

	Permitted activities: Primary and secondary roads in the nucleated settlement shall form the backbone of transportation in the GRs, Only the classified roads in the nucleated settlement may be bituminized or graveled, secondary roads may be graveled, primary, secondary and nucleated settlement road reserves may be used in laying utility and services, airstrips may be improved to bituminized surface and auxiliary utilities may be constructed including perimeter fencing Restrictions: The tertiary and access roads shall not be opened, constructed and used for transportation purposes to forestall serious degradation of the natural environment, No construction of any form shall be undertaken on the primary and secondary road reserve, tree planting is not allowed on the primary road except in nucleated settlement, bituminization of secondary roads is prohibited, road reserves provided in terms of primary, secondary and tertiary shall not interfere with any form of development, only the primary roads shall be bituminized - The rest of the roads shall be graveled, access roads in the human settlements are exempted from these regulations are exempted from these regulations	restrictions for the physical infrastructure zone (appearing as transportation zone) as prescribed in the AEMP (**Table 2-1, Part 6)**
	Community livelihoods & socio-economic programme:- Action 4-1: Establishing nucleated human settlements to minimize the fragmentation of sensitive environments	This has been integrated in the Eselenkei LSP as shown in **Table 2-1, Part 1**
	NRM Programme: A key action under this programme is the securing of wildlife corridors including the Amboseli NP-Olgulului North-Eselenkei corridor	This has been integrated in the Eselenkei LSP as part of pastoralism and wildlife conservation, v) conservation, wildlife conservation and tourism areas (**Table 2-1, Parts 4** & **5**)

4.2: County level frameworks

Framework	Environmental & Social Obligations for the Eselenkei LSP	Compliance Status
1. Kajiado County Land Sub-Division Guidelines 2018 (CGK 2018)	Permissible landuses for Eselenkei area: - Pastoralism and Conservation and urban landuse (economic node) as shown in **Figure 4.3**	The Eselenkei LSP is aligned with the guidelines. However, the guidelines advocate for retention of the group ranches in their traditional state
2. Kajiado County Spatial Plan 2019-2029 (CGK 2019)	Recommended landuse for Kajiado South Sub-County (Kajiado South) is livestock, tourism and conservation as shown in **Figure 4.4**	This has been integrated in the Eselenkei LSP as part of the pastoralism, communal grazing, conservation area, buffer zones, wildlife corridors (**Table 2-1, Parts 3,4** & **5**)
	Strategy for Wildlife Conservation and Tourism Promotion	This has been integrated in the Eselenkei LSP as part of the pastoralism and wildlife conservation,

	- Identification and zoning of corridors for wildlife to remove the encroachment - Establishing wildlife conservancies along corridors to maintain the habitat	v) conservation, wildlife conservation and tourism areas (**Table 2-1, Parts 4** & **5**)
	Strategy for Conservation of Environmentally sensitive areas - Protection and conservation of Amboseli National Park, wildlife corridors and wildlife dispersal areas - Zoning and protecting wetlands, riparian areas and river banks	This has been integrated in the Eselenkei LSP as part of pastoralism and wildlife conservation, v) conservation, wildlife conservation and tourism areas (**Table 2-1, Parts 4** & **5**)

4.3: National level frameworks

Framework	Environmental & Social Obligations for the Eselenkei LSP	Compliance Status
1. National Constitution (GoK 2010)	Article 69(a)-Conservation of the environment and natural resources	This has been integrated in the Eselenkei LSP as part of the pastoralism and wildlife conservation, v) conservation, wildlife conservation and tourism areas (**Table 2-1, Parts 4** & **5**)
2. National Environment Policy, 2014 (GoK 2014)	s4.10.2(1)-Protecting, conserving and improving habitats, corridors and wildlife dispersal areas	This has been integrated in the Eselenkei LSP as part of the pastoralism and wildlife conservation, v) conservation, wildlife conservation and tourism areas (**Table 2-1, Parts 4** & **5**)
3. EMCA Cap 387 (GoK 2015a)	s57A – Strategic environmental assessment • All Plans for implementation shall be subject to strategic environmental assessment	The Eselenkei LSP SEA was undertaken in fulfilment of this requirement
4. National Landuse Policy, 2017 (GoK 2017)	s138-Ensuring that landuses conform to the relevant landuse plans	The Eselenkei LSP is compliant with the following landuse plans:- 1. Amboseli Ecosystem Management Plan (AEMP) 2020-2030 2. Kajiado County Spatial Plan 2019-2029 3. Kajiado County Land Sub-Division Guidelines 2018
5. Integrated National Landuse Guidelines, 2011 (NEMA 2011)	3.1 Protection of rivers and wetlands • Provide buffer zones of between 2m-30m width measured from the highest water mark for rivers and streams	This has been integrated in the Eselenkei LSP as part of the communal grazing, conservation area, buffer zones, wildlife corridors (**Table 2-1, Part 2**)
	3.6 Conservation of biological diversity • Protection of wildlife migratory corridors and dispersal areas	This has been integrated in the Eselenkei LSP as part of the pastoralism and wildlife conservation, v) conservation, wildlife conservation and tourism areas (**Table 2-1, Parts 4** & **5**)
	3.9 Preservation of pastoral lands	The Eselenkei LSP has identified and demarcated the following zones as areas to be held and used in common in order to continue supporting wildlife as well as traditional pastoralism:-

	• Develop incentives and/or disincentives to discourage subdivision of group ranches • Promote harmonious co-existence of livestock and wildlife (e.g. avoid fencing off wildlife corridors and buffer zones)	a) Pastoralism rangeland and wildlife zone - 99,218.6 acres (equivalent to 52.5% of the total area) b) Wildlife dispersal area and corridors - 33,000 acres c) Selenkay Conservancy – 12,387 acres The total coverage of this is 144,605 acres which is equivalent to approximately 76.5% of the Eselenkei group ranch area
	3.10 Mining and quarrying • Enforce the National Sand Harvesting Guidelines, 2008 and relevant county regulations	Unclear issues: • Measures to be undertaken in order to ensure sustainable sand harvesting especially along Eselenkei River
4 National Wildlife Policy, 2020 (GoK 2020)	4.2 Management of National Parks, Reserves and Sanctuaries - Developing incentives for landowners that host wildlife in dispersal and connectivity areas	The Eselenkei LSP highlights the following incentives:- a) Annual lease payments for landowners in the conservation area and wildlife corridors through the Big Life Foundation b) The pastoralism and wildlife conservation, as well as conservation, wildlife conservation and tourism zones will generate carbon credits through the Chyulu Hills REDD+ Project has a clear "revenue allocation model" agreed between the other REDD+ partners who comprise KWS, KFS, MWCT, DSWT, BLF, Kuku A, Kuku B, Rombo, Eselenkei group ranches
	4.3 Wildlife Conservation and Management on Private and Community Lands - Promoting wildlife conservation as a land-use option	The Eselenkei LSP highlights the following incentives:- a) Annual lease payments for landowners in the conservation area and wildlife corridors through the Big Life Foundation b) The pastoralism and wildlife conservation, as well as conservation, wildlife conservation and tourism zones will generate carbon credits through the Chyulu Hills REDD+ Project and has a clear "revenue allocation model" agreed between other REDD+ partners who comprise of KWS, KFS, MWCT, DSWT, BLF, Kuku A, Kuku B, Rombo, Eselenkei group ranches
	Providing incentives to support individuals, communities and other stakeholders to invest in wildlife conservation and management	The Eselenkei LSP highlights the following incentives:- a) Annual lease payments for landowners in the conservation area and wildlife corridors through the Big Life Foundation b) The pastoralism and wildlife conservation, as well as conservation, wildlife conservation and tourism zones will generate carbon credits through the Chyulu Hills REDD+ Project has a clear "revenue allocation model" agreed between the other REDD+ partners who comprise KWS, KFS, MWCT, DSWT, BLF, Kuku A, Kuku B, Rombo, Eselenkei group ranches
	Integration of wildlife corridors and dispersal areas	This has been integrated in the Eselenkei LSP as part of the communal grazing, conservation area, buffer zones, wildlife corridors (**Table 2-1, Part 2**)

5	WCMA 2013 (GoK 2013a)	s39 Establishment of wildlife conservancies or sanctuaries	The Eselenkei LSP has identified and demarcated the following zones as areas to be held and used in common in order to continue supporting wildlife as well as traditional pastoralism:- a) Pastoralism rangeland and wildlife zone - 99,218.6 acres (equivalent to 52.5% of the total area) b) Wildlife dispersal area and corridors - 33,000 acres c) Selenkay Conservancy – 12,387 acres The total coverage of this is 144,605 acres which is equivalent to approximately 76.5% of the Eselenkei group ranch area
6	National Climate Change Framework Policy, 2016 (GoK 2016a)	S9.2.1: Promoting Public-Private Partnerships (PPPs) in climate finance	The conservation area and wildlife corridors will generate carbon credits through the Chyulu Hills REDD+ Project has a clear "revenue allocation model" agreed between the other REDD+ partners who comprise KWS, KFS, MWCT, DSWT, BLF, Kuku A, Kuku B, Rombo, Eselenkei group ranches
7	Kenya Vision 2030 (GoK 2008)	Securing wildlife corridors and migratory routes	This has been integrated in the Eselenkei LSP as part of the communal grazing, conservation area, buffer zones, wildlife corridors (**Table 2-1, Part 2**)
8	National Wildlife Strategy 2030 (GoK 2018)	Goal 1 Maintain and improve habitat and ecosystem integrity to reduce biodiversity loss, protect ecosystem function, enhance connectivity, and increase resilience	This has been integrated in the Eselenkei LSP as part of the communal grazing, conservation area, buffer zones, wildlife corridors (**Table 2-1, Part 2**)
		Goal 4 Increase access, incentives, and sustainable use of wildlife resources, while ensuring equitable sharing of benefits	The Eselenkei LSP highlights the following incentives:- a) Annual lease payments for landowners in the conservation area and wildlife corridors through the Big life Foundation b) The conservation area and wildlife corridors will generate carbon credits through the Chyulu Hills REDD+ Project has a clear "revenue allocation model" agreed between the other REDD+ partners who comprise KWS, KFS, MWCT, DSWT, BLF, Kuku A, Kuku B, Rombo, Eselenkei group ranches
9	Kenya National Spatial Plan 2015-2045 (GoK 2016)	2.8.4 – Protection of rangeland areas which host most of the country's game reserves, parks, conservancies and sanctuaries as home to more than 90% of the wild game	The Eselenkei LSP has identified and demarcated the following zones as areas to be held and used in common in order to continue supporting wildlife as well as traditional pastoralism:- a) Pastoralism rangeland and wildlife zone - 99,218.6 acres (equivalent to 52.5% of the total area) b) Wildlife dispersal area and corridors - 33,000 acres c) Selenkay Conservancy – 12,387 acres The total coverage of this is 144,605 acres which is equivalent to approximately 76.5% of the Eselenkei group ranch area
10	National Water Master Plan 2030 (GoK 2013b)	s6.2 - Water allocation policy priorities	Unclear issue:-

	1st Priority - Water reserve (apportionment) for ecological functions and basic human needs	The Eselenkei LSP does not indicate how the mushrooming of borehole drilling will be controlled and regulated
11 National Biodiversity Strategy and Action Plan, NBSAP 2019-2030 (GoK 2021)	Goal 4: Promote and enhance fair and equitable sharing of benefits accruing from utilization of biodiversity and ecosystem services	The Eselenkei LSP highlights the following incentives:- a) Annual lease payments for landowners in the conservation area and wildlife corridors through the Big life Foundation b) The conservation area and wildlife corridors will generate carbon credits through the Chyulu Hills REDD+ Project has a clear "revenue allocation model" agreed between the other REDD+ partners who comprise of KWS, KFS, MWCT, DSWT, BLF, Kuku A, Kuku B, Rombo, Eselenkei group ranches

4.4: Regional and global level frameworks

Framework	Environmental & Social Obligations for the Eselenkei LSP	Compliance Status
1. EAC Protocol on Environment and Natural Resources (EAC, 1999)	Article 12 - Management of wildlife resources • Promoting community-based wildlife conservation and management	The Eselenkei LSP has identified and demarcated the following zones as areas to be held and used in common in order to continue supporting wildlife as well as traditional pastoralism:- a) Pastoralism rangeland and wildlife zone - 99,218.6 acres (equivalent to 52.5% of the total area) b) Wildlife dispersal area and corridors - 33,000 acres c) Selenkay Conservancy – 12,387 acres The total coverage of this is 144,605 acres which is equivalent to approximately 76.5% of the Eselenkei group ranch area
2. UNESCO's programme on Man and the Biosphere (MAB)	The core area of the reserve is the protected Amboseli National Park while the buffer zone comprises the surrounding areas including Olgulului-Lorarashi, Eselengei, Eselenkei, Kimana, Kuku, and Rombo	The Eselenkei LSP has identified and demarcated the following zones as areas to be held and used in common in order to continue supporting wildlife as well as traditional pastoralism:- a) Pastoralism rangeland and wildlife zone - 99,218.6 acres (equivalent to 52.5% of the total area) b) Wildlife dispersal area and corridors - 33,000 acres c) Selenkay Conservancy – 12,387 acres The total coverage of this is 144,605 acres which is equivalent to approximately 76.5% of the Eselenkei group ranch area
3. Convention on Migratory Species (CMS)	Article 2.1 - Conserving migratory species and protecting their habitats	This has been integrated in the Eselenkei LSP as part of the pastoralism and wildlife conservation, v) conservation, wildlife conservation and tourism areas (**Table 2-1, Parts 4** & **5**)

5. BASELINE SITUATION AND POTENTIAL ENVIRONMENTAL SCENARIOS

5.1: The Location of the SEA Area

EGR, which is one of the group ranches that surround the Amboseli National Park (ANP), is located in South Sub-county of Kajiado County. Kajiado County is located in the southern part of Kenya bordering the Republic of Tanzania to the South, Nairobi County to the North East (and also considered as one of the counties in the Nairobi Metropolitan Region), Narok County to the west, Kiambu County to the north, Nakuru County to the north west, Taita Taveta County to the south east, Machakos County to the north east and Makueni County to the east. **Figure 5-1** shows a map of Kajiado County while **Figure 5-2** shows the county demographic characteristics.

The EGR is located in Kajiado South Sub-County which is the second largest sub-county with an area of about 6410 km^2. The sub-county borders Tanzania and Taita Taveta County to the south and Makueni County to the east. The sub-county is predominantly rural having scattered settlements with agriculture, livestock development and wildlife conservation being the main landuses. The major urban areas in the Sub-County are Oloitokitok, Rombo and Kimana. It hosts most of the greater Amboseli ecosystem including the world famous Amboseli National Park. The Amboseli ecosystem covers approximately 5,700 km^2 in an area stretching between Mt. Kilimanjaro, the Chyulu Hills and Tsavo West National Park and the Kenya-Tanzania border. It is a fragile semi-arid ecosystem that is internationally recognized as a UNESCO Biosphere Reserve under the Man and Biosphere Programme (MAB) because of its significance as an area which fulfils the three complementary roles of; conservation, research and development both for the local people in Kajiado County, Kenya and the entire world. **Figure 5-3** shows the location of the Eselenkei. **Figure 5.4** shows the approved landuse zones as provided in the Kajiado County Land Subdivision Guidelines. **Figure 5.5** shows the proposed landuse in Kajiado South Sub-County as provided in the Kajiado County Spatial Plan (CSP) of 2019-2029 (CGK 2019). The dominant landuses as designated in the CSP is pastoralism, wildlife conservation and tourism (**Figure 5-5**).

The long-term vision for Kajiado South Sub-County as highlighted in the Kajiado CSP (2019-2029) is to be:-

a) a place where environment conservation, livestock production and modern farming are practiced to improve the living standards of the people.
b) a food basket for Kajiado county and Kenya at large, and
c) a tourism hub in the Amboseli region.

The implementation of the Eselenkei LSP is expected to support the realization of the Kajiado CSP vision.

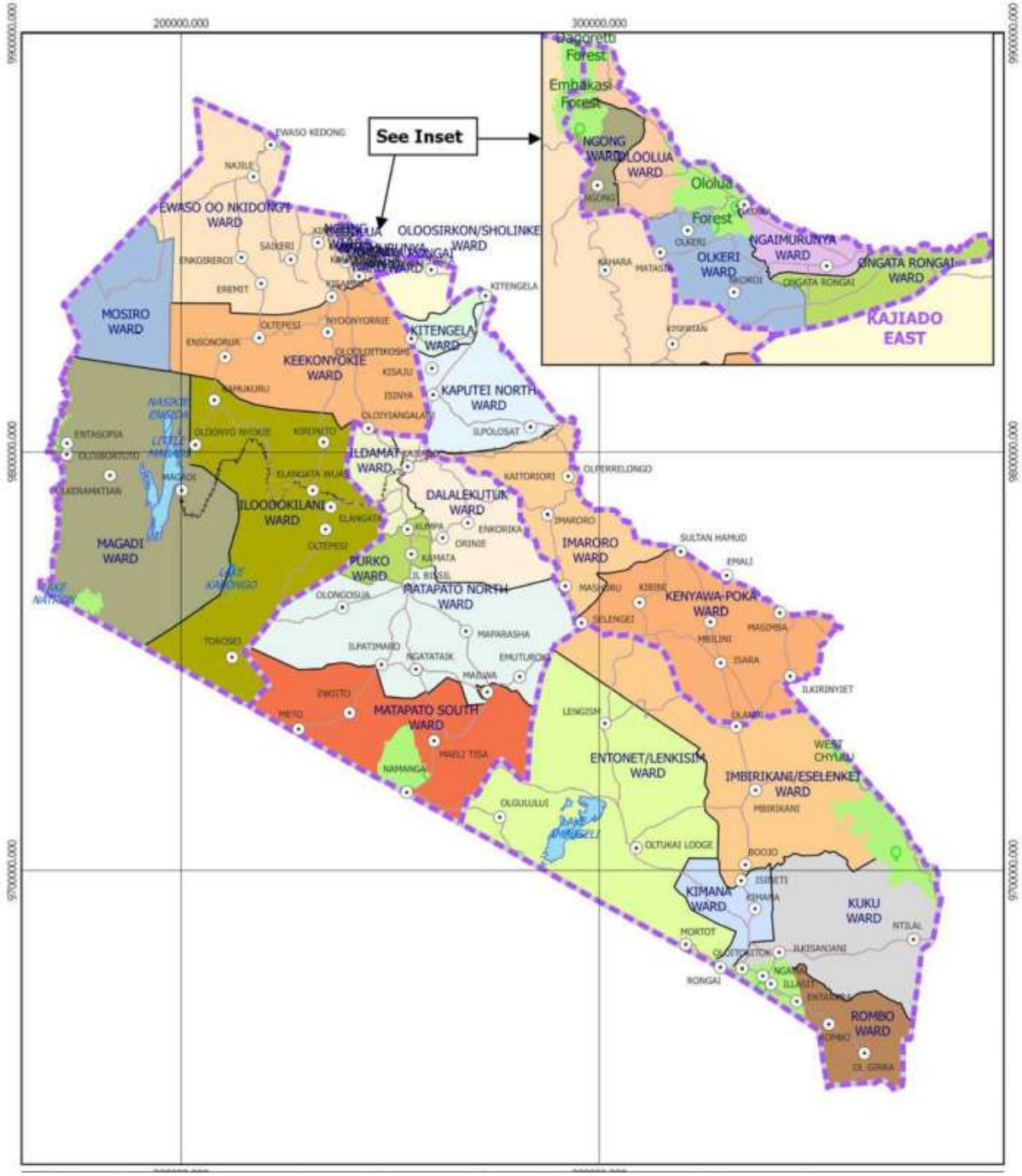


Figure 5-1: Map of Kajiado County (Source: County Government of Kajiado - CGK, 2019)

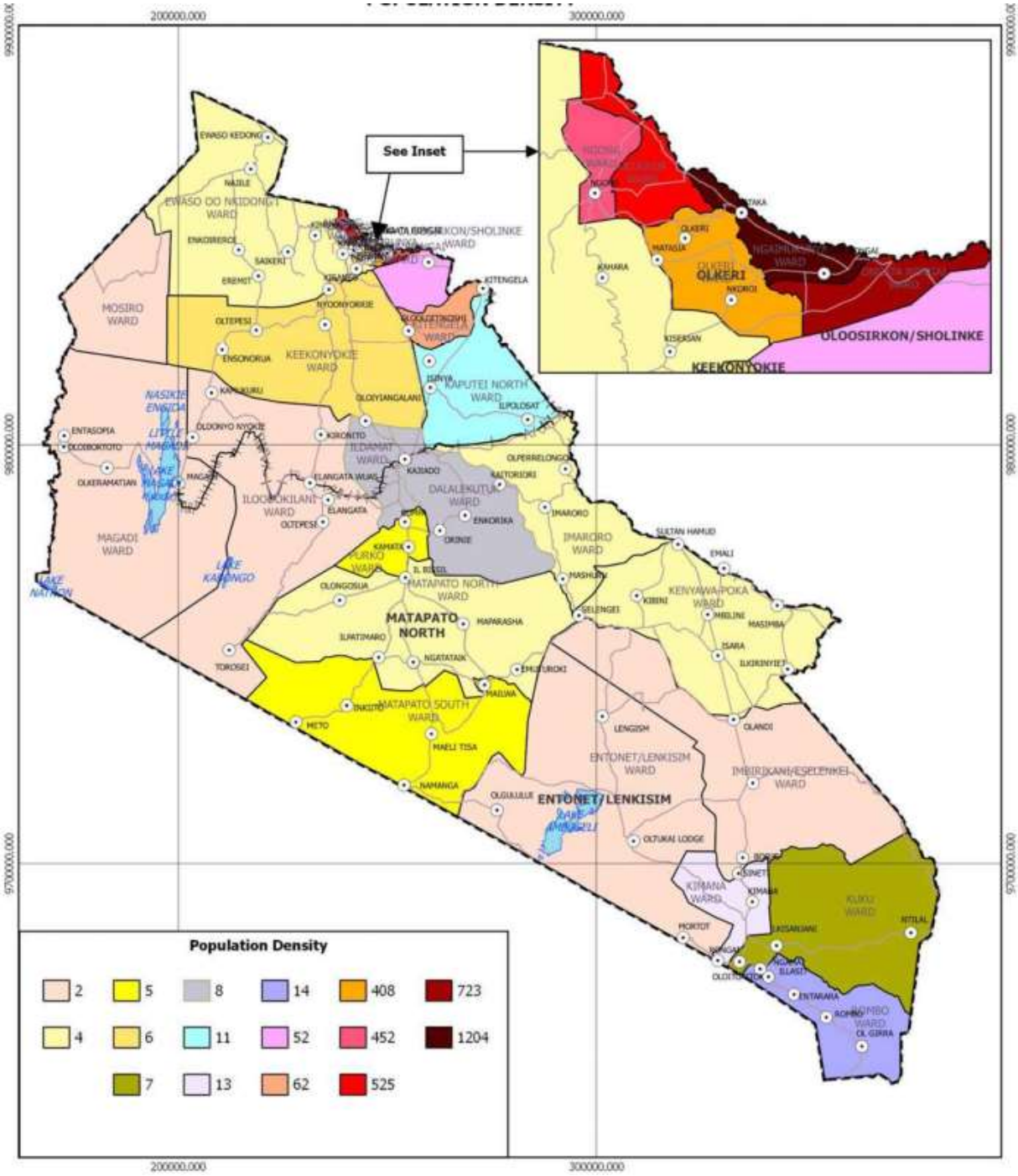


Figure 5-2: Demographic characteristics in Kajiado County (CGK, 2019)

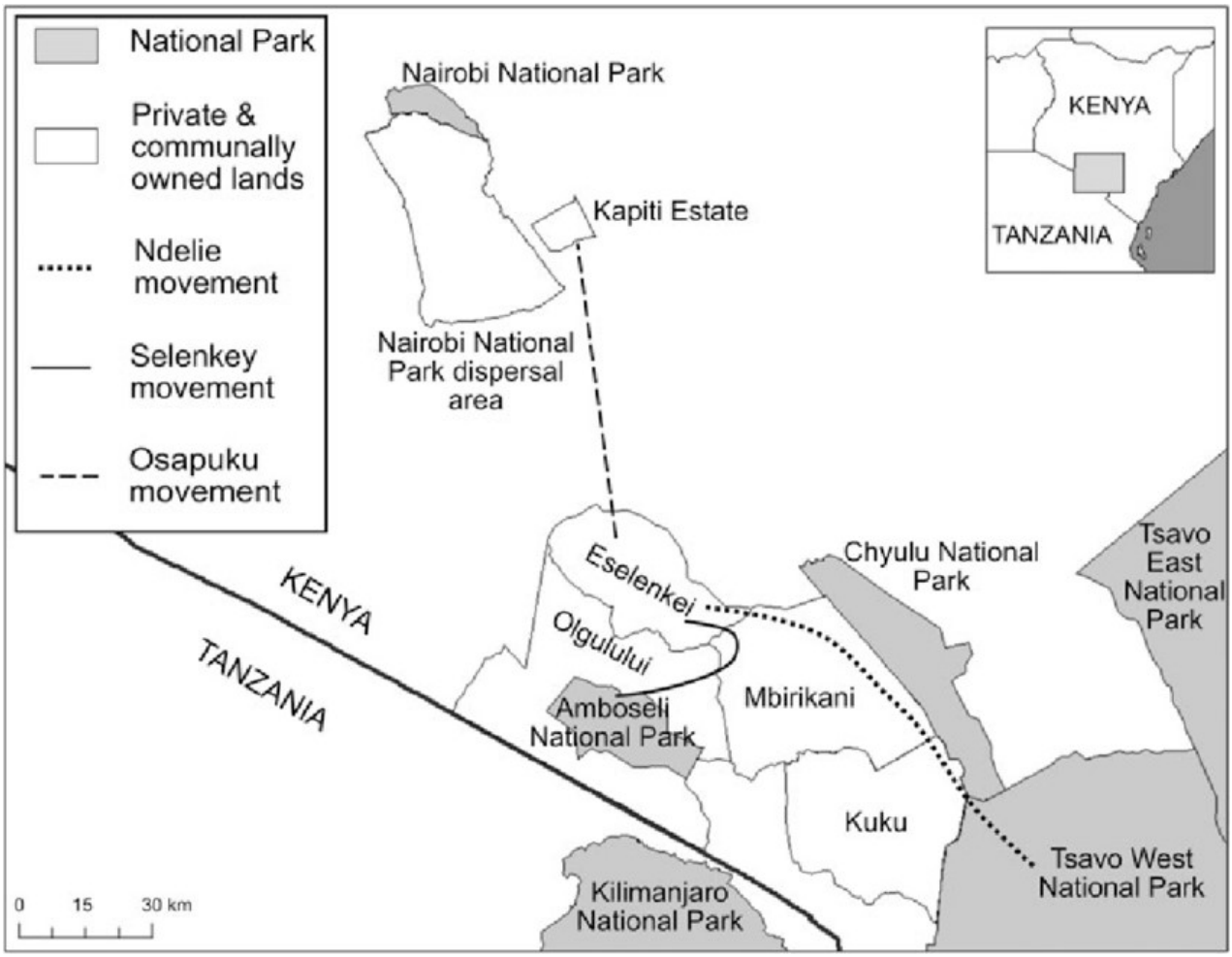


Figure 5-3: General location of Eselenkei

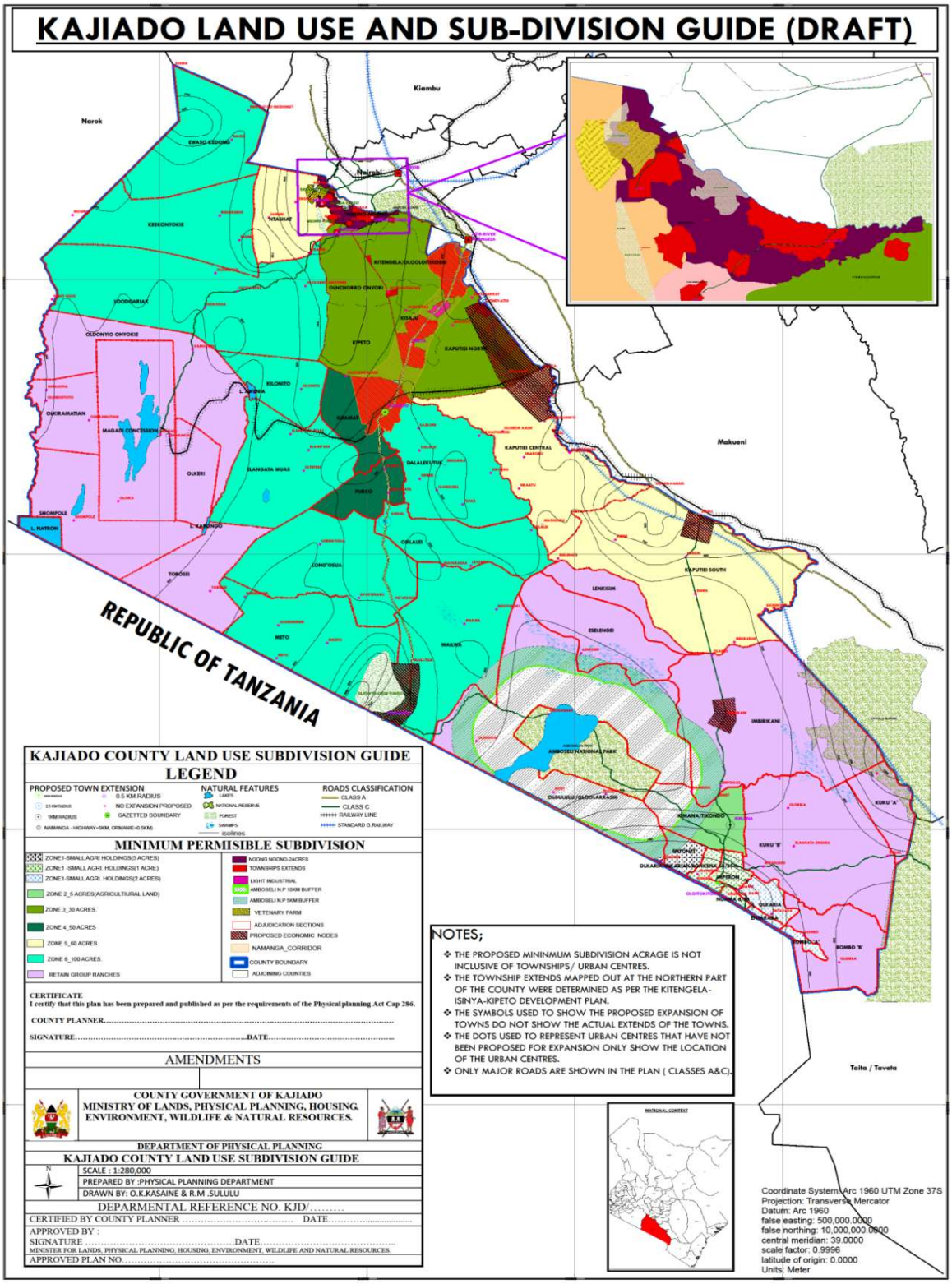


Figure 5.4: Land Subdivision Zones in Kajiado County (CGK, 2019)

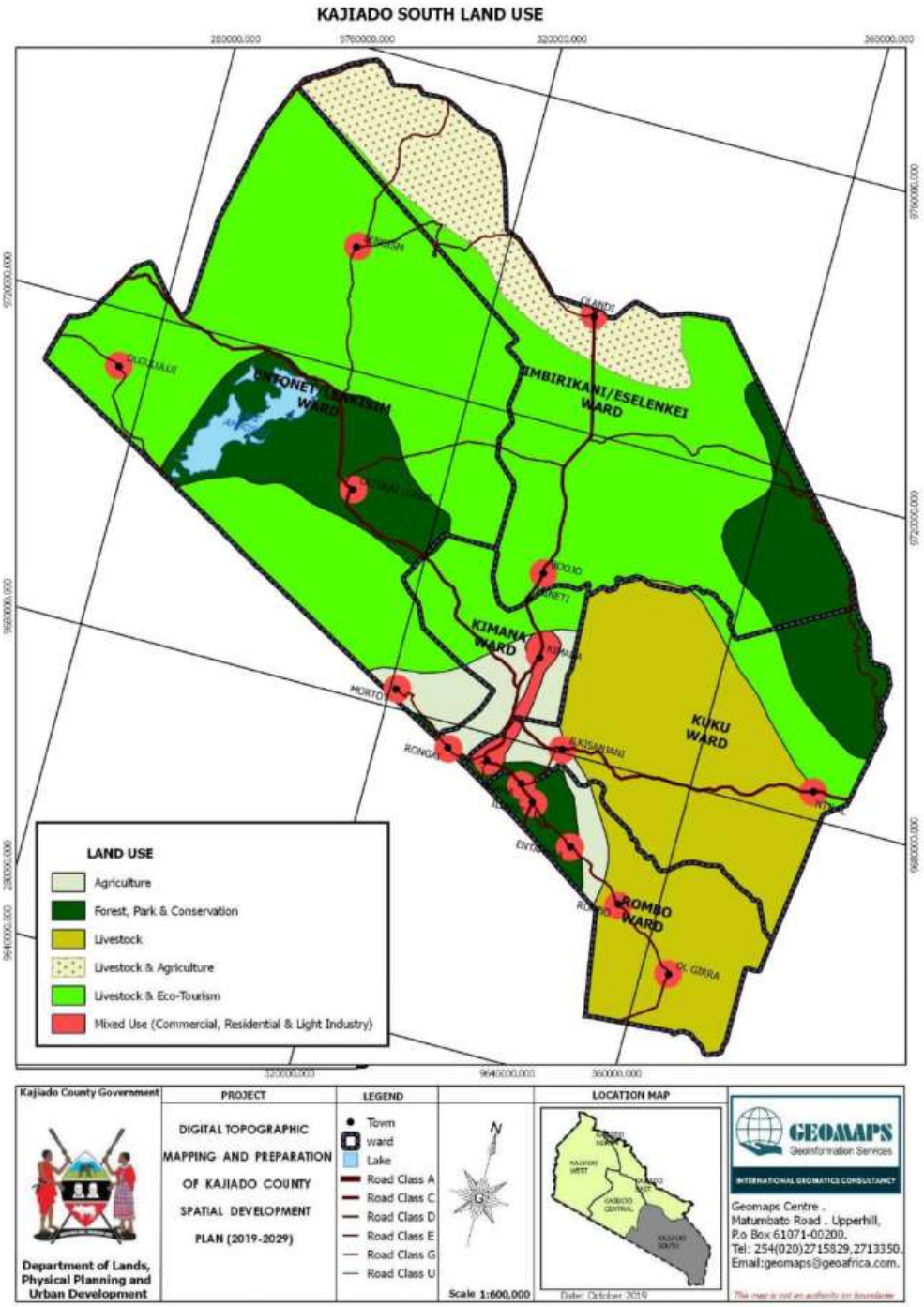


Figure 5.5: Proposed landuse in Kajiado South Sub-County (CGK 2019)

5.2: Eselenkei area

Eselenkei Group Ranch (2,19' 57"S; 37°18',8"E) is surrounded by Kaputie South Group Ranch to the north, OOGR to the south, Osilalei Group Ranches to the east and Mbirikani Group Ranch to the west (**Figure 5-6**). The area is semi-arid, which is suitable for livestock grazing, wildlife conservation, and tourism. The group ranch was formed in 1979 mainly by the three clans of the Kisonko Maasai, namely, Laiser, Illmolian, and Iltayok whose landuse is dominated by pastoralism involving the raising of cattle, sheep, goats and donkeys. Small scale irrigation is undertaken using water drawn from the Nolturesh water pipeline from the foot slopes of the Kilimanjaro. In 1997, EGR established the Porini Camp through a partnership with a private investor involving a 15-year lease of land around the Selenkay Conservancy in which the landowners would receive a gate charge and bed-night fee for each tourist entering the group ranch.

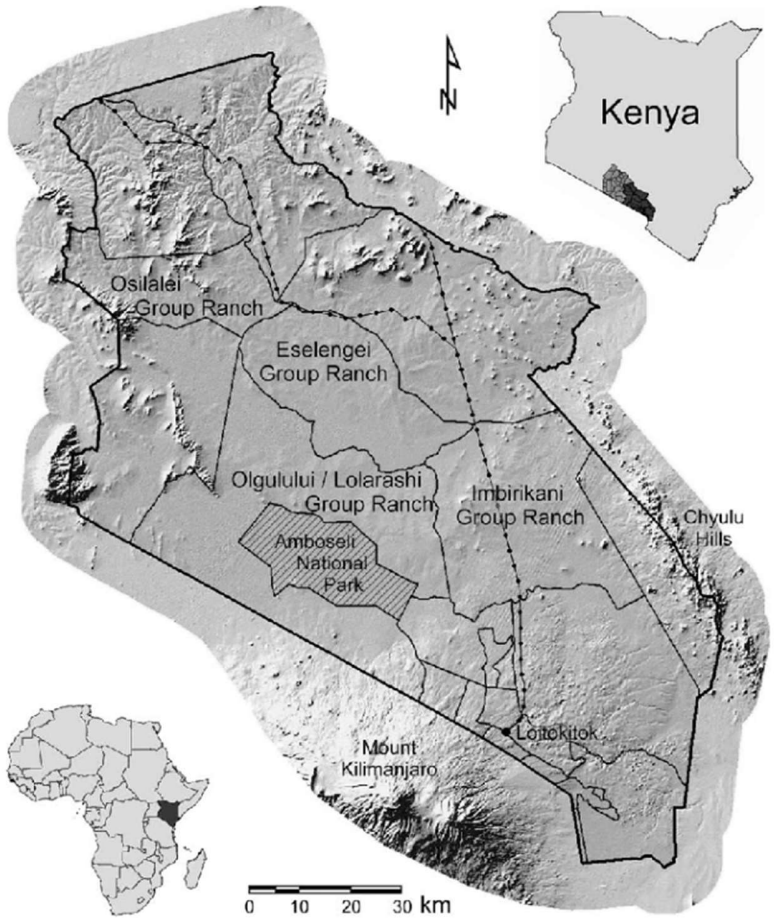


Figure 5-6: Location of Eselenkei

EGR which lies a short distance to the north of the Amboseli National Park constitutes an important dispersal area for the greater Amboseli ecosystem. It serves as part of the wet season migratory range for large mammalian wildlife species in the Amboseli National Park, like the African elephant, wildebeest, zebra, kongoni, Thompson's gazelle, Grant's gazelle, impala, oryx, eland, buffalo, giraffe, warthog, lesser kudu and ostrich. For this reason, KWS has traditionally worked

in partnership with EGR management to ensure sustainable human-wildlife co-existence in the area. The agency supports the local people through the provision of school bursaries as well as the support of local development projects including borehole construction and maintenance.

The area is dominated by *Acacia-Commiphora* bushland and woodland with scattered patches of waterlogged open grassland. The natural vegetation cover has enabled the integration of EGR in the Chyulu Hills REDD+ Project through the coordination of Big Life Foundation (BLF). The initiative has a clear "revenue allocation model" agreed between the other REDD+ partners who comprise KWS, KFS, MWCT, DSWT, BLF, Kuku A, Kuku B, Rombo and Eselenkei Group Ranches. It is hoped that the EGR land subdivision will not affect the carbon credit scheme in a negative way through vegetation clearance.

5.3: Summary of Baseline Situation

The baseline situation analysis revealed that The EGR landowners have relied on traditional governance systems to manage use and access of natural resources (water, pasture, construction materials). This system has a number of significant merits including; a) mitigating resource overuse and environmental degradation, b) ensuring no member is denied access to shared group ranch resources both for livestock husbandry and household's needs, c) preserving the natural state of the environment, its diversity and heterogeneity, d) cushioning livestock and households from the vagaries of climate variability especially drought, e) promoting coexistence between people and wildlife, and f) protecting ecological integrity and health of the environment which is the backbone of local livelihoods and pastoralism. Land subdivision is likely to disintegrate traditional systems in a similar way like what happened in the former Kimana group ranch and other ranches in the country. A summary of the baseline status of different landuse zones as observed during the SEA field mission in May 2022 is highlighted below.

5.3.1: Settlement zone

This will be the second largest landuse zone after the grazing land and settlement zone in which each member has been allocated 10 acres with title deed. It comprises the existing settlement areas where members were previously residing predominantly in nucleated settlements located in six areas, namely Lenkisim, Olanti, Enchilishili, Iloirero, Oltotoi and Iltuleta. The locations are mostly influenced by the availability of water and proximity to social services including transport, educational and medical facilities. The market centres are associated with a wide range of small-scale commercial activities and facilities including shops, hotels and butcheries. Human settlements are characterized by moderate to heavy grazing (**Plate 5-1**). Some settlements close to the Nolturesh water pipeline and Selengei River are endowed with water resources which have converted them into local hubs for irrigated agriculture **Plate 5-2**). However, it is not clear whether the farming, especially along the water pipeline will survive for long based on the rising water demand along the Emali-Loitokitok road corridor including the designation of the corridor as the key human settlement zone in the MGR. The only tarmac road in Eselenkei the area is the newly constructed Kajiado-Isara road which connects to the Emali-Loitokitok road (**Plate 5-3**).

The market centres in Eselenkei are evenly distributed to the northern zone of Eselenkei (Iloirero, Oltotoi and Iltuleta) and southern zone (Lenkisim, Olanti and Enchilishili). **Plate 5.4** shows some of the market centres. The baseline field for the LSP SEA undertaken in May 2022 showed that most of the centres are suffering from poor solid waste management attributed to; a) lack of waste handling facilities and services by Kajiado county government, b) poor waste management

ethnics by residents, c) low or lack of awareness among residents on the health and environmental dangers of mismanaging solid waste. Observations showed that wildlife tended to avoid the market centres and was concentrated in the central part of Selenkei which has been designated as the pastoralism, wildlife conservation and tourism zone.

Some areas in the settlement zone were characterized by intensive sand harvesting along the Selengei River (**Plate 5.5**). This was found to have devastating impacts on the riparian environment. Apart from affecting sub-surface water recharge, the activity was found to be introducing exotic invasive species especially *Nicotiana glauca*.



Plate 5-1: Oltotoi settlement area



Plate 5-2: Small scale irrigation along the Nolturesh water pipeline



Plate 5-3: Kajiado-Isara Road

5.3.2: Agriculture and settlement zone

This zone is focused on the irrigated agricultural areas along the Nolturesh water pipeline and Eselenkei River in which each landowner was allocated 2-5 acres with title deed. The dominant crop was tomato which was mainly produced for the urban markets in Emali, Kajiado and Nairobi. In all the cultivation areas, most of the natural vegetation has been cleared and replaced with crop cover (**Place 5.6**). These areas are characterized by high and rampant water abstraction for irrigated agriculture and use of agrochemicals especially pesticides to manage pests.

5.3.3: Grazing land and settlement zone

The will be the second largest landuse zone in Eselenkei which is distributed around the traditional areas of human settlement and market centres. It is mostly concentrated in the northern part of Eselenkei with only a small portion in the south-western corner in the area around Olanti which borders Mbirikani. The baseline survey showed that some parts of the zone were characterized by scanty woody vegetation cover dominated by *Acacia mellifera, Acacia tortilis, Commiphora africana* and *Balanites aegyptica*. There was clear overgrazing and environmental degradation in some area as evidenced by widespread patches of bare ground (**Plate 5-7**).

5.3.4: Pastoralism rangeland and wildlife zone

This will be the largest landuse zone in Eselenkei to be shared by both livestock and wildlife. in which each landowner getting 42 acres with title deed. The zone is distributed around the wildlife corridors and dispersal areas both to the north and south and will almost act a buffer area. The findings of the baseline survey showed that it is characterized moderate to dense woody vegetation cover with *Acacia mellifera, Acacia tortilis,* C*ommiphora africana* and *Balanites aegyptica* as the most common woody species. The state of environment in the zone was still good during the survey in May 2022. Apart from supporting livestock, the zone serves an

important wildlife dispersal area for the Amboseli National Park especially for the elephants (**Figure 5-7**). In addition, it also sustains a wide range of other species especially in the wet season. These include giraffe, buffalo, eland, zebra, Thompson and Grants gazelle, impala, baboon, hyena, lion, leopard and ostrich (**Plate 5.8**).



Lenkisim



Olanti

Plate 5.4: Market centres in Eselenkei



Plate 5.5: Sand harvesting in along the Selenkei River

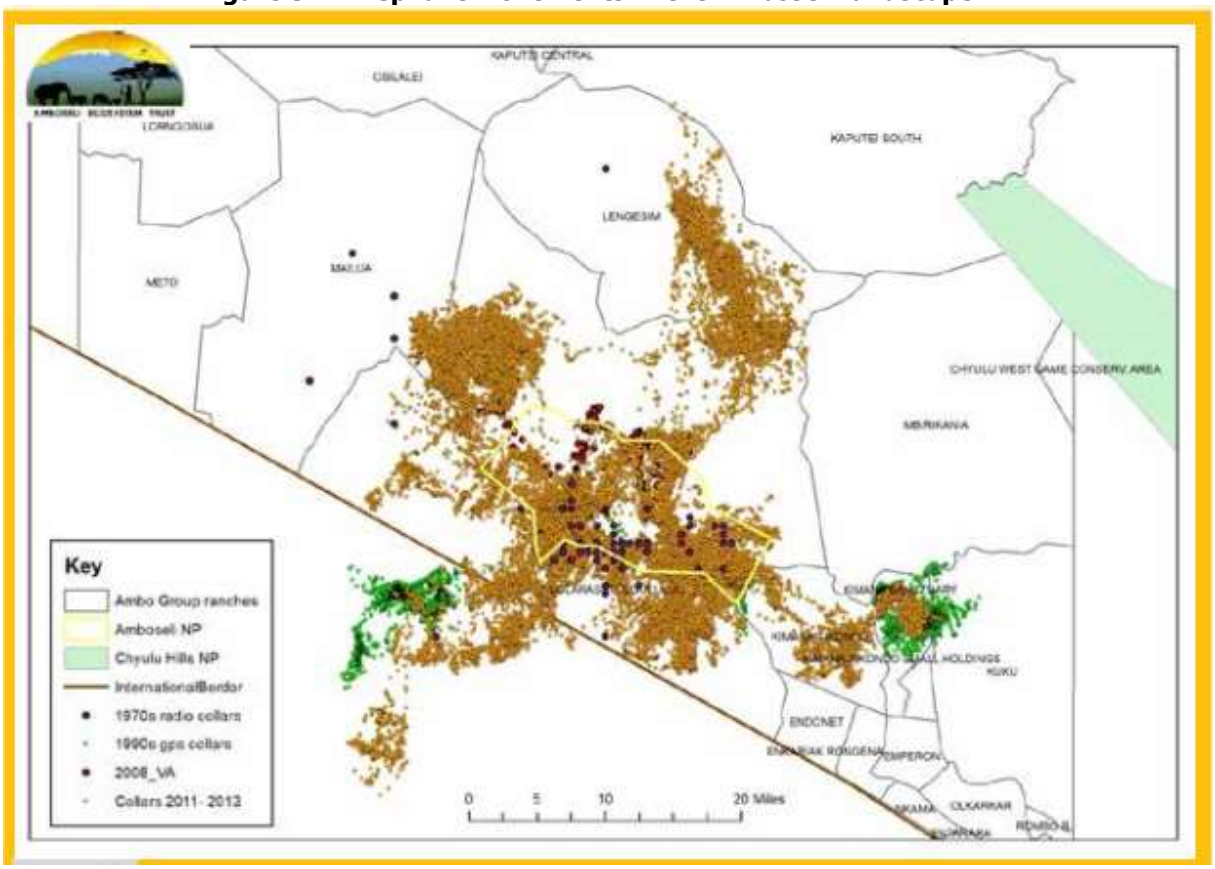


Plate 5-6: Tomato farming along the Selengei River



Plate 5-7: Overgrazing near the settlement areas

Figure 5-7: Elephant movements in the Amboseli landscape



Source - AET, 2019

Plate 5.8: Pastoralism and wildlife rangeland zone



a) Livestock grazing



b) Elephant in the zone

5.3.4: Wildlife corridors, conservancy and tourism zone

This will be the elongated narrow zone almost at the centre of Eselenkei. It covers the Tulakaria-Osewan and Marite–Oseki which sustain traditional wildlife movements between the Selenkay Conservancy, Amboseli National Park and the Greater Amboseli Ecosystem. 700 EGR members were allocated 47 acre land parcels each in this zone without title deeds. The landowners have entered into a lease agreement with Big Life Foundation for the 33,000 acres to be sustained as an intact block of land mainly for wildlife and controlled dry season grazing. The zone also covers the Selenkay Conservancy which hosts the Porini Camp. The primary focus of the zone will include wildlife conservation and tourism. Controlled dry season grazing will also be permitted in extreme drought. **Plate 5.9** shows that the zone was in good state during the baseline survey for the Eselenkei LSP SEA in May 2022 which was in the middle of a prolonged drought season.

Plate 5.9: Wildlife corridors, conservancy and tourism



a) Selenkay Conservancy



b) Porini Camp

5.3.5: Transport and infrastructure

This is associated with the transport, communication and related infrastructure

6. STAKEHOLDER CONSULTATION FINDINGS

Comprehensive consultations with the ordinary EGR landowners was undertaken at the scoping stage in order to establish whether the people were aware and conversant with the LSP including the landuse zonation. The consultations were also intended to determine the level of acceptance for the permitted activities in various landuse zones as well as the landuse restrictions. Finally, the process was intended to determine the duration of LSP implementation before a review of the landuse restrictions.

The consultations were undertaken according to the engagement plan provided in **Table 3.2** through public consultation meetings involving a group of local people in different locations within the Eselenkei area. The minutes for the public consultation meetings are provided in **Annexes A2-10.** The findings of the stakeholder consultations are highlighted below.

6.1: Scoping Consultation Findings

The summary of a synthesis of the stakeholder views regarding the key consultation issues are highlighted below.

6.1.1: Awareness and acceptance of the Eselenkei LSP including the land subdivision zones

The findings showed that the Eselenkei landowners were aware of the subdivision process and had attended several meetings with their leaders concerning the land subdivision process. Education *barazas* (Public meetings) aimed at sensitization community members about the planned subdivision of the group ranch and what it would entail including the process to be used were held. The awareness meetings were conducted in different zones across the entire group ranch. The findings showed that the people were familiar with LSP, and as a community, they agreed to undertake the subdivision for easy management and utilization of their land.

It was established that the landowners were involved in the entire process by the EGR leadership, right from the time when sub-division was proposed to the demarcation. The participants confirmed that they were familiar and in agreement with the landuse and sub-division plan process. The findings from the landowner consultations showed that prior to the subdivision process, a verification of the actual and true members including their correct names was done to ensure no new members were added. This also ensured no outsider got land since it would have created conflicts.

The findings showed that there was equity in land subdivision which was based on fair distribution of land among the three Maasai clans. For example, total number of plots in Oltotoi market centre was 1200 which was shared equally among the members of the 3 clans which translated to 400 plots per clan. Each clan leader was expected to ensure fair distribution of the same to his members to avoid disputes.

There was clear evidence that the people were conversant with the 6 landuse zones that have been created in Eselenkei and in agreement with the landuse zones. The community including the women was happy about the subdivision. Most of the members confirmed that they had been shown their parcels of land after subdivision and received their titles where applicable. Some people had not received their titles which were still being processed. The agreed fee for the processing land title deeds was Ksh 23,000.

The findings showed that the landowners agreed that the decision for each member to get 10 acres per member for settlement was reached between the community members and the EGR leaders. Regarding the allocation of the 10 acres in the settlement zone, members and group ranch leaders agreed to locate this in the traditional settlement areas in order to avoid the cost of relocation. In addition, to the 10 acres, members would get 47 acres or 42-acre in the grazing and settlement area and also the pastoral and wildlife rangeland plus 2 or 5 acres in the agriculture and settlement zone. About 25% of the members will settle in the 42 acres (with 5 acres in the cultivation zone) 75% may opt to live in the 47 acres (with 2 acres in cultivation zone). 700 members voluntarily agreed for their 47 acres in the pastoral and wildlife rangeland category to be allocated within the wildlife migration corridor in which conservation will be the priority landuse. The members in the wildlife corridors had already signed lease agreements with Big Life Foundation to reserve the area for wildlife conservation in return for an annual payment of Ksh 47,000 calculated at a rate of Ksh 1,000 per acre. The payment would be made directly to the private land owners.

6.1.2: Awareness and acceptance regarding the permitted activities in each landuse zone

The synthesis of consultation findings showed that the landowners were adequately informed and sensitized on the permitted activities in each zone and were in agreement with the same. The permitted activities in each zone were discussed and agreed upon in several meetings held by EGR members. There was evidence that the landowners had resolved to ensure the preservation of the pastoral and wildlife rangeland as well as the wildlife corridors and Selenkay Conservancy as shared common land to be protected for collective use. Grazing in the conservancy will only take place during extreme drought. They indicated the need for proper strategies and mechanisms in order to ensure effective enforcement of the LSP. The people were aware that in the lease for the tourism investor at Porini Camp was yet to expire. Upon expiry, the member would agree on the new leasing arrangements.

6.1.3: Awareness and acceptance regarding landuse restrictions

The findings showed that the landowners were aware about the land restrictions in the 42 and 47 acres within the grazing and settlement as well as the pastoralism and wildlife rangelands including fencing prohibitions. Some of the landowners indicated that wildlife use should be restricted in the pastoralism and wildlife zone (42 & 47 acres) unless KWS doubled the annual bursary fund. The people were aware about the strict restrictions in the wildlife corridors and conservancy area including grazing prohibition except during extreme droughts. They also knew that vegetation clearance will be prohibited in in all zones to allow private land owners begin harnessing carbon credit through Big Life Foundation. During the SEA baseline survey in May 2022 that some landowners after issuance of title deed had started selling their land in the grazing and settlement zone with the new owners from outside the area already clearing and fencing the land for agriculture as shown in **Plate 6.1.**



Plate 6.1: Land clearance and change of use in Eselenkei

6.1.4: Review of land Restrictions

The synthesis of findings showed that the landowners and their leaders had agreed the duration for the landuse restrictions should be 30 years with a review after 10 years. They accepted that the duration will; a) allow the current generation of youth to grow, learn and understand the importance of private land and how best it could be managed, b) enable the community to get a clear perspective on the positive and negative impacts of the landuse restrictions including the changes which might occur in the Eselenkei landscape due to the land reforms, and, c) enable the landowners an opportunity to assess and learn how human population growth and settlements will have changed on the 10 acres allocated in the settlement zone. However, some people felt that since the landuse restrictions were a new thing to the landowners. Some people felt that they should therefore be reviewed early enough in order to determine their benefits and compliance challenges. There was a feeling that private landowners have the right to review the restrictions after some years in order to make necessary adjustments for their benefit. In this regard, some landowners suggested that the review should be done after 5 years to enable people experience private land tenure and make amendments without overburdening them.

6.2: SEA Workshops and Wider Review of the Draft Report

6.2.1: Stakeholder consultations on the draft SEA report

The draft SEA report was circulated through the Client for stakeholder views and feedback. The aim of this was to:-

a) share the findings as provided for in the Draft SEA report.
b) allow stakeholders to contribute their views for integration in the Draft SEA report as prescribed in the 2012 National Guidelines for Strategic Environmental and Social Assessment in Kenya.

The summary of findings on the stakeholder consultations is provided below.

Table 6-1: Summary of findings on the stakeholder consultations for the SEA draft report

EGR LSP Draft SEA Report Content	Stakeholder views	Revision areas
1. Awareness and acceptance of the Eselenkei LSP including the land subdivision zones	The content in the draft report reflects the views of the stakeholders	Grammar, flow and document formatting
2. Awareness and acceptance regarding the permitted activities in each landuse zone	The content in the draft report reflects the views of the stakeholders	Grammar, flow and document formatting
3. Awareness and acceptance regarding landuse restrictions	The content in the draft report reflects the views of the stakeholders	Grammar, flow and document formatting
4. Review of land Restrictions	The content in the draft report reflects the views of the stakeholders	Grammar, flow and document formatting
5. SEA recommendations	The recommendations are acceptable	Grammar, flow and document formatting
6. Overall draft SEA report	The draft SEA report is acceptable	Grammar, flow and document formatting

6.2.2: Wider peer review

A 30-day wider peer review will be undertaken in accordance with EMCA Cap 387 and the National SEA Guidelines (2012) as follows:-

- A public notice inviting stakeholders to review and comment on the report will be placed in the Kenya Gazette and daily newspapers.
- The draft SEA report will be uploaded on the NEMA website for free access to all interested parties.
- Hard copies of the draft SEA report will be circulated to relevant institutions for review.
- Hard copies of the draft SEA report will be circulated to relevant county offices for public review.

NEMA will share the institutional and public comments for the consultant to address in the final SEA report.

6*.2.3: Validation workshop*

A SEA validation workshop will be held after the wider peer review. This will be conducted after the comments from the wider peer review have been incorporated in the SEA report.

7. PLAN IMPACT ANALYSIS AND ENVIRONMENTAL SCENARIO BUILDING

7.1: ENVIRONMENTAL AND SOCIAL IMPACT ANALYSIS

Landuse zone	Permitted activities and landuse restrictions in the Eselenkei LSP	Potential positive impacts and consequences of permitted activities and enforcement of restrictions	Potential negative impacts and consequences with violation of landuse restrictions
1. Settlement	Permitted activities: 1. Commercial and Residential development 2. Light industries 3. Social amenities such as education, health, etc 4. Permanent buildings 5. Road construction 6. Street lighting 7. Change of user 8. Greening the residential areas and road reserves **Note**: Prior to undertaking any of the above activities, development approval has to be granted by the competent planning authority Restrictions: 1. Livestock rearing 2. Further subdivision and change of user 3. Row housing 4. Illegal boreholes	• Well-planned human settlements will avoid spontaneous, unregulated development and urban sprawl • Diverse economic activities (such as shops, hotels, butcheries, and markets) and employment opportunities especially in new market centres such as Oltotoi • Improved provision of essential services and infrastructure development • Improved shelter and quality of shelter • Introduction of sedentalized lifestyles which will improve community life and governance standards	• Massive sale of land allocations in the settlement zone will trigger migration and settlement in the pastoralism zone • Mass acquisition of land by outsiders who do not share in the Eselenkei vision of traditional pastoralism and wildlife conservation • Mushrooming of unplanned settlements and urban sprawl • Dilution of traditional Maasai culture and practices • Increased crime and social vices (such as thefts and prostitution) in upcoming market centres such as Oltotoi • Increased water demand for mushrooming settlements • Risk of increased illegal bush meat trade through the scouting role of local youth • Increased challenges of the solid waste management (SWM) especially around the market centres within the settlement zone
2. Agriculture and settlement	Permitted activities: 1. Cultivation of high value crops such as vegetable, tomatoes, onions, capsicum, coriander, and herbs 2. Perimeter fencing of irrigation and settlement areas	• Well-planned human settlements will avoid spontaneous, unregulated development and urban sprawl	• Massive sale of land allocations in the settlement zone will trigger migration and settlement in the pastoralism zone

Landuse zone	Permitted activities and landuse restrictions in the Eselenkei LSP	Potential positive impacts and consequences of permitted activities and enforcement of restrictions	Potential negative impacts and consequences with violation of landuse restrictions
	3. Laying of irrigation infrastructure 4. Settlement 5. Animal husbandry 6. Permanent buildings 7. Fencing of individual parcels 8. Agroforestry <u>Restrictions</u>: 1. Change of user 2. Construction of multiple permanent "bomas" or building units 3. Further land subdivision 4. Change of ownership 5. Non-organic farming	• Improved provision of essential services and infrastructure development • Improved shelter and quality of shelter • Introduction of sedentalized lifestyles which will improve community life and governance standards • Diverse mix of land use practices for sustainable development and economic returns • Diversification of livelihoods by engaging in agriculture and related value-chain activities • Alternative employment options in addition to traditional pastoralism • Improved household food security in Eselenkei • Provision of alternative sources of household's income • Introduction of diverse business opportunities (such as residential, transport, and agrochemicals outlets) • Cushioning of households against low livestock returns during prolonged droughts	• Mass acquisition of land by outsiders who do not share in the Eselenkei vision of traditional pastoralism and wildlife conservation • Mushrooming of unplanned settlements and urban sprawl • Dilution of traditional Maasai culture and practices • Increased water demand for mushrooming settlements • Risk of increased illegal bush meat trade through the scouting role of local youth • Increased challenges of the solid waste management (SWM) especially around the market centres within the settlement areas • High influx of high-end irrigation farmers from other areas leading to capital flight • Widespread soil exhaustion and salinization, leading to low productivity and abandonment of farming • Slow rangeland recovery rate for abandoned farming areas
3. Grazing land and settlement	<u>Permitted activities</u>: 1. Pastoralism 2. Wildlife conservation 3. Animal watering	• Traditional livestock rearing will be sustained	• Massive sale of land allocations in the settlement zone will trigger migration and settlement in the pastoralism zone

Landuse zone	Permitted activities and landuse restrictions in the Eselenkei LSP	Potential positive impacts and consequences of permitted activities and enforcement of restrictions	Potential negative impacts and consequences with violation of landuse restrictions
	4. Cattle dips 5. Ecolodges 6. Telecommunication infrastructure 7. Apiculture 8. Research activities 9. Reforestation through indigenous species	• Preservation of traditional livelihood systems as well as the norms and values of the Maasai culture • Upholding tenets of collective management of rangelands to sustain pastoralism • Creation of diverse economic activities (such as shops, hotels, butcheries, and markets) and employment opportunities especially in new market centres such as Oltotoi • Improved provision of essential services and infrastructure development • Improved shelter and quality of shelter • Introduction of sedentalized lifestyles which will improve community life and governance standards	• Mass acquisition of land by non-members and "outsiders" do not share in the Eselenkei vision of traditional pastoralism and wildlife conservation • Mushrooming of unplanned settlements and urban sprawl • Dilution of traditional Maasai culture and practices • Risk of increased illegal bush meat trade through the scouting role of local youth • High influx of high-end irrigation farmers from other areas leading to capital flight • Widespread soil exhaustion and salinization, leading to low productivity and abandonment of farming • Slow rangeland recovery rate for abandoned farming areas
4. Pastoral rangeland and wildlife zone	<u>Permitted activities</u>: 1. Temporary manyattas 2. Pastoralism 3. Wildlife conservation 4. Animal watering points 5. Research expeditions 6. Collection of firewood and medicinal plants 7. Construction of classified roads only	• Grazing pastures and wildlife habitats will be safeguarded against encroachment by settlements, towns, and industries • Continued existence of shared communal land for livestock grazing, wildlife conservation, and tourism economy	• Mass land disposal will lead to introduction of landuse activities which are incompatible with pastoral rangeland and wildlife zone a • Mass land disposal will lead to fragmentation of pastoral and wildlife landscapes, uncontrolled settlements and fencing • Non-transparent land disposal (without appropriate consent of family members,

Landuse zone	Permitted activities and landuse restrictions in the Eselenkei LSP	Potential positive impacts and consequences of permitted activities and enforcement of restrictions	Potential negative impacts and consequences with violation of landuse restrictions
	Restrictions: 1. Commercial development 2. Crop cultivation 3. Fencing 4. Construction of permanent buildings 5. Further subdivision of the 47 acres 6. Change of user 7. Road construction in the hinterlands	• Traditional livestock rearing will be sustained • Preservation of traditional livelihood systems as well as the norms and values of the Maasai culture • Upholding tenets of collective management of rangelands to sustain pastoralism • Sustain integrity of the greater Amboseli ecosystem including Amboseli national Park, Chyulu and Tsavo conservation areas • Protection and preservation of pastoral-based livelihoods • Preservation of wildlife use dispersal areas and movement corridors • Sustaining free movement of wildlife between the Amboseli and the Tsavo ecosystems to support tourism development • Preservation of the Amboseli-Tsavo landscape connectivity	including women and youth) will lead to disinheritance, loss of family wealth, clan or family feuds and conflicts • Land disposal will introduce a class of landless Maasais • Mass acquisition of land by outsiders who do not share in Eselenkei vision of pastoralism and wildlife conservation • Introduction of incompatible land uses that will undermine the ecological integrity of the Amboseli ecosystem • Private land tenure will introduce resource-intensive livelihood systems (such as hay and fodder production, milk-selling and packaging, and meat processing) which could push poor members out of the livestock value chain • Private land tenure will introduce socio-economic differences which will alienate some people from the land economy and escalate poverty • Widespread subdivision and fencing of private land will obstruct traditional livestock and wildlife movements • Increased human-wildlife conflicts • Wildlife retaliatory attacks due to increased human-wildlife conflicts • Decline in wildlife populations • Collapse of landscape ecological linkages between Amboseli and the Tsavo ecosystems • Land degradation due to overstocking, vegetation clearance, and soil erosion

Landuse zone	Permitted activities and landuse restrictions in the Eselenkei LSP	Potential positive impacts and consequences of permitted activities and enforcement of restrictions	Potential negative impacts and consequences with violation of landuse restrictions
			• Collapse of the REDD+ carbon credit project in Eselenkei due to destruction of woody vegetation • Collapse of livestock-based livelihoods due to land reforms • Impaired capacity for people to cope with and adapt to climate change due to escalating household poverty and reduced socio-economic resilience • Increased reliance on county and national government aid and support
5. Wildlife corridors, conservancy and tourism	Permitted activities: 1. Wildlife conservancy 2. Ecological research 3. Laying of underground infrastructure 4. Construction of water pans 5. Planting of indigenous trees Unclear omission: Carbon credit scheme Restrictions: 1. Crop cultivation 2. Any form of land subdivision 3. Change of current user 4. Human settlements or buildings in any form 5. Road construction 6. Construction of dams and wells 7. Planting of exotic trees	• Wildlife habitats will be safeguarded • Traditional fall-back and refuge grazing areas in prolonged droughts will be sustained • Wildlife heritage and tourism economy will be safeguarded • Livestock mobility networks will be safeguarded • Traditional livestock rearing practices in Eselenkei will be sustained • Preservation of traditional livelihood systems, norms and values of the Maasai culture • Safeguarding shared communal land for livestock grazing, wildlife conservation, and tourism development • Upholding tenets of collective management of rangelands to sustain pastoralism	• Increased human-wildlife conflicts especially in the dry season • Increase of incompatible landuse with wildlife conservation and tourism development • Decrease in wildlife populations • Increased environmental degradation • Collapse of livestock-based livelihoods due to land reforms • Collapse of landscape ecological linkages between Amboseli and the Tsavo ecosystems • Downgrading of Eselenkei landscape as an attraction for high-end local and international tourists • Lower attraction of the Eselenkei landscape for tourism investors • Collapse of tourism enterprises and loss of job opportunities • Collapse of the BLF REDD+ carbon credit initiative project in Eselenkei due to woody vegetation destruction

Landuse zone	Permitted activities and landuse restrictions in the Eselenkei LSP	Potential positive impacts and consequences of permitted activities and enforcement of restrictions	Potential negative impacts and consequences with violation of landuse restrictions
		• Promotion and diversification of conservation-based enterprises for revenue generation without undermining pastoralism • Protection and conservation of natural rangeland environment • Sustain integrity of the greater Amboseli ecosystem including the Amboseli National Park, the Chyulu and the Tsavo conservation areas • Tourism returns to local communities will be assured and enhanced	• Impaired capacity for people to cope with and adapt to climate change due to escalating household poverty, and reduced socio-economic resilience • Increased household's reliance on county and national government aid and support
6. Transport and infrastructure	Permitted activities: 1. Classified primary and secondary roads 2. Creation of buffer roads around the conservancy 3. Gravelling of all roads that link Eselenkei with the region and collector and distributor roads 4. Primary, secondary and nucleated settlement road reserves may be used in laying utility and services 5. Establishment of an airstrip in the conservancy	• Provision of physical infrastructure proximate to human settlement areas • Spurred economic development in Eselenkei • Improved standards of living in Eselenkei • Improved transportation networks	• Introduction of numerous access roads in the pastoralism and wildlife zone will lead to the fragmentation of livestock and wildlife grazing landscapes • Obstruction of wildlife movement corridors by roads • Increased vehicle-wildlife-livestock collisions • Increased crime and social vices due to opening up of the area

	Restrictions: Settlements, construction of permanent 'bomas' or buildings, construction of schools and health centers, further land subdivision, change of ownership, passenger vehicles		
	Unclear issues: Strategies and guidelines for mine closure, decommissioning and rehabilitation works		

7.2: Environmental Scenario Analysis and Mitigation Options for Negative Impacts

7.2.1: Settlement zone

a) Scenario with effective enforcement of LSP restrictions

The adherence to the permitted activities will enable the evolution of well-planned human settlement and avoid spontaneous and unregulated development. The settlement zone will create a vibrant economic zone along the Kajiado-Isara road especially at Iltotoi market centre comprising residences and business (e.g. small markets, shops, hotels, butcheries, lodges, hardware outlets etc.) which will create employment opportunities and improve standards of living. The zone will improve the provision of essential services and infrastructure development and promote sedentalized lifestyles which will also improve community life and governance standards

b) Scenario with violation of LSP restrictions and mitigation measures

The violation of restrictions in this zone is likely to lead to the mushrooming of unplanned settlements which will lower the aesthetic image of Eselenkei and the greater Amboseli region as a hub for tourism. Uncontrolled sale of land allocations in the zone will trigger migration and settlement in the pastoralism zone. Mass acquisition of land by non-members and 'outsiders' is likely to dilute the traditional Maasai culture and practices including the Eselenkei vision of traditional pastoralism and wildlife conservation. The development is likely to increase wildlife crime through the engagement of the youth with first-hand knowledge of the terrain with wildlife poaching and trafficking middlemen and cartels.

Mitigation options

- Controlling land disposal without the consent of family members, including women and youth
- Controlling the sale of settlement land to outsiders
- Addressing the potential problem of increased crime and other social vices in the zone
- Addressing the potential problem of inadequate water supply for upcoming market centres like Oltotoi
- Controlling wildlife crime

7.2.2: Agriculture and settlement zone

a) Scenario with effective enforcement of LSP restrictions

The inclusion of this zone in the LSP will promote diversification of landuse practices in Eselenkei beyond traditional pastoralism by encouraging agricultural livelihoods and engagements in related value-chain activities. This will promote the farming culture among the Maasai people. Apart from cushioning households against low livestock returns during prolonged drought, agriculture will introduce a wide range of new business opportunities in the cultivation zone (e.g. agrochemical shops and ordinary shops, hotels, butcheries, transport service providers, rental houses, schools, dispensaries and pharmacies, etc.). All this will also introduce alternative employment options and sources of income in addition to traditional pastoralism. Cultivation activities will also improve household food security in Eselenkei.

b) Scenario with violation of LSP restrictions and mitigation measures

The inclusion of this zone in the LSP will inevitably lead to an influx of high-end irrigation farmers from other areas where agrarian practices are widespread. Although this will promote the farming culture among the Maasai people, it will increase the water demand in Eselenkei which is a water stressed area due to increased water abstraction for irrigation. In the final analysis, a significant part of the monetary gain from the exploitation of local resources will be exported out of the area through capital flight. But the farming activities in the cultivation zone are unlikely to last forever due to widespread soil exhaustion and salinization leading to low productivity and farming abandonment and collapse of the associate activities and businesses. The land recovery of the abandoned farming areas will take a long time which may force some of the landowners to look for alternatives including the desire to sell their land allocations in the cultivation zone. This might trigger the risk of migration to other zones after farming abandonment and collapse of the agriculture value chains.

Mitigation options

- Controlling the establishment of new irrigation farms on private land
- Mitigating water-related conflicts

7.2.3: Grazing and settlement zone

a) Scenario with effective enforcement of LSP restrictions

The implementation of Eselenkei LSP according to prescribed activities and enforcement of restrictions in the zone will sustain traditional pastoralism in Eselenkei. The settlement of people in the zone will reduce the pressure of high population density in the pastoral rangelands while sustaining wildlife heritage for the tourism economy.

b) Scenario with violation of LSP restrictions and mitigation measures

The violation of restrictions in this zone is likely to lead to the mushrooming of unplanned settlements and overstocking. This is likely to degrade the aesthetic image of Eselenkei and the greater Amboseli region as a hub for tourism. Uncontrolled sale of land allocations in the zone will trigger migration and settlement in the pastoral rangeland and wildlife zone. Mass acquisition of land by non-members and 'outsiders' is likely to dilute the traditional Maasai culture and practices including the Eselenkei vision of traditional pastoralism and wildlife conservation. The development is likely to increase wildlife crime through the engagement of the youth with first-hand knowledge of the terrain with wildlife poaching and trafficking middlemen and cartels.

Mitigation options

- Controlling land disposal without the consent of family members, including women and youth
- Controlling the sale of settlement land to outsiders
- Controlling overstocking

7.2.4: Pastoral rangeland and wildlife zone

a) Scenario with effective enforcement of LSP restrictions

The implementation of Eselenkei LSP according to prescribed activities and enforcement of restrictions in the pastoral rangeland and wildlife zone will maintain some parts of the area as common land which will uphold the tenets of collective land management and sustain traditional pastoralism in Eselenkei. This will ensure that grazing pastures and wildlife habitats are safeguarded against encroachment by human settlements, market centre and towns. It will also preserve traditional livelihood practices, norms and values of the Maasai culture while sustaining wildlife heritage for the tourism economy. This is desirable for the integrity of the greater Amboseli ecosystem including the continued thriving of the Amboseli National Park and its ecological networks with other conservation areas in the neighbourhood.

b) Scenario with violation of LSP restrictions and mitigation measures

The violation of LSP restrictions is likely to trigger uncontrollable land subdivision and disposal which will lead to fragmentation of pastoral landscapes through fencing and introduction of land activities which are incompatible with nomadic pastoralism. This has started happening in some places especially along the Eselenkei River (**Plate 7-1**). If this is not controlled, the area will experience mass acquisition of land by non-members and 'outsiders' which will ultimately dilute the norms and values of the Maasai culture. This scenario will seriously curtail traditional livestock mobility networks in pursuit of pasture and water and might eventually lead to the collapse of traditional pastoralism practices due to the constriction of grazing landscapes. The scenario will mark a deviation from the long-term vision of Eselenkei to sustain communal land both for livestock grazing and wildlife conservation.

Plate 7-1: Fencing and vegetation in Eselenkei



In case the LSP restrictions are challenged and violated and people settle or sell land allocated in this zone, the scenario is likely to be a similar situation like in the Kimana area. Woody vegetation clearance will occur due to charcoal burning and fencing of homesteads (bomas) and livestock sheds. Kimana group ranch experienced a surge in charcoal burning by non-Maasais after land sub division which mainly targeting *Acacia tortilis* and *Acacia mellifera*, which is still happening. Due to increase in human presence and associated development activities, the human-wildlife

interface will increase leading to high occurrence of human-wildlife conflicts and wildlife crime including illegal bush meat activities. At the landscape level, sedentarization in the zone and introduction of inappropriate human activities will interfere with the ecological linkages between Amboseli and Tsavo Ecosystems. It will encroach into the designated wildlife movement corridors and impede free movement of wildlife between Eselenkei, Mbirikani and Amboseli National. Park. Ultimately, this will undermine the sustainability of Amboseli National Park and other conservation areas in the region.

Widespread land disposal without the consent of family members, including women and youth is likely to lead to land disinheritance, loss of family wealth, numerous clan or family feuds and unmanageable disputes. It will also introduce a desperate class of landless Maasai which will become a headache for the society and is likely to increase crime, indecency and the collapse of traditional customary systems. This might lead to increased wildlife crime through the engagement of the youth with first-hand knowledge of the terrain with wildlife poaching and trafficking middlemen and cartels.

Through violations, the area is also likely to experience an escalation of rangeland degradation as a result of overstocking, vegetation cover loss and soil erosion. This could destroy the proposed opportunity for long-term revenue generation through the REDD+ carbon credit scheme. The scenario will seriously affect people's abilities to cope with and adapt to climate change due to escalating household poverty, and reduced socio-economic resilience. This will make household's very vulnerable and more dependent on external support especially by the national and county governments.

Mitigation options

- Controlling of further land subdivision and disposal
- Regulating land disposal without the consent of family members, including women and youth
- Creating private land as common land for shared use for communal livestock grazing and wildlife use in the pastoral rangelands
- Establishing conservancies in the pastoralism and wildlife zone
- Regulating livestock population by introducing improved breeds
- Preventing collapse of the REDD+ carbon credit project

7.2.5: Wildlife corridors, conservancy and tourism

a) Scenario with effective enforcement of LSP restrictions

Apart from its key role in the protection and conservation of the fragile natural environment in the middle sections of Eselenkei, which are associated with the Tulakaria-Osewan and Marite–Oseki wildlife corridors and Selenkay Conservancy, this zone will sustain the integrity of the greater Amboseli ecosystem and Tsavo conservation area by sustaining local and regional ecosystem networks and linkages. Additionally, it will continue serving as a traditional fall-back and refuge grazing area for livestock during prolonged droughts. This will preserve the tenets of collective land tenure (common land) as well as the traditional livestock rearing practice. The zone will ensure the continued promotion of conservation-based tourism enterprises as an avenue for alternative revenue generation without undermining pastoralism. It will also promote diversification and enhancement of tourism returns in the greater Amboseli ecosystem by enabling Eselenkei to continue attracting high end local and international tourists.

b) Scenario with violation of LSP restrictions and mitigation measures

Various restrictions have been prescribed for the zone but if they are violated in the future, a few scenarios might be observed. Increase in human activities in the zone will lead to environmental degradation leading to : a) decline and loss of woody and herbaceous vegetation cover, b) high prevalence of soil erosion, c) decline and loss of high-quality grasses (Decreasers), c) high prevalence of annual herbaceous plant species, and d) increase in bare ground. A high influx of humans might also encourage over-exploitation of natural resources leading to further environmental damage and degradation. This will not be conducive with the BLF REDD carbon credit scheme. Presence of humans will encourage the introduction of landuse activities which are incompatible with wildlife conservation and tourism development. This scenario will lead to widespread environmental degradation, vegetation destruction, landscape fragmentation and impend free movement of wildlife between Eselenkei, OOGR, Amboseli National Park, and other conservation areas in the neighbourhood. Human-wildlife conflicts especially during the dry season and illegal bush meat activities will intensify due to increased contact between humans and wildlife. As the landscape gets overran by human development and activities its ecological ability to support and sustain pastoralism and wildlife populations will decline substantially.

The violation of restrictions especially through massive land disposal in the settlement zone might lead to the introduction of settlements (or prolonged stays by pastoralists) in the zone leading to heighted competition for shared resources by livestock and wildlife. This will degrade the status of the area as a captivating wilderness area which could lead to the collapse of the existing tourism revenue generating opportunities including the closing down existing tourism facilities and relocation of investors to other areas. The conservation zone is also likely to experience increased degradation through overgrazing leading to significant loss of vegetation cover. This could destroy the proposed opportunity for long-term revenue generation through the REDD+ carbon credit project.

Mitigation options

- Conversion of the wildlife corridor zone into a large conservancy
- Ensuring equitable sharing of benefits accruing from wildlife conservation and tourism
- Regulating livestock population by introducing improved breeds
- Preventing collapse of the REDD+ carbon credit project in Eselenkei

7.2.6: Transport and infrastructure

a) Scenario with effective enforcement of LSP restrictions

The provision of improved infrastructure (roads, electricity, health centers, schools etc.) especially in the settlement zone will spur economic development in Eselenkei, especially in new market centres such as Oltotoi, by introducing new income generating options which will improve the standards of living.

b) Scenario with violation of LSP restrictions and mitigation measures

The violation of restrictions is likely to downgrade the aesthetic standards of Eselenkei and the greater Amboseli region as a hub for tourism. The introduction of numerous access roads in the pastoralism and wildlife zone is likely to create fragmentation of grazing and wildlife landscapes. The transport networks are likely to escalate the obstruction of wildlife and livestock movement corridors by roads and increase vehicle-wildlife-livestock collisions. The improved transport and

communication might lead to increased crime and other social vices due to the opening up of the area.

Mitigation options

- Controlling the obstruction of wildlife-livestock corridors by roads
- Addressing the potential risk of vehicle-wildlife-livestock collisions
- Addressing the potential problem of increased crime including wildlife crime due to greater rangeland penetration

7.2.3 Analysis of Alternative Options

Table 7-1 shows the alternative project options which were considered in the SEA, while **Table 7-2** shows the analysis of alternative environmental and social options for the LSP. **Table 7-2** clearly shows that negative environmental and social impacts of land subdivision in the group ranch exceed the positive impacts. However, there is a strong and resolute desire to subdivide the group ranch probably due to public urge for absolute land ownership rights by the landowners This is also based on the experience in other group ranches such as Kimana where sub division has already occurred hence the motivation to do the same.

Table 7- 1: Summary of project alternative options

Alternatives	Characteristics
A_0 – No land subdivision option or base alternative	Proceeding with Business-as-Usual (BAU) in the Eselenkei
A_1 - Preferred option	Land subdivision in the Eselenkei in line with the desires of the landowners

Table 7- 2: LSP alternative options analytical matrix

Project alternative	Positive impacts	Negative impacts	Preference ranking (based on landowner interests)
A_0 – No land subdivision • Proceeding with Business-as-Usual (BAU) in Eselenkei	• Traditional pastoralism practice will be sustained • Safeguarding of livestock grazing areas and wildlife habitats • Preservation of traditional livelihood practices, norms and values of the Maasai culture • Preservation of ecological networks between the Amboseli ecosystem, and other conservation areas • Continuation of conservation-based tourism enterprises as an avenue for alternative revenue • Diversification of land use practices beyond traditional pastoralism • Improved and well-planned human settlements • Evolution of a vibrant economic zone along the Kajiado-Isara road corridor • Increased employment and business opportunities • Improved provision of infrastructure and essential services • Cushioning households against low livestock returns through introduction of alternative economic options • Increased solid waste management challenges	• Low land value • Land tenure insecurity • Lack of absolute land ownership rights • Limited right to own, use and dispose of land • Inability for individual landowners to enjoy the right ~~to~~ freely to transfer land titles through sale, gift or bequest • Land degradation as a result of overstocking • Unequitable sharing of group ranch benefits (such as tourism and conservation-related enterprises) • Inability to enjoy the benefits of more diversified livelihood opportunities • Systemic weaknesses in the group ranch regime including poor transparency and accountability	2
A_1 - Preferred option – Land subdivision in Eselenkei in line with the desires of the landowners	• Higher land value • Security of land tenure • Absolute land ownership rights • Individual right for individual landowners to enjoy the right to freely own, use, gift or bequest land • Provision of individual landuse freedom • Benefits of more diversified livelihood opportunities beyond traditional pastoralism • Freedom from ineffective group ranch governance and management regime • Improved and well-planned human settlements	• Uncontrollable land subdivisions and disposal • Mass acquisition of land by non-members and "outsiders" • Disputed land sales leading to disinheritance, loss of family wealth, numerous clan or family feuds • Introduction of a desperate class of landless Maasai • Dilution of the norms and values of the Maasai culture and traditions • Increased crime and indecency due to collapse of traditional customary systems • Fragmentation of pastoral landscapes through fencing	1

	• Improved provision of infrastructure and essential services • Evolution of a vibrant economic zone along the Kajiado-Isara road corridor • Increase employment and business opportunities • Improved cushioning households against low livestock returns through the introduction of alternative economic options	• Escalation of the rangeland degradation problem • Lower aesthetic appeal of Eselenkei as a tourism hub in the Amboseli ecosystem due to negative visual impacts of landscape change • Introduction of land activities which are incompatible with nomadic pastoralism and wildlife conservation • Colonization of the Eselenkei area by rangeland invasive species • Curtailing of traditional livestock mobility networks in pursuit of pasture and water • Collapse of traditional pastoralism practices • Collapse of the BLF REDD+ carbon credit scheme in Eselenkei • Collapse of the existing tourism revenue-generating opportunities • Increased water demands and water scarcity • Increased water-related conflicts • Increased wildlife-related conflicts • Increased wildlife crimes • Reduced capacity to cope with and adapt to climate change	

8. ENVIRONMENTAL MANAGEMENT AND MONITORING PLAN

8.1: Management and Monitoring Action

The main purpose the Environmental Management and Monitoring Plan (EMMP) is to recommend the required actions for effective implementation of the Eselenkei LSP as an instrument for land sub-division and landuse governance after the land reforms and transition into private land tenure regime. This is necessary in order to alleviate or minimize the risk of negative environmental and social impacts in all the six landuse zones. The EMMP will also support the long term management, monitoring and evaluation of the environmental and social status in the landuse zones. It is important to note that an EMMP is a living framework which requires review and amendment from time to time based on emerging situations including new policies, legal frameworks, regulations, guidelines, national strategies and action plans including the ratification of additional MEAs.

8.2: Roles and Responsibilities

The successful implementation of the Eselenkei LSP will require the involvement and collaboration of various instructions at local, county and national level as shown in **Figure 8-1**. **Figure 8-1** The roles of the various players is highlighted below.

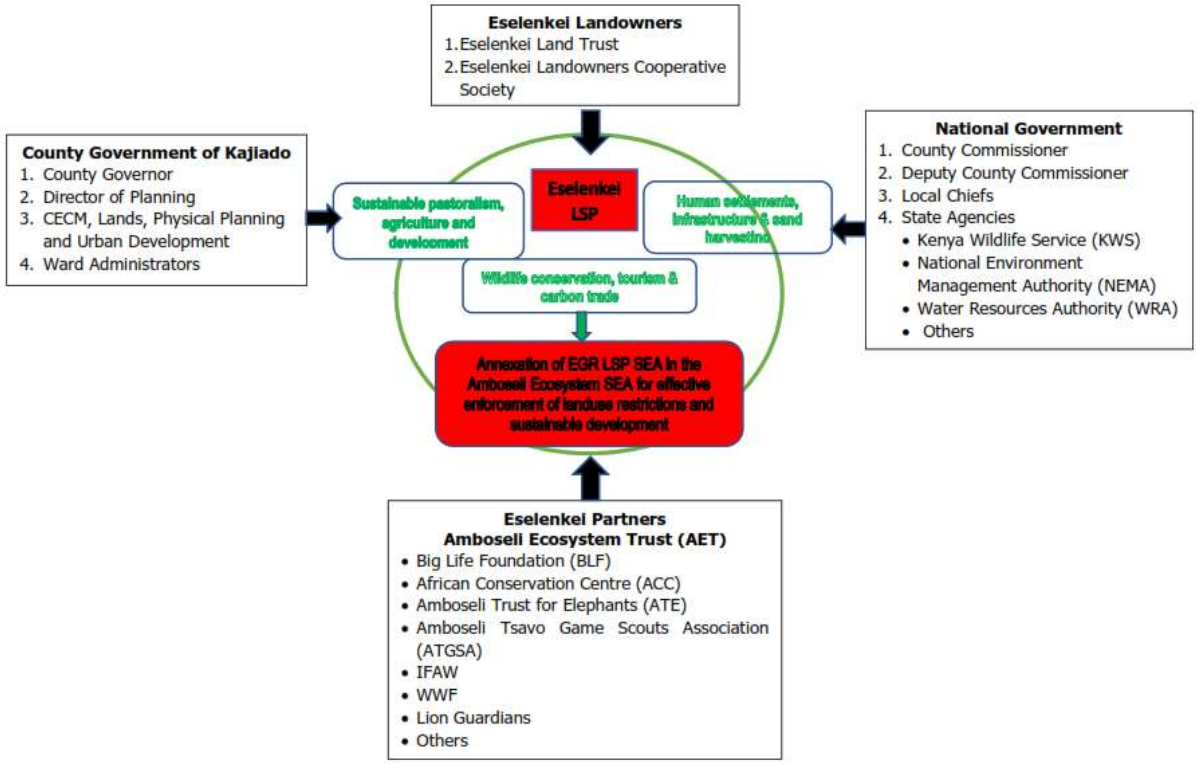


Figure 8-1: Institutional framework for the implementation of the Eselenkei LSP

8.2.1: County Government of Kajiado

1. *CGK, Director Landuse Planning*

Responsible for upstream oversighting to ensure proper implementation of the Eselenkei LSP.

2. *CGK CECM, Lands, Physical Planning and Urban Development*

Responsible for upstream oversighting to ensure proper implementation of the Eselenkei LSP.

8.2.2: Eselenkei Landowners

1. *Eselenkei Land Trust (ELT)*

The trust will be established primarily for purpose of holding and managing the common land in the pastoralism and wildlife zone, conservation and tourism zone (including Selelenkay Conservancy) in trust on behalf of and in the interest of the beneficiary landowners. The trust will be responsible for the overall governance of common land owned collectively by all the members in equal undivided shares. The shares shall be the basis of allocation of benefits from investments on the land. The trust will have the direct responsibility of the implementation of the LSP and oversee the collective interests of Eselenkei landowners after the group ranch subdivision and dissolution of the EGR management. The trust shall have a pre-emptive right of purchase over any shares of the common land that a member may choose to sell their land. Its affairs will be managed by a Board of Trustees, which shall, among other things, regulate the use of the land, ensure equitable sharing of benefits accruing from conservation, provide oversight of residents' associations and committees, and coordinate all activities in the common land. The duties and powers of the trustee and the relationship between the trustee and the landowners will be spelt out in a constitution. The ELT will continue engaging the services of the traditional network of local rangers, scouts and grazing committees for enforcement of LSP restrictions.

2. *Eselenkei Cooperative Society (ECS)*

The cooperative society will be responsible for the management of the investments on the common land. This will include negotiating investments with KWS, conservation agencies and other investors. This arrangement will ensure separation of ownership and control (governance) from use and investment (management).

8.2.3: Eselenkei Partners

The role of the partners will be to support the Eselenkei Landowners in the management and conservation of the common land especially in the pastoralism and wildlife zone, conservation and tourism zone. This will be coordinated by the Amboseli Ecosystem Trust (AET) within their mission of securing intact and healthy landscapes that support local livelihoods and conservation in the region.

8.2.4: National Government

The local administration and judiciary will support Eselenkei Landowners in the implementation of the LSP which will include settling landuse related disputes in accordance with the prescriptions provided in the gazetted LSP. The state agencies will also support the enforcement and also offer other forms of technical and financial assistance for the successful implementation of the LSP.

8.3: EMMP Schedule

The schedule serves to give the list of environmental action to be undertaken. The EMMP schedule is given in **Table 8-1**.

Table 8-1: EMMP schedule

Landuse zone	Management objective	Governance & management options	Responsibility	Monitoring indicators
1. Settlement area	Controlling land disposal without the consent of family members, including women and youth by corrupt Land Control Boards (LCBs)	Local consensus on a requirement for the involvement of family members as in s93 of the Land Registration Act	ELT,ECS, CGK & National Government, AET	Number of land related disputes
	Controlling the sale of settlement land to outsiders	Local consensus on restriction of settlement land sale and migration to the pastoralism and wildlife zone	ELT,ECS, AET	Gazetted restriction
		Forfeiture of conservation fees and carbon credit revenue benefits accruing from the communal land in the pastoral rangeland and wildlife zone for people disposing their land in the settlement zone	ELT & ECS	Forfeiture gazettement
		Local consensus on grazing prohibition for landowners selling their settlement land and migrating to the pastoralism zone	ECS	Gazettement of grazing prohibition rules
	Regulating landuse in the zone	Introduction of terms and conditions requiring new landowners to conform with the permitted activities and restrictions in the LSP, Amboseli Ecosystem SEA and Kajiado County Spatial Plan	ELT, ECS, rangers and scouts	Gazettement of permitted activities
	Addressing the potential problem of increased wildlife crime	Establishing Nyumba Kumi Committees in the settlement zone and creating police posts in the settlement zone	ELT, ECS, rangers and scouts	No. of incidents
	Addressing the potential problem of inadequate water supply for mushrooming settlements	Number construction of buildings will be approved without rainwater harvesting facilities	CGK	Number of approvals
2. Agriculture and settlement zone	Controlling land disposal without the consent of family members, including women and youth by corrupt Land Control Boards (LCBs)	Gazettement of land disposal consent regulations with a requirement for the involvement of family members as in s93 of the Land Registration Act	ELT, ECS, CGK & National Government, AET	Number of land related disputes

Landuse zone	Management objective	Governance & management options	Responsibility	Monitoring indicators
	Controlling the sale of settlement land to outsiders	Gazetted of regulations in the land title restricting the sale of settlement land and migration to the pastoral rangeland and wildlife zone	ELT, ECS, AET	Gazetted regulations
		Gazetted rules of forfeiture of conservation fees and carbon credit revenue benefits accruing from the communal land in the pastoralism zone for land owners who sell their land in the zone and migrate to the pastoral rangeland and wildlife zone	ELT & ECS	Gazetted rules
	Controlling the establishment of new irrigation farms on private land	Approving of new farms through Nyumba Kumi groups using communally agreed terms and conditions	Nyumba Kumi Groups, local rangers and scouts, local administration	Number of approvals
	Mitigating water-related conflicts	Controlling the number of water abstraction pumps and pumping hours through Nyumba Kumi agreements groups using communally agreed terms and conditions	Nyumba Kumi Groups, local rangers and scouts, local administration	Gazettement of Nyumba Kumi water abstraction regulations
	Regulating encroachment of agriculture into riparian buffer zones through proper zoning	• Delineation of riparian zone by WRUAs through *Nyumba Kumi* agreements in the cultivation zone with reference to the Water Act • Enforcement of NEMA riparian zone protection regulations through *Nyumba Kumi* agreements	ELT, ECS, WRUAs, WRA, NEMA-CDE	Gazettement of Eselenkei riparian zone guidelines
3. Grazing and settlement zone	Controlling land disposal without the consent of family members, including women and youth by corrupt Land Control Boards (LCBs)	Gazettement of land disposal consent regulations with a requirement for the involvement of family members as in s93 of the Land Registration Act	ELT, ECS, CGK & National Government, AET	Number of land related disputes
	Controlling the sale of settlement land to outsiders	Local consensus on the restriction of sale of settlement land and migration to the pastoral rangeland and wildlife zone	ELT, ECS, AET	Gazetted regulations
		Local consensus and binding agreements with private landowner owners on the forfeiture of conservation fee and carbon credit revenue benefits accruing from the communal land in the pastoralism zone for those who	ELT, ECS & AET	Gazettement rules

Landuse zone	Management objective	Governance & management options	Responsibility	Monitoring indicators
		dispose their land in the settlement zone and migrate to the pastoralism, wildlife, conservation and tourism zones		
	Regulating livestock population by introducing improved breeds	• Determining the livestock carrying capacity for different zones • Controlling livestock numbers by private landowners	• ELT, ECS, AET, local rangers and scouts and livestock. grazing committees	Livestock number
4. Pastoral rangeland and wildlife zone	Controlling of further land subdivision and disposal	• Local consensus and restrictive covenants with private landowners against land disposal • Local consensus and binding agreement with landowner owners to transfer their land control rights to EGR land trust/Amboseli Ecosystem Trust • Formulating and adopting a group constitution bestowing the ELT and/or ECS with the pre-emptive right of purchasing any land which the private landowners may wish to dispose • Formulating and adopting a constitution bestowing the ELT and/or ECS with the powers for the governance the common land in the pastoral, wildlife, conservation and tourism zones based the collective interests of Eselenkei landowners • Formation of a Cooperative Society for the management of the common land on behalf of the private landowners including collaborations with investors such as BLF and other partners • Local consensus on the payment of conservation fees, carbon credit revenue and mining royalties only to private land owners who refrain from settling in the pastoralism and wildlife conservation zone or disposing their land allocation in the zone • Introducing a caveat to the County Land Board against land sales in the pastoralism and wildlife conservation zone	ELT, ECS & AET	• Number of intact land parcels in the zone • Number of unsold land parcels in the zone
	Controlling mass acquisition and dispossession of land by	• Introduction of restrictive covenants with private landowners against the land titles to control land disposal	Eselenkei Land Trust, Cooperative Society, AET, CGK,	Number of land sales

Landuse zone	Management objective	Governance & management options	Responsibility	Monitoring indicators
	non-members and "outsiders"	• Local consensus and restrictive covenants with private landowners against land disposal • Introducing a caveat against the title deeds to ensure that new landowners will abide with the land restrictions as provided in the LSP • Formulating and adopting a group constitution bestowing the ELT or ECS with the pre-emptive right of purchasing any land which the private landowners may wish to dispose • Introduction of a binding requirement for new landowners to conform to the permitted activities and landuse restrictions in the LSP, AEMP, Amboseli Ecosystem SEA and Kajiado county spatial plan	and the National Government	
	Regulating land disposal without the consent of family members, including women and youth	Introduction of restrictive covenants with private landowners to outlaw land disposal consent without the involvement of family members in accordance with the Land Act	ELT, ECS, AET, CGK and National Government	Number of land-related disputes
	Regulating livestock population by introducing improved breeds	• Introduction of rules on livestock numbers by private landowners in the pastoralism, wildlife, conservation and tourism based on the carrying capacity • Introducing fees and levies for the grazing of additional livestock in the pastoralism and conservation area	ELT, ECS, local rangers and scouts and grazing committees	Livestock number
	Keeping pastoral rangeland open for wildlife use	Agreement between KWS and private landowners regarding wildlife conservation benefit sharing and HWC compensation strategies	ELT, ECS and AET to negotiate with the KWS	• Number of signed agreements • Number of landowners getting annual payments
	Establishing conservancies in the zone	• Entering into agreements with private landowners to create community wildlife conservancies through the AET and conservation partners • Entering into a legally binding agreement with landowner owners to permanently transfer their property rights to the ELT through easements	AET, ELT, ECS and Big Life Foundation	Number of conservancies established
	Establishing the REDD+ carbon credit project in Eselenkei	Entering lease agreements with carbon credit beneficiary landowners outlawing further subdivision and vegetation clearance	ELT, ECS and Big Life Foundation, and local administration	Number of lease agreements

Landuse zone	Management objective	Governance & management options	Responsibility	Monitoring indicators
	Ensuring sustainable harvesting of natural products from the zone	Developing licensing regulations and agreement modalities for the non-commercial harvesting of natural products in the pastoralism zone	ELT, ECS, local rangers and scouts and local administration	Licencing framework
5. Wildlife corridors, conservancy and tourism	Conversion of zone into a conservancy	Gazetting the zone as a conservancy under the WCMA 2013	ELT, ECS AET, Big Life Foundation & KWS	Conservancy gazette notice
	Ensuring equitable sharing of benefits accruing from wildlife conservation and tourism	Formulation of a constitution for the ELT and/or ECS regarding an agreeable benefit sharing formula and payment method	ESC & ELT	Conservation revenue
	Regulating livestock population by introducing improved breeds	• Introduction of rules on livestock numbers by private landowners in the pastoralism, wildlife, conservation and tourism based on the carrying capacity • Introducing fees and levies for the grazing of additional livestock in the pastoralism and conservation area	ELT, ECS, local rangers and scouts and grazing committees	Stocking rate
	Mitigating land degradation	Develop, register and implement a conservancy management plan for Selenkay Conservancy	ELT, ECS, AET, Big Life Foundation	Gasketed management plan
	Mitigating HWCs	Agreement between KWS and private landowners regarding wildlife conservation benefit sharing and HWC compensation strategies	ELT,ECS, AET, KWS	• Signed agreements • Annual compensation payments
	Establishing the REDD+ carbon credit project in Eselenkei	Entering lease agreements with carbon credit beneficiary landowners outlawing further subdivision and vegetation clearance	ELT, ECS, AET, Big Life Foundation	Number of lease agreements
6. Transport and physical infrastructure	Controlling the obstruction of wildlife-livestock movement corridors by roads	Restricting road construction in the wildlife corridors	ELT & ECS	Number of intact corridors

8.4: Review of LSP Restrictions

Local consensus during stakeholder consultations showed that the review of the agreed landuse restrictions of the Eselenkei LSP should be undertaken 10 years from the gazettement date of the Eselenkei LSP SEA. This was considered as adequate duration to monitor the effectiveness and sustainability of the restrictions.

8.5: Gazettment and Enforcement of Landuse Restrictions

The Eselenkei landowners through the LSP SEA process deliberated and unanimously agreed that the landuse restrictions should be captured in the gazettement of the LSP SEA under Section 57A of EMCA Cap 387 and will take precedence of the Eselenkei LSP version already approved by the CGK. Thereafter, the gazetted landuse restrictions will be enforced as part of the AEMP 2020-2030 which is already gazetted.

8.6: Links Between Eselenkei LSP SEA, Amboseli Ecosystem SEA 2014 and AEMP 2020-2030

8.6.1. Link with AEMP SEA (Ecosystem-wide SEA)

The Eselenkei LSP SEA will address management gap associated with the emerging and inevitable challenge of land subdivision and landuse change in the Amboseli ecosystem. The issue was not considered in the 2014 Plan SEA for the AEMP (2008-2018) because the SEA was mainly commissioned in response to the 2013 Amboseli Moratorium. The moratorium was arrived at after a consultative forum attended by various stakeholders from lead agencies who included; NEMA, AET, ATGRCA, KWS, KFS, WRMA, Olkejuado County Council, Ministry of Regional Authorities, Attorney General's Chamber, Kenya Investment Authority, Ministry of Tourism, AWF, members of the local community among others. The moratorium came to effect from 28th February 2013. The implication of the moratorium was that NEMA and all other relevant lead agencies shall not issue requisite licenses for any new or proposed developments or projects as listed in the Second Schedule of the EMCA (1999) until the entire management plan has been gazetted so that it could serve as a regulating instrument for development activities in the ecosystem.

The one-year moratorium for all proposed development activities within the Amboseli Ecosystem was declared by NEMA in consultation with other relevant stakeholders including the AET until after the AEMP (2008-2018) was gazzetted prior to which a Strategic Environmental Assessment (SEA) was to be undertaken. The 2014 Amboseli ecosystem-wide Plan SEA which is considered as the umbrella or mother Plan SEA did not consider the issue of group ranch land sub division which mainly started after 2019. Prior to that land sub division had only occurred in the Kimana Group Ranch without a SEA which culminated in a wide range of negative environmental and social impacts (including widespread land dispossession through mass acquisition of land by "outsiders", fragmentation of pastoral and wildlife landscapes through fencing, loss of critical wildlife habitats and migratory corridors, and degradation of environmentally sensitive environments such as the Kimana wetland and wildlife sanctuary).

The Eselenkei LSP SEA will pre-empt a repeat of the Kimana scenario in other group ranches within the Amboseli region through the provision of site specific solutions to the risks of land sub-division for which a significant degree of local level consensus and grassroot landuse restriction enforcement is necessary. The LSP SEA will reinforce the Amboseli Ecosystem SEA by the AET which was not covered in the umbrella SEA in terms of addressing the potential negative impacts

of land sub division which was not covered in the mother SEA. It is therefore necessary for the recommendations of the Eselenkei LSP SEA especially regarding the landuse restrictions to be annexed to the Amboseli Ecosystem SEA by the AET.

8.6.2. Link with the implementation of AEMP 2020-2030

The Eselenkei LSP SEA will reinforce the implementation of the AEMP 2020-2030 by integrating the necessary landuse restrictions which will address the negative environmental and social impacts of the inevitable land subdivision in the Amboseli ecosystem. The integration will be undertaken through the gazettement of the LSP SEA and annexation of its recommendation in the umbrella Amboseli Ecosystem SEA by the AET. **Figure 8.2** shows the linkages between Eselenkei LSP SEA and other management frameworks in the Amboseli region.

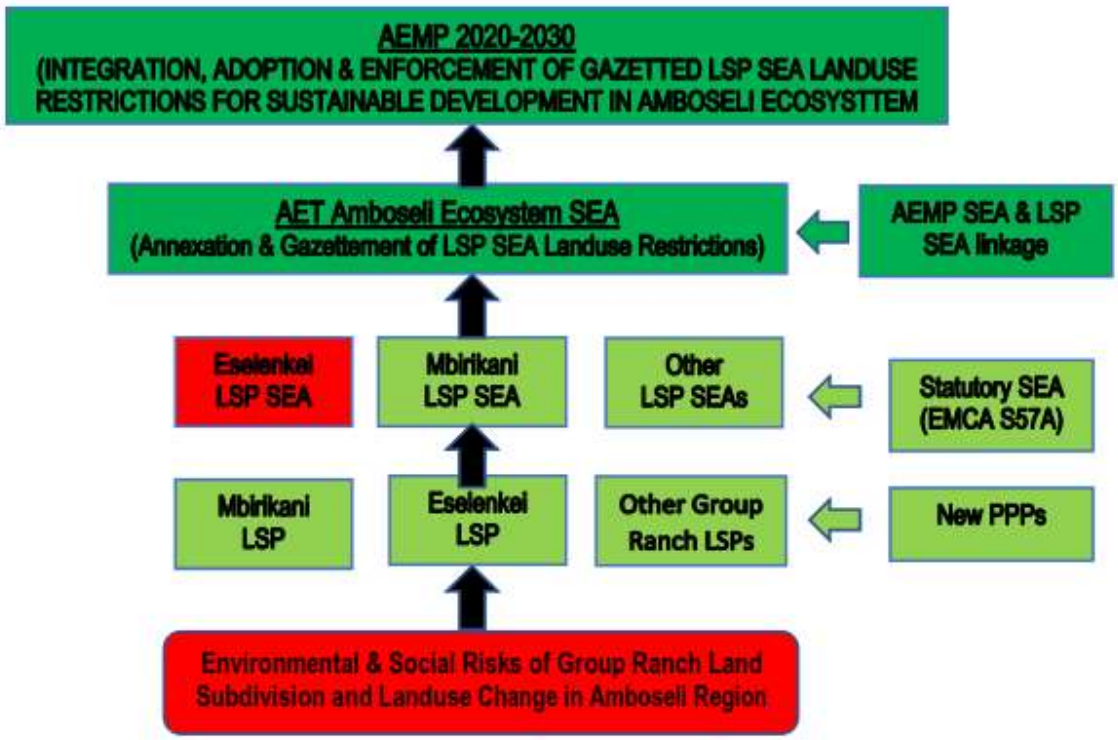


Figure 8.2: Linkages between Eselenkei LSP SEA and other management frameworks in the Amboseli region

9. CONCLUSIONS AND RECOMMENDATIONS

9.1: Conclusions

The promulgation of the Constitution of Kenya 2010 which created three types of land tenue classes, namely, public, community and private land has prompted the winding up group ranches in Kenya through their transformation from community to private land tenure. Although the land reform from communal to private land tenure will enhance land rights for pastoral communities, it is likely to trigger a wide range of negative environmental and socio-economic transformations including land dispossession and introduction of incompatible landuse in the rangelands which will disallow the traditional co-existence of livestock husbandry and wildlife conservation.

The PPP analysis for the Eselenkei LSP SEA showed that the LSP is compliant with environmental and social obligations in relevant frameworks at local, county, national and international levels. Demarcation of landuse zones in the Eselenkei LSP is compliant with the landuse zones, permitted activities and landuse restrictions in the Amboseli Ecosystem Management Plan (AEMP) 2020-2030. The Eselenkei LSP is aligned with the Kajiado County Land Sub-Division Guidelines of 2018. The guidelines advocate for retention of the group ranches in their traditional state. Similarly, the LSP is well aligned with the Kajiado County Spatial Plan of 2019-2029.However, the LSP has prescribed the licensing of non-commercial harvesting of natural products (such as medicinal plants and firewood) in the pastoralism and wildlife zone but the licensing criteria has not been spelt out. It has also prescribed the undertaking of scientific research in the conservation and tourism development zone but the approval modalities for these activities is unclear.

The overall impact analysis for the Eselenkei LSP including the environmental scenario building clearly showed that the negative environmental and social impacts of land sub-division in the group ranch might exceed the positive impacts. This observation is consistent with the findings of many scientific research studies which have been undertaken on the subject both locally and abroad. Despite this, the desire of the landowners to subdivide the communal land is strong and resolute. This is probably due to strong desire for absolute land ownership rights by the landowners and the systemic weaknesses in the group ranch management regime including poor transparency and accountability.

The Eselenkei LSP offers suitable landuse prescriptions for each zone as key pillars for effective planning and sustainable management of land for current and future generations. There's no guarantee however that these restrictions won't be challenged and violated. This eventuality can be mitigated through firm decrees and agreements among the landowners on compliance with gazetted restrictions including fines and penalties for restriction violators.

9.2: Recommendations

The headline recommendations for each landuse zone are highlighted below.

9.1: Settlement zone

a) Land disposal without the knowledge and approval of family members, including women and youth, should be controlled by enforcing the Land Control Board disposal consent requirement for involvement of family members as prescribed in the Land Act.

b) Sale of settlement land to outsiders by private landowners should be controlled through gazettement of restrictive regulations and signing by landowners at issuance of title deeds on the following:-
    i) Restricted sale of settlement land and migration to the pastoralism and wildlife zone,
    ii) Forfeiture of conservation fees and carbon credit revenue benefits accruing from the communal land in the pastoralism zone, and
    iii) Grazing prohibition rules for private landowners who dispose their land in the settlement zone and migrate to the pastoral rangeland and wildlife zone.

9.2: Agriculture and settlement zone

a) Establishment of new irrigation farms on private land should be controlled through the involvement of Nyumba Kumi Groups which should approve the leasing of new farms in their local areas and regulate the number of water abstraction pumps and pumping hours through common agreements.
b) The WRUAs in the zone should clearly demarcate the riparian buffer zones with clear beacons according to relevant legal frameworks in partnership with private landowners through Nyumba Kumi Groups and enter common agreements to control encroachment by irrigation farms.

9.3: Grazing and settlement zone

a) Land disposal without the knowledge and approval of family members, including women and youth, should be controlled by enforcing the Land Control Board disposal consent requirement for involvement of family members as prescribed in the Land Act.
b) Sale of settlement land to outsiders by private landowners should be controlled through gazettement of restrictive regulations and signing by landowners at issuance of title deeds on the following:-
    i) Restricted sale of settlement land and migration to the pastoralism and wildlife zone,
    ii) Forfeiture of conservation fees and carbon credit revenue benefits accruing from the communal land in the pastoralism zone, and
    iii) Grazing prohibition rules for private landowners who dispose their land in the settlement zone and migrate to the pastoralism zone.

9.4: Pastoral rangeland and wildlife zone

a) Landowner owners in this zone can enter into a legally binding agreement to transfer their property rights to the Eselenkei Land Trust and the Cooperative Society for governance and management as shared common land for pastoralism and wildlife use and the collective interests of Eselenkei landowners.
b) Access to conservation fees, carbon credit revenue and mining royalties should be linked to preservation of private land through a signed agreement.
c) Conservancies can be established in the pastoralism and wildlife zone through conservation easement agreements between willing private landowners, AET and other conservation partners with clear strategies to ensure that private landowners earn good revenue failure to which they might decide to dissolve them.
d) The REDD+ carbon credit project in Eselenkei should be sustained by entering into lease agreements with beneficiary landowners outlawing further subdivision and rampant vegetation clearance.
e) Enforcement of licensing regulations for non-commercial harvesting of natural products in the pastoralism and wildlife zone.

9.5: Wildlife corridors, conservancy and tourism

a) The constitution for the Eselenkei Land Trust and/or Cooperative Society should clearly define the formula for equitable sharing of revenue accruing from wildlife conservation and tourism and provide a strategy for dispute resolution.
b) The REDD+ carbon credit project should be sustained by entering into lease agreements with beneficiary landowners outlawing further subdivision and rampant vegetation clearance.

It is recommended that the review of landuse restrictions should be undertaken after 10 years after gazettement of the Eselenkei LSP SEA based on recommendations of a wide section of stakeholders. The Eselenkei LSP SEA and other similar interventions will reinforce the 2014 Amboseli Ecosystem SEA by the AET in terms of addressing the potential negative impacts of land sub division which was not covered in the umbrella SEA which was not covered in the umbrella SEA. It is therefore necessary for the recommendations of the Eselenkei LSP SEA especially regarding the landuse restrictions to be annexed to the Amboseli Ecosystem SEA by the AET.

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ANNEXES

ANNEX A – MINUTES OF SCOPING CONSLULTATION MEETINGS

ANNEX B – ATTENDANCE LISTS

ANNEX C – HABITAT PLANNERS/ENRM ASSOCIATES PRACTICING LICENSES

Annex 1: Minutes of the SEA consultation meeting held at Big Life Foundation (BLF) in Mbirikani Office on Monday 11th April 2022 at 10.45 am

Members Present

1. Mr. Richard Bonham – Executive Chair and Founder, BLF
2. Mr. Benson Leiyan – Chief Executive Office, BLF
3. Mr. Jeremy – Head of Communication and Technical Support, BLF
4. Mr. Joel Leshao – Community Engagement Consultant, BLF
5. Prof. Francis Mwaura – Team Leader, Habitat Planners
6. Ms. Tiffany Mwake – Habitat Planners (taking minutes)

Min 01/11/04 The meeting was opened by Mr. Leiyan with introductions of the members present followed by an opening prayer by Mr. Joel Leshae

- The Agenda of the meeting was to discuss the Eselenkei GR Strategic Environmental Assessment (SEA)
- Mr. Leiyan invited the Chair Mbirikani GR to make a follow up for the Mbirikani GR SEA having Mr. Bonham present in the meeting before proceeding with the agenda for the day.

Min 02/11/04 Chairman, Mbirikani GR wanted to discuss the letter sent to BLF concerning undertaking a SEA for their GR. A request for support from the GR.

- Mr. Richard Bonham confirmed BLF has already discussed the matter and will support the SEA process for the Mbirikani GR. Confirmed that it will be included in the budget and the consultant engaged and a roadmap laid out.

Min 03/11/04 Mr. Joel updated the team, the chairman of Selenkei GR is running late but has requested the meeting to proceed.

- The agenda for the meeting was to discuss the SEA for Selenkei GR. The BLF team has looked around for consultants, but together with Mr. Leiyan they consulted Habitat Planners because they had successfully undertaken the Amboseli Ecosystem SEA. BLF has received all the required documentation from Habitat Planners for engagement as the SEA experts.
- A summary of how the SEA will be carried out was shared which Prof. Mwaura elaborated as well as discussed, the proposed budget. It was agreed once the GR officials arrive the community engagement strategy will be discussed.
- Requested for an update on the Kajiado County Spatial Plan
- Habitat Planners will work on the SEA in conjunction with ENRM Associates

Min 04/11/04 Prof. Mwaura shared the ToRs, Workplan and the Legal framework for the SEA with the members.

- The workplan shows a breakdown of the tasks stipulated in the ToRs and the timelines.
- Explained what a SEA is, the benefits and how it interacts with the LSP. The SEA is a procedure the government has activated to ensure environmental protection and sustainability. Particularly where there is implementation of a new plan for example this case, a land subdivision plan. There is need to countercheck the plan on the long term and broadly to ensure it is properly aligned especially with regard with environmental obligations in the country, as well as in terms of the desires of the people affected by the plan implementation. The plan can properly work if everybody is on board- consensus.
- SEAs work with Plans, Policies and Programmes. Policies- new ones are analysed from the environmental angle for example the mining SEA that assessed the mining policy 2015 and Programmes for example the geothermal sector.

- SEA is different from EIA in the sense that it takes a broader and long-term perspective. The EIA is a scale down for the projects recommended within the SEA such as the neighbouring Simba Cement factory site.
- The two key objectives of Habitat Planners in this SEA for Selenkei land use and land zoning plan is to countercheck the zoning policies used (done by GeoDev) and ensure the community agree firmly regarding the land use restrictions. This eases implementation of the plan.

Min 05/11/04 Mr. Bonham informed the Habitat Planners team that the SEA should have been carried out months before. As per the tentative workplan, completion is scheduled for September, he wanted to know whether there is any way the timeline can be fast tracked. It would be ideal is the process is completed before coming general elections.

Min 06/11/04 Mr Leiyan explained that there is massive buy in by the community but the challenge is if the process takes long land changes may occur and the elections may also have an impact on the process. A June-July arrangement, submission to NEMA is preferred.

Min 07/11/04 Mr. Bonham stated in an ideal world, the SEA should have been done with the application for subdivision. The SEA process is already behind, what happens when there's a hitch? For example, something is the national government that highlights no cement mining should happen, no irrigation in some zones. Yet in the subdivision plan they are incorporated. Will there be need to update the subdivision plan?

Min 08/11/04 Prof. Mwaura this can be addressed by the SEA by recommending the necessary adjustments that need to be done to ensure that such anomalies are compliant.

- Informed the members that the 30days notice for stakeholders' comments submission at NEMA cannot be fast tracked. This is a requirement by law.

Min 09/11/04 Mr. Leiyan inquired on the timelines with regard to undertaking the Selenkei and Mbirikani SEAs concurrently. Is the capacity available?

- Secondly, who will be the proponents for the SEA? Is it BLF, the GR or AET? Who will be consulted every time there's a development? How much will big life be consulted whenever there are approvals to be made? Can AET be brought in because their SEA is for the entire ecosystem?

Min 10/11/04 Prof. Mwaura confirmed it is possible, Habitat Planners and ENRM Associates is a big team and will therefore engage more consultants.

- Explained the proponent will be determined at the stakeholders' consultation stage, this is because all stakeholders including the community and institutions will be engaged and proposals may be brought forward. From the NEMA perspective the GR and BLF would be ideal proponents.
- AET can be involved because it is recognized as an organization that is in charge of the greater ecosystem.

Min 11/11/04 Mr. Joel informed the consultants that the stakeholder engagement will be zone based, Selenkei has 4 zones.

Min 12/11/04 Mr. Bonham agreed to the budget, felt it was a fair price in relation to the activities to be undertaken.

Min 13/11/04 Prof. Mwaura stated that what makes the budget costs increase, are the stakeholder reimbursements that have to be made.

Min 14/11/04 Mr. Jeremy explained one of the reasons why the management plan has received overwhelming support is because the focus is not on conservation as much as it is an area of interest. These are development plans that specify land uses. They are developed to help people and wildlife. It's important no one gets the wrong ideas through these

processes that BLF is supporting these processes because they are conservation plans. It is important that these processes are explained to the community correctly and any misunderstandings corrected promptly.

Min 15/11/04 Mr. Leiyan asked Prof. to give an update concerning taking up Mbirikani SEA as well as any updates of the county spatial plan 2019-2029.

- The Amboseli Plan was revised, will it need a new SEA?

Min 16/11/04 Prof. Mwaura stated that concerning the county spatial plan, Habitat Planners is only playing a supporting role. The lead consultant is Geomaps therefore, might not be able to give an up to date update on where the process has reached.

- With regard to the Mbirikani SEA, he will consult the other colleagues and get back.
- The current Amboseli SEA covers the revision still, no need for a new SEA.

Min 17/11/04 Mr. Leiyan stated that the next step is signing of the contract and later on preparation and submission of the ToRs and budget for Mbirikani GR. This will signify the consultants have taken up the task to do both SEAs.

- Selenkei has a management plan prepared in conjunction with AET as well as the zoning and subdivision plan.

Afternoon Session

Meeting with Group Ranch Officials

1. Jonah Ole Maai – Chairman, Selenkei GR
2. Jackson Mereesi – Treasurer, Selenkei GR

Min 18/11/04 Mr. Joel introduced the Habitat Planners team. Explained the agenda of the meeting held in the morning. Informed the GR officials that HP has officially been engaged to work on the SEA.

- Reconnaissance mission to familiarize with the area has been scheduled for Tuesday 19th April, the officials to confirm their availability for the day.
- The workplan for the SEA was shared with the officials and they were informed that the process will be fast tracked.

Min 19/11/04 Mr. Ole Maai stated that they are elated that the process has began and will support the process fully

Annex 2: Minutes of the SEA consultation meeting held at Olanti Shopping Centre, Eselenkei on 20th April, 2022

	Rapporteur: James Ndungu
Names	**Issues addressed**
Francis Mwaura	The team is on the ground to consult them on the sub division that has been carried out. Get their views on the impacts both positive and negative in terms of the environment. Whether they have been adequately consulted on the subdivision The consultants have authorization from the GR officials to consult the locals. Have started with Olanti, which has a shopping centre and is part of the agriculture zone. Inquired if they have title deeds for their parcels
All	Confirmed they have title deeds and are very happy to have individual ownership. It is preferred compared to the communal ownership whereby the GR chair kept the title deed.
Francis Mwaura	The previous day was spent with the chairman traversing the GR so as to familiarize with the subdivided zones in the GR. The next step was to engage the community.
James Ndungu	Now that they have titles, how were they engaged in the subdivision process, were they were in agreement with the process followed.
Rita Resit (Secretary, Nyumba Kumi)	The first step was calling meetings to inform the community on the decision to subdivide the GR. They were allocated 47 acres, where one can pick 42 rangeland and 5 for agriculture or opt for 47 rangelands. Those opposing the subdivision feared unfair treatment by the GR management in terms of acreage sharing but after subdivision they saw the land was being subdivided and shared equally.
Olenana Meekisho (Chair, Nyumba Kumi)	Is of the view that the subdivision decision was good because everyone has their own property. The titles are paid for by the land owners There were a few sceptical people who thought the subdivision is not genuine but when 390 title deeds were given to their rightful owners it was confirmed the exercise was legit. The only challenge that was encountered was two families living in the same boma. When the land is subdivided one has to move out, this was viewed as a digress because it meant starting a fresh in a foreign place. Nyumba kumi are discouraging tree cutting in the community. Any person that goes against is prosecuted.
James Ndungu	The zones were classified into agriculture, rangeland, settlement, corridors and conservation. Are there any concerns with these zones?
Rita Resit (Secretary, Nyumba Kumi)	HWC is a concern because when it occurs sometimes there is no action. Their crops are damaged leading to loss of income especially the elephants, due to their weight cause soil erosion and soil compaction making it hard to till the land. They do keep livestock in the agriculture zone it is one to decide the number of livestock their land can accommodate.

	This wildlife has been chased from other ranches whereas they have accommodated them. Therefore, they want to see the benefits of the wildlife such as bursaries, compensation of crop damage.
Olenana Meekisho (Chair, Nyumba Kumi)	Elephant conflict is very high currently especially crop damage. From February they have been in the vicinity but the community understand it because of the prolonged drought. They have benefited from the wildlife because they have 40 children supported on bursaries by BLF. 20 youth in employment from BLF. In Porini camp they can't quantify because they are yet to see nay benefits yet they have been in operation for a long time – 14 years as compared to BLF who came in just recently. BLF has tangible benefits aside from education and employment, they assist the locals in shifting from one place to another, fast response for any elephant sightings reported, funeral arrangements for loss of life by wildlife as they wait for compensation by the government.
Pastor Mutunke Oloomu	The subdivision was a good decision as compared to before when all land uses took place. The benefits are felt by all members not just a few privileged.
James Ndungu	Were widows considered when land was being given out to the owners?
Olenana Meekisho (Chair, Nyumba Kumi)	They were given their own titles on condition that they pay for the title. Those unable to pay were identified by the GR officials and paid for. The GR officials identify those in need in the community and from the names to BLF
James Ndungu	Nyumba Kumi is an administrative structure for the provincial administration. What are their proposals for governance of this new zones?
Rita Resit (Secretary, Nyumba Kumi)	All age groups to be considered as well as gender balance.
Olenana Meekisho (Chair, Nyumba Kumi)	This is already being implemented because the Nyumba kumi chair is a man and the secretary is a woman. If gender were a problem woman would not be considered. Would propose, when subdivision is complete neighbouring parcels for each zone to elect officials to represent the zones, aside from having the Nyumba Kumi. For example, in the agriculture zone, they have asked the women to hold a meeting and select women reps who will front any issues they are facing in the farms. The 700 parcels along the corridor should form their own committee. There is a grazing committee that already exists with an elected chairman. They decide which areas to take the livestock during drought and set dates for when the livestock are moved. For tourism and conservation area they can't tell because they are not completely subdivided.
James Ndungu	What is the source of water and what are their plans with regards to water?
Olenana Meekisho (Chair, Nyumba Kumi)	Water supply in Olanti is from Nolturesh Water Company. Locally the water tank is managed by a chairman, who shuts down for unpaid usage and reconnects when the bill is paid. Any person who wants to water the livestock has to inform the chairman before access and state the number of livestock and the number is confirmed physically. Similarly,

	any person who wants to buy water for livestock in the rangeland must state the quantities they need. For farming, water usage by each farmer is measured and paid at the water company account by the individual farmer. The pipe size must be agreed on by all eg half inch
Rita Resit (Secretary, Nyumba Kumi)	Reconnection of water supply is done immediately the water debt is paid and confirmed. The water tank chairman opens the water and allows the farmer to reconnect their pipes.
Francis Mwaura	The final issue further subdivision of land for sale. How can this be addressed?
Rita Resit (Secretary, Nyumba Kumi)	It is already happening; people are selling although some in hiding. Since ownership is individual with titles, locals are encouraged to sell to community members instead of outsiders but they are still selling to outsiders.
Olenana Meekisho (Chair, Nyumba Kumi)	Immediately after titles were given out prayers were done and elders warnings issues but people still sell. Sometimes they do sell because of certain challenges face provided the family is in agreement.
Pastor Mutunke Oloomu	Although a family may block the sale of a land when they see the reasons for sale are not valid, that is siblings can block a brother or sister from selling the land as much as they it may be family land. The same goes for a parent selling land belonging to their children The future looks bleak if continues selling of land persists.
James Ndungu	Since prayers and warnings have failed, locals are still selling the land, he proposed awareness creation as a method of preventing further land sales.
Olenana Meekisho (Chair, Nyumba Kumi)	A restriction should be placed in the title deed to prevent land sale. Awareness creation for officials should be considered first so that they can sensitize the community.

Annex 3: Minutes of the SEA consultation meeting held at Ilorero Shopping Centre, Eselenkei on 20th April, 2022

	Rapporteur: James Ndungu
Names	**Issues addressed**
Francis Mwaura	The SEA team is on the ground to consult them on the sub division that has been carried out. Get their views on the impacts both positive and negative in terms of the environment. Find out whether they have been adequately consulted on the subdivision The consultants have authorization from the GR officials to consult the locals. Informed the GR representatives team that the consultants spent the previous day Tuesday 19th in Eselenkei GR to familiarize with the area especially the zones. The tour was guided by the GR chairman, Mr. Ole Maai. He took the SEA team to all the 4 zones. The agenda for the day, Wednesday 20th is to go round the zones carrying out scoping consultations especially the different centres, inform them of the SEA and assess their feelings regarding the SEA.
Ms. Sadura Kimomo	As women they are satisfied with the subdivision. Women have been given land but have not shifted.
Mr. Lekeni Lolarami	The community is happy about the subdivision. There was the 47 acres rangeland option and the 42-acre rangelands plus 5 acres farming option. One was to pick whichever they wanted. All members got rangeland but the 700 plots at the corridor were voluntary.
Ms. Sadura Kimomo	The conservation area set aside, how will it be beneficial to the members?
Mr. Lekeni Lolarami	In the conservation area, the investor – Porini has a lease agreement that is yet to expire. They are waiting for it to expire and see what next.
Ms. Sadura Kimomo	Most ranch members have land in 3 zones, agriculture, range and corridor. All can be inhabited except the corridor. The 5 acres for farming are under Nyumba Kumi but governance of the other zones have not been determined. BLF to support establishment of amenities in new settlements such as schools, hospitals, and water. These are urgent because for instance when shifting one will not move with the school to the new settlement. Would like more support in bursaries and scholarships. The current number which is for the whole group ranch is not enough many are still being left out. An increase to 15 children per area would be adequate. On sand harvesting, they feel they are giving it out for free. Nduleta river is one that has sand harvesting. The practice is seasonal
Mr. Lekeni Lolarami	He is a sand loader are paid Kes. 1000 per lorry. A lorry pays Kes. 12,000-14,000 for the sand and loading Kes. 500 goes to the person accumulating the sand from the river bed to the riverbank Kes. 1000 for to the river committee Kes. 500 to the lorry broker. Nowadays they don't sell their livestock they use income from sand harvesting for example to educate their children.

Ms. Sadura Kimomo	The money is not sustainable and the impact of the trade is not felt at home. Recommends the sand to be paid for separately and the loaders and other parties to be paid separately. This way they can see the benefits of the resource. The income from the san can be used for education, fuel for supplying water to livestock in the rangelands, water pumping machines among other needs. Land sale is there and it has negative impacts in the long term, children and grandchildren are left landless with no inheritance. There should be consequences of land sale.
Mr. Lekeni Lolarami	One may sell due to challenges they are facing. Both husband and wife should have their names in the title deeds and both have to consent for the land to be sold. Nowadays women are notorious for selling. They convince the men with incentives such as cars.
James Ndungu	With the exception of the corridors, a caveat can be placed on the lands to prevent selling.

Annex 4: Minutes of the SEA consultation meeting held at Ototoi Shopping Centre, Eselenkei on 20th April, 2022

	Rapporteur: James Ndungu
Names	**Issues addressed**
Francis Mwaura	The SEA team is on the ground to consult them on the sub division that has been carried out. Get their views on the impacts both positive and negative in terms of the environment. Find out whether they have been adequately consulted on the subdivision Informed the GR representatives team that the consultants spent the previous day Tuesday 19th in Eselenkei GR to familiarize with the area especially the zones. The tour was guided by the GR chairman, Mr. Ole Maai. He took the SEA team to all the 4 zones. The agenda for the day, Wednesday 20th is to go round the zones carrying out scoping consultations especially the different centres, inform them of the SEA and assess their feelings regarding the SEA.
Joel Nkiinti (BLF Predators)	Ototoi is the first town in Eselenkei that has been planned, approved by the county and titles for plots issued to the members. The town centers were set aside before subdivision took place. These include Oltotoi, Olerero, Lenkisim, Olandi and Iltuleta. There belong to the GR members. They were set aside as development areas with social amenities- BH, schools, hospitals etc. Have considered the wildlife and set aside the conservancy, have set aside the corridor for the wildlife to move in and out of the GR. The corridor and conservancy have restrictions on tree cutting and land uses, only livestock are permitted during extreme drought seasons, after agreement by the land owners of the 700 parcels of land.
James Ndungu	How were the plots subdivided?
Joel Nkiinti (BLF Predators)	The maasai have 3 major clans. For example, total number of plats in Oltotoi are 1200, therefore 1200 divided by the 3 clans is 400 plots per clan. Each clan has a leader who then shares the plots as per sub clan down to the family level. This ensures lesser disputes on the resource sharing. A form is filled showing how the sharing was done to indicate all members are satisfied. Every resource in the GR that requires subdivision is divided by 3. In sand harvesting if the required laborers are 600 for instance that is divided by 3 for each clan. The 3 clans are Ol Molelian, Laiseri and Laitaiyo. The chairman is from Ol Molelian, treasurer from Laiseri, and secretary from Laitaiyo. For the towns to be subdivided there must be a plan developed and approved by the county government
James Ndungu	How will cooperatives and associations work
Joel Nkiinti (BLF Predators)	At the moment all lands are under GR officials. Yes, they have subdivided but there are still sone areas that are yet to be subdivided. Group ranch will transform to cooperative.
Naanyu Kidiri (GR representative)	When the subdivision process began, they sat down as officials together with land subdivision experts. They looked into many consultants before settling on GeoDev. Before any agreements they had listed all the public utilities they wanted to have including churches 2 acres each.

	Cooperative will be formulated for the corridor – 700 parcels, which will be led by BLF because of the benefits proposed. They will elect their officials. In addition, the 700 corridor parcels are divided by 3 each clan to get 233 parcels of land. Those neighbouring the corridors may form associations of 2 or more 47-acre parcels to willingly/voluntarily join the corridor cooperative. For Oltotoi town center the members are holding share certificates, are in talks with the county to be able to get allotment letters. Oltotoi is 450 acres with a cemetery, livestock market, stadiums etc. Almost everyone has their title deeds, approximately 2000 deeds are out and with the land owners, very few are remaining to be given out. Therefore, people are free to take theirs to associations.
James Ndungu	Now that Eselenkei is subdivided, land owners are free to sell will the plan be sustainable since it is a land use plan?
Naanyu Kidiri (GR representative)	They have been asked the question before but have no answer yet. This is the biggest challenge they are facing. It very well may be that this parcels even in the corridor have already been sold. As much as there are no titles for the parcels at the corridors the locals are selling the share certificates. They are looking for ways to ensure the land especially for the corridors are not sold.
James Ndungu	Proposed charging of the titles, or put in caveat
Naanyu Kidiri (GR representative)	They have thought of this but the question is who will do it?
James Ndungu	For the corridors, the lease agreements with BLF will do as they are legally binding. When it comes to the rangeland the individual land owner may put a caveat. It is unfortunate that the law does not recognize the clan structure. They would have been effective at preventing land sale, in that they have to be consulted before sale of the land. An inception report will be prepared highlighting all these issues. Aside from land sale, what other challenges are anticipated in the other zones?
Naanyu Kidiri (GR representative)	They are pastoralists but of different levels with different numbers of herds of livestock, range for this herds must be considered especially in future. HWC is a concern will talk to BLF to see whether a fence can be put up for the elephants that can be used by livestock
James Ndungu	The plan is dynamic not fixed, there will be new guidelines that will be formulated as time goes by to address the new circumstances that arise such as fencing
Naanyu Kidiri (GR representative)	It is good different development partners are coming in, they will come with their benefits. For instance, tree cutting is prohibited in farmlands, riverine and the corridors which is a good thing because carbon credit have shown interest in Eselenkei.
James Ndungu	This meeting is just a scoping consultation. Public meetings will be arranged to ensure all GR members are consulted.

Annex 5: Minutes of the SEA consultation meeting held at Lenkisim Shopping Centre, Eselenkei on 4th May, 2022

	Rapporteur: James Ndungu
Names	**Issues addressed**
Mr. Paul Olosieku	Thanked all the members for availing themselves. Requested a member to open the meeting with a word of prayer and it was agreed he will be the translator due to language barrier.
Mr. James Ndungu	Welcomed all the members to the meeting, requested Mr. Paul Olosieku to introduce the Lenkisim GR members. Introduced ENRM Associate members. Thanked the Lenkisim members for ensuring gender balance, Explained have been contracted by the GR and BLF to carry out a SEA for the ELSP. The consultants first have to make sure all members of the GR are aware of the sub plan. Now that they are individual land owners, the system of operating will change from communal to individual what are the expected changes and how will they cope. Paul is an official at the GR, the consultants have already met the official and are now looking to hear form the local community/ GR members for their views concerning the subdivision. Are they aware of the sub division and do they have any views the process?
Mr. Morinke Kaiyaka	Sat down as a GR, wazee, women and the youth and agreed to subdivide the group ranch each to get their share. First, GR members asked how much they as the members will spend for the sub division process up to receiving the title, Kes. 23,000. All members agreed to the fee. They confirm the subdivision, have been shown their parcels of land and have the titles. There are those that still haven't got their titles but they are being processed. There are still some surveyors on the ground laying beacons so others will get titles soon.
Ms. Napunya Morinke	As women they were informed of the subdivision process. Were called to meetings and have attended all of them. There are women who are breadwinners in their bomas therefore have been given their share of land equal to everyone else. Women are in agreement with the subdivision.
Mr. James Ndungu	Were there any problems with the subdivision that they would like them to be addressed.
Ms. Napunya Morinke	All went well because there was equal sharing of the parcels of the land. No one has any complaint.
Mr. Lulunken Babu	Subdivision made them happy because everyone wated to own their land and hold the rights to their land. He has seen all his beacons and possesses two title deeds and what is he wanted.
Mr. Kasaine Kirima	Concurs they sat as EGR members and agreed to subdivide.
Mr. James Ndungu	What about Lenkisim center, how has it been divided and who will own it?
Ms. Napunya Morinke	The center was set aside long before the GR decided on sub division. The county government already cut into plots before sub division. All amenities have been allocated space such as schools, hospitals, boreholes, churches, county offices.

Mr. Morinke Kaiyaka	Theres a section of Lenkisim center that was left and will be subdivided by the GR and distributed equally between the 3 clans of the GR (Ilmorelian, Ilaisir and Ilaitaiyo) as long as they are members of the group ranch the total parcels are divided by 3. This will be after all land subdivision is completed. Likewise, before subdivision they will sit down and agree how much is to be paid for the survey process up to getting the title deed.
Mr. James Ndungu	What challenges are they seeing will arise that need to be looked into? Theres water, electricity, medical services, churches and schools. What else is left?
Ms. Napunya Morinke	One challenge they are facing right now is lack of medical services. The one health center available is a private one, chemist that does not offer all medical services such as laboratory services. Would like to have a government hospital. Their daughters when reporting to secondary school every term they must produce a stamped doctors report- preferably from government hospital indicating they are not pregnant. For this they have to go all the way to Sultan Hamud.
Ms. Nalianga Babu	Concurs with Ms. Napunya
Mr. Morinke Kaiyaka	Schools for children grazing in the rangelands should be constructed. The space for schools has already been allocated, some people have plans to resettle but there are no amenities.
Mr. Paul Olosieku	Clarified that GR members are allowed to settle in 42 acres and 47 acres provided it is not in the corridor. About 25% of the GR members will settle in the 42 acres 75% may opt to live in the 47acres. These are the places that need schools.
Mr. James Ndungu	What is the source of water for the center? Is there 5 acres agriculture zone in Lenkisim and what water will be used for irrigation?
Mr. Morinke Kaiyaka	Agriculture is only found along the Eselenkei river. Moving away from the river towards the town center are the 47 acres parcel. They do have water supply in the center but it is a private borehole at the secondary school sunk recently and uses solar power. This is where the locals get their water. A 20L jerrycan goes for Kes. 10 and they carry on their backs of use donkeys. There were two other county supply points which were piped to the center but were destroyed by elephants. Water tankers supply water for the livestock and sometimes the locals too.
Mr. James Ndungu	Supposing their land has minerals- stone, sand, if an investor approaches them what will happen?
Mr. Morinke Kaiyaka	On the way to the town, the road is covered in black murram, these has been borrowed from individual land owners because the landowner maybe wants a water pan. If an investor is looking for any material the agreement will be with the land owner not GR committee. If a GR member wants sand, they do not pay for the sand but pay the loaders. Outsiders must purchase the sand and loaders. There is a sand committee consisting of the 3 clans who ensure everything is divided by 3.

Mr. James Ndungu	As individual land owners they are allowed to fence, have they considered what will happen to grazing when fences are put up?
Mr. Lulunken Babu	Are allowed to fence because it is no longer communal land but they can agree as may be 5 land owners to leave the land open for grazing. If theres no agreement then each land owner to look after their livestock which means they will be very few in numbers.
Ms. Nailanga Babu	They wanted the land to be subdivided therefore knew livestock herds will reduce as a result. They are okay with that.
Mr. Morinke Kaiyaka	Those with large herds of livestock who are not many did not like the idea of sub division but majority were for the idea. Already there are some who have put up fences as well as cut trees down, not much can be done. These is a challenge because the parcels of land are not suitable for large herds. In the long term the livestock numbers will have to shrink unless agreements are made among land owners. Sale of land is also a challenge because the new land owner may not want to engage in pastoralism.
Mr. James Ndungu	How will they tackle land sale
Mr. Morinke Kaiyaka	Not much they can do because of the individual ownership. For the sale to happen husband wife and children must agree.
Ms. Nalianga Babu	As a woman, she does not support sale of land.
Mr. James Ndungu	Maasai are synonymous with livestock as well as wildlife, they have even set aside corridors and conservation are. How will they ensure these are not interfered with in the long term? This may serve as range land during the drought season
Ms. Napunya Morinke	They agreed to set aside conservation areas, corridors. Requests all parties concerned to protect these areas so that livestock and wildlife may have food during extreme drought. This will be beneficial to them and reduce HWC. If asked all the GR should be tied to restrictions like that of the corridors to prevent sale of land.
Mr. Morinke Kaiyaka	Allocation of land in the corridor was voluntary, one only has to say whether they want a plot or not. Those who were allocated accepted them because that are paid and the money is sent directly to their bank accounts. In addition, the conservation areas will be used for livestock grazing during the dry season but only by those who are members of the corridor not all members of the GR. Other GR members that aren't part of the 700 will be allowed to graze of only if the 700 agree through their committee, also comprised of the 3 clans. Other benefit that will come with the conservation areas are scholarships, employment.
Prof. Francis Mwaura	For instance, a GR member who is not part of the 700 defiantly takes his livestock to graze in the conservation areas, how will this be handled?
Mr. Morinke Kaiyaka	The agreement between corridor members and BLF has measures to address this.

Mr. James Ndungu	How will be the custodian of the corridors and conservancy now that the GR is about to be disbanded
Mr. Morinke Kaiyaka	Every clan will propose members to form a committee that will run the conservation areas together with BLF
Mr. James Ndungu	Outsiders buying land in the GR will they be allowed to form a 4th clan because they will be part and parcel of the GR so that they get a share when division of resources is being done.
All Lenkisim members	It was stated that members now know that if you sell the land you sell all rights to the land and ones GR membership, they join one of the 3 clans under the sellers rights. These are taken up by the new member and any shared resources are directed to them. This is already accepted in the GR.
Mr. James Ndungu	This will be clearly stated in the SEA, that once a member sells their land, they have relinquished all their land rights and GR membership as well. Is happy that the GR is looking to the future and how to address some arising issues.
Prof. Francis Mwaura	Who prepared the corridor lease agreement?
Mr. Morinke Kaiyaka	The committee and surveyors set aside the corridors. Though they were known since before demarcation It was agreed for the corridors, there are 700 plots, 47 acres each. Each acre is paid Kes. 1000, totalling to Kes. 47,000, annually. The agreement is no selling but if one really has to sell it is to the cooperative society (comprising of the 700 members) not outsiders. They each get the title but do not know where the plot is.
Mr. Paul Olosieku	The agreement between the 700 members and BLF is Kes. 47,000 annually for the lease. Similarly, for the carbon project that will come, they are to be paid Kes. 1,000 per acre for the 47 acres totalling to Kes. 47,000. Grand total will be Kes. 94,000 annually for each member with an increment of 3% every subsequent year. A review of the costing's arrangement can be done every 5 years but the lease agreement is fixed for 21 years from 2022.
Mr. James Ndungu	Thanked all the members for their input. The meeting ended with a word of prayer from Ms. Napunya Morinke.

Annex 6: Minutes of the consultation meeting held at Iltuleta Shopping Centre, Eselenkei on 4th May, 2022

	Rapporteur: James Ndungu
Names	**Issues addressed**
Mr. Paul Olosieku	Thanked all the members for availing themselves. Requested a member to open the meeting with a word of prayer and it was agreed he will be the translator due to language barrier.
Mr. James Ndungu	Welcomed all the members to the meeting, requested Mr. Paul Olosieku to introduce the Iltuleta GR members. Introduced ENRM Associate members. Thanked the Iltuleta members for ensuring gender balance and youth representation. Explained have been contracted by the GR and BLF to carry out a SEA for the ELSP. The consultants first have to make sure all members of the GR are aware of the sub plan. Now that they are individual land owners, the system of operating will change from communal to individual what are the expected changes and how will they cope. Paul is an official at the GR, the consultants have already met the official and are now looking to hear form the local community/ GR members for their views concerning the subdivision. Are they aware of the sub division and do they have any views the process?
All Iltuleta members	Sat down as a GR members and agreed to subdivide the group ranch each to get their share. They are happy they made the decision.
Mr. James Ndungu	Asked whether they have plots at the wildlife corridors.
All Iltuleta members	Yes, they all have parcels of land in the corridor
Mr. Kiti Ole Saningo	They all agreed the corridors will be left for wildlife and livestock during the dry season. They have title deeds but they cant settle in the corridor.
Mr. Timam Sonto	The corridor is for the wildlife and under a lease agreement for which they receive payment.
Mr. James Ndungu	Who will be the custodian of the corridor?
Mr. John Raiyani	The 700 members will select a committee to represent them.
Mr. Timam Sonto	Concurs, the 700 members will appoint a committee from the 3 clans in the GR. A chairman, secretary and treasurer from each clan. This is only for members with the 700 plots.
Mr. James Ndungu	How will they tackle land sale in the corridor
Mr. Timam Sonto	Land along the corridor can't be sold but if one has to sell it has to be a sale to one of the 700 members. No outsiders.
Mr. Kiti Ole Saningo	If a member decides to sell the 47 acres or 42+5 acres they are aware they are selling all their all rights to the land and resources and GR membership. The buyer takes their position.
Mr. James Ndungu	As individual land owners they are allowed to fence, have they considered what will happen to grazing when fences are put up?

Mr. Kiti Ole Saningo	They agreed to fencing when they agreed to subdividing the land therefore, they are free to fence and stay without livestock or keep fewer livestock.
Mr. Timam Sonto	As a result of not planning ahead many have already sold land. Is there a way of recovering the land back?
Ms. Meteine Luyiana	What will happen to the sold land and children left without no land because their parents already sold? Requests urgently, measures to prevent further sales. Nowadays women collude with the men to sell their children's inheritance.
Prof. Francis Mwaura	Thanked the members for their time. Explained the gazettement process will be done once the SEA process is completed and approved so that it can help in enforcement and implementation of the ELSP The meeting has been held to confirm they are in agreement with what has been written in the plan before it of fronted for gazettement through the SEA. They will be called for workshops to validate what they have said is true. The meeting ended with a word of prayer by Ms. Sainko Sururu

Annex 7: Minutes of the SEA consultation meeting for Mbirikani and Eselenkei Group Ranches Land Use and Sub-division Plans with Amboseli region conservation NGOs held at Hippo Camp, Kimana Sanctuary Thursday 16th June 2022

Members Present

1. Mr. Jackson Mwato (CEO, Amboseli Ecosystem Trust (AET)
2. Mr. Daniel Kaaka (AET)
3. Mr. Luke Maai Mae (Lion Guardian)
4. Mr. David Leyian (CEO Big Life Foundation)
5. Dr. Vicky Fishlock (Amboseli Trust for Elephants (ATE)
6. Dr. John Kioko (WWF)
7. Mr. Daniel Koskei (Senior warden, Amboseli N. Park)
8. Mr. Evan Mkala (IFAW Kilimanjaro Landscape Project Officer)
9. Mr. Richard Bonham (Director and CEO, Big Life Foundation)
10. Mr. James Ndung'u (ENRM Associates Consultant)
11. Prof. Francis Mwaura (ENRM Associates Consultant)
12. Prof. John Kiringe (ENRM Associates Consultant)
13. Mr. Kisimir Saibulu (Taking minutes)

Min 01/16/06: Preliminaries

- Mr. Jackson Mwato introduced the conservation NGOs attending the meeting and explained the purpose of the consultations with the SEA consultants. He also outlined the land tenure changes taking place in Eselenkei and Mbirikani Group Ranches due to subdivision.
- Prof. Francis Mwaura introduced the SEA consultants and outlined why the consultants were gathering views on subdivision of Eselenkei and MGR.
- Mr. James Ndung'u elaborated on the role of SEA after subdivision of the 2 ranches. The meeting then stated at 14.48 pm.

MIN 02/16/06: Mr. Jackson Mwato said that prior to subdivision of MGR, leaders and the management engaged and agreed with members on the need to do subdivision. They also agreed the ranch would be divide into 5 key zones.

Min 02/16/06: How About The 31 Acres MGR Title Deeds Ownership and Enforced Restrictions

Prof. Kiringe whether the title deed for the 31 acres allocated to each member in MGR in the pastoralism and wildlife conservation zone will have the stipulated restrictions. Mr. Jackson Mwato responded that AET will benchmark with Taita Taveta Wildlife and Conservancies Association (TTWCA) on how to acquire a title deed with restrictions that are acceptable and legally binding. Mr. Benson Leyian supported this proposal and added that enforcement of the agreed restrictions is very important.

Min 02/16/06: Views by partners regarding the land subdivision in MGR

Prof. Mwaura requested the representatives of the AET partners to submit their views in witiing regarding the following questions:-

> **Q1**-The landuse subdivision plans for Eselenkei and Mbirikani group ranches have restricted certain activities in the grazing rangelands, conservation areas and wildlife corridors (e.g. further subdivisions, settlements, land sale and fencing). Which enforcement strategies does your organization envisage for effective governance including actions for restriction non-compliances?

Q2-The role of group ranch committees will come to an end with the land subdivisions after which governance functions in the grazing rangelands, conservation areas and wildlife corridors will be transferred to the cooperative society committees. What would be your recommendations (and role) in the formation and subsequent operations of the committees for effective governance and enforcement of restrictions?

Q3-Which alternative avenue(s) will KWS and non-state conservation entities be channeling their financial and technical assistance (e.g. school bursaries) to private land owners under the new land tenure dispensation after the dissolution of the group ranch committees?

The participants agreed to share their views as soon as possible.

Annex 8: Minutes of the SEA consultation meeting for Mbirikani and Eselenkei Group Ranches Land Use and Sub-division Plans held at Amboseli N. Park Head Quarters on Friday 17th June 2022

Members Present

1. Mr. Daniel Koskei (Senior Warden, Amboseli N. Park)
2. Ms. Christine Mwinzi (Research Scientist, Wildlife Research and Training Institute)
3. Mr. James Ndung'u (ENRM Associates Consultant)
4. Prof. Kiringe (ENRM Associates Consultant)
5. Mr. Kisimir Saibulu (Taking Minutes)

Min 01/17/06: Preliminaries - The Senior warden then welcomed the consultants and the meeting started at 9.38 am. Mr. James Ndung'u introduced the consultants, and outlined the purpose of the meeting, and the need for subjecting the Eselenkei and Mbirikani Group Ranches LSPs to the SEA process. He also mentioned some of the expected changes in land uses after subdivision including farming, settlements and the anticipated the long-term impacts. The idea of doing the SEA was to also check the social and economic implications resulting from group ranches subdivision. Further, the SEA provided a legal framework for the subdivisions using EMCA CAP 387 subsection 57a, to secure land and livelihoods for the landowners. In this regard, the views of the Kenya Wildlife Service (KWS) were very important during the SEA process.

Min 02/17/06: Mr. James Ndung'u asked what will happen to wildlife conservation in the Amboseli Ecosystem due to subdivision of Mbirikani and Eselenkei Group Ranches including other ranches in the region.

- Mr. Koskei, the Senior Warden stated that the subdivision is a big threat to the future conservation of wildlife. Further land subdivision poses a challenge to conservation due to increasing land sales. This will increase encroachment into wildlife designed areas and might eventually lead to dissolution of existing conservancies like those under ALOCA in the former Kimana Group Ranch and Kitenden wildlife corridor. It will also complicate making of wildlife conservation decisions by KWS unlike under the group ranches arrangement.
- Subdivision of the group ranches in the Amboseli Ecosystem was attributed to the following: a) change in the Land Act in 2016 which advocated for subdivision of communal land, b) increase in human population, c) economic changes among the Maasai and their desire to be mainstreamed in socio-economic activities like other ethnic groups, d) changes in Maasai lifestyle, modern education and socio-economic changes and pressure, and e) fear of losing land. T
- Ms. Christine Mwinzi stated the community feared their land will be taken away by the government in the name of enhancing wildlife conservation without their consent.
- Mr. Koskei noted that under the group ranches land tenure, it was easy to make wildlife conservation decisions through their leaders. But after dissolution of the group ranches, it will be hard to make such decisions due to change to individual land tenure regime. Disbursement of benefits like money for bursaries (for pupils and students) was done through the group ranches leadership but this will be faced by challenges after dissolution of the ranches. Additionally, the individual landowners might ask for higher payments above what is currently disbursed by KWS. He also stated that prior to subdivision of the ranches, locals harmoniously coexisted with wildlife but after dissolution of the ranches, human-wildlife conflicts will increase.

Min 03/17/06: Mr. James Ndung'u asked how ALOCA members and other conservancies shared wildlife conservation benefits.

- Ms. Christine Mwinzi elaborated that these landowners had agreed to lease their land to Big Life Foundation and were paid on a yearly basis. She also suggested the government could purchase such land through conservation NGOs instead of it being bought by none Maasai's who were putting it under other land uses instead of wildlife conservation.

Min 04/17/06: Mr. James Ndung'u asked how subdivision of the group ranches had affected Maasai pastoralism and their livelihoods.

- Mr. Koskei explainedthat since subdivision of the group ranches, there's was a reduction in livestock numbers due to diversification of land uses and increase in agriculture and human settlements which limited space and grazing areas for livestock.
- Ms. Mwinzi mentioned pastoralism among the Maasai will negatively affected by subdivision due to reduction on space for use by livestock. The community will also be forced to reduce their herd sizes and change livestock breeds.

Min 05/17/06: John Kiringe asked if KWS had plans on how to engage the community after subdivision of the Amboseli region group ranches.

- Mr. Koskei stated that KWS had planned to double the annual amount of money disbursed to the group ranches for school bursaries. Through the Amboseli Ecosystem Trust (AET), KWS was advocating formation of land trusts in Olgugului-Ololorashi group ranch and cooperatives societies in Eselenkei and Mbirikani group ranches to create awareness in the community on the need to secure wildlife movement corridors and creation of conservancies. These entities will then be responsible for management of these areas. He mentioned that they will engage local leaders to reach out to the community to actualize these ideas. Moreover, KWS will have to educate and create awareness among the communities on the impacts of subdivision of the group ranches and how they could benefit from the process. Further, he predicted there will be a reduction in wildlife ranging area and pattern, reduction more than key resources by wildlife, change in wildlife movement pattern, and an overall reduction in landscape ecological connectivity. To avoid these changes, he emphasized on the need to ensure the agreed restrictions in the group ranches subdivision zones should be enforced and adhered to by the landowners.

Min 06/17/06: Mr. James Ndung'u asked whether there is leasing land for wildlife conservation in the Amboseli Ecosystem.

- Ms. Mwinzi pointed out that it can only be sustainable if there are mechanisms to strengthen the agreements between the landowners and conservation NGOs. Moreover, the NGO's terms and conditions for leasing the land were usually short-term and operated within agreed timelines.

Min 07/17/06: Mr. James Ndung'u asked what were the ecological impacts of subdivision of the group ranches in the Amboseli region.

- Mr Koskei answered there was a narrowing of key wildlife movement corridors.
- Ms Mwinzi said Amboseli N. park will be affected and can't survive on its own without community land, and there was therefore a need to continue to engage locals after subdivision of the group ranches to save the park and wildlife resources found in the ecosystem. She also expressed a lot of concern that the subdivision was cutting off landscape and ecological connectivity of key linkages of the Amboseli ecosystem to its neighboring ecosystems. In addition, wildlife foraging and dispersal pattern and range size will be reduced substantially. Loss of landscape connectivity will affect gene flow in wildlife populations leading to inbreeding and ultimately lower their populations or numbers. She also noted that proliferation of irrigated agriculture partly enhanced by

subdivision of the group ranches had led to over abstraction of water which negatively affected the local water table.

Min 08/17/06: Mr. James Ndung'u asked about the status of Kajiado County spatial plan.

- Mr. Koskei mentioned that KWS and other stakeholders were still waiting its completion, and this was to be done after subdivision of all the group ranches in the Amboseli region.

Min 09/17/06: John Kiringe asked whether the restrictions imposed on the 31 and 26 acres allocated to each member in MGR pastoralism and conservation zones respectively will work.

- Ms. Mwinzi said they might work if the community members agreed and enforced them through management committees. She added that through NEMA, AET and land trusts the restrictions were more likely to be observed and enforced after gazettment of the LSP.

Min 10/17/06: John Kiringe asked whether there was a future for Amboseli N. Park and wildlife conservation in the Amboseli Ecosystem after subdivision of the Maasai group ranches.

- Ms. Mwinzi stated that the park size can't support viable wildlife populations on its own since it was dependent on adjust communal lands. More than 75% of the wildlife in the country roamed outside protected areas, therefore the future of Amboseli N. Park was it risk due to subdivision of the ranches.

Min 11/17/06: Closing Remarks

Mr. James Ndung'u thanked the Mr. Koskei and Ms. Mwinzi for sharing their views on different aspects of the SEA work. The warden also thanked the consultants and assured them that KWS will ensure that lands for wildlife conservation within Amboseli ecosystem will be secured for a better co-existence of nature and humans. The meeting was adjourned at 11.18 am.

Annex 9: Minutes of the SEA Consultation Meeting for Eselenkei and Mbirikani Group Ranches Land Use and Sub-Division Plan at the Deputy County Commissioners Office, Loitokitok on Thursday 16th June 2022

Members Present

1. Mr. Wisley Koech (DCC, Oloitokitok Sub County)
2. Prof. Francis Mwaura (ENRM Associates Consultant)
3. Mr. James Ndung'u (ENRM Associates Consultant)
4. Prof. John Kiringe (ENRM Associates Consultant)
5. Kisimir Saibulu (Taking minutes)

Min 01/16/06: Preliminaries- Mr. Wisley Koech then welcomed the consultants and the meeting stated at 9.25 am.

- Mr. James Ndung'u started the meeting by introducing the consultants. He then briefly explained the purpose of the SEA and why the consultants wanted to gather the DCC's views.
- Prof. Francis Mwaura also outlined the purpose of subjecting the Eselenkei and Mbirikani Group Ranches (MGR) land subdivision plans (LSPs) to the SEA process. He emphasized the SEA reports will facilitate gazettement of the 2 LDPs by the government especially regarding enforcement of the agreed restrictions in and would make the plans stronger. Additionally, EMCA CAP 387 subsection 57a will give security and diversify land uses and activities by members of the two group ranches.

Min 02/16/06: Mr. James Ndung'u asked whether as a government officer he was aware about the subdivision of the 2 group ranches as well as other ranches in the Amboseli region and if his officers were involved in the process.

- Mr. Koech said he wasn't around during subdivision of Eselenkei and MGR but is aware and well informed about the ongoing subdivision processes of group ranches in the Amboseli region. During subdivision of the group ranches, wildlife movement corridors connecting Amboseli, Chyulu and Tsavo West National Parks were demarcated and some of them were in local conservancies. He further added that increase in human population of non-Maasai was worrying and was a big threat to the future of conservancies and wildlife movement corridors.
- Sale of land to non-Masai after issuance of land title deeds in wildlife areas (conservancies and wildlife corridors) will potentially lead to legal battles between such landowners and the government. Human-wildlife conflicts were likely to escalate as the new landowners encroach into wildlife use areas including movement corridors. Current wildlife movement will also be affected as well. A concern that is there is after issuance of title deeds in Eselenkei and MGR, the landowners will no longer be limited on how they could use their land, and this was a threat to wildlife conservation. In his view, if subdivision of the group ranches in the Amboseli region is not managed well, it will put Amboseli N. Park at risk. Tsavo West and Amboseli and Chyulu Hills N. Parks will also be at risk due to increase in livestock incursions since the Maasai won't have ample grazing land. Further land subdivisions is possible and might escalate significantly in the near future. Sale of land after subdivision of the former Kimana Group Ranch was a good example of what was likely to happen to the landscape and wildlife conservation after subdivision of other ranches in the region. Therefore, there was an urgent need to put in place legal frameworks, strict rules, and measures to control and manage subdivision of the group ranches.

- The landowners should be encouraged through education and sensitization to form conservancies to secure a future for wildlife conservation in the region. Although Big Life Foundation was leasing land from some landowners in the region, most of them said the amount of money they received was too little. He wondered how long such an arrangement by conservation NGOs can be done, and instead the government should buy land being sold by the local instead of outsiders from other parts of the country.
- Additionally, there was a need to ensure communities in the Maasai group ranches of the Amboseli region obtained reasonable or substantial benefits from wildlife conservation. This view was informed by the observation that land sale and other land uses like agriculture gave landowners significant income which made them not appreciate the importance of leasing their land for wildlife conservation.

Min 03/16/06: Prof. Kiringe asked whether the government could purchase the land being sold by the Maasai for wildlife conservation.

- Mr. Koech said this idea should be included in the SEA report, which should be shared with the relevant ministry to make them understand the need to explore the possibility of buying such land.

Min 04/16/06: Mr. James Ndung'u asked what social safeguards had been put in place by the government to ensure the landowners in Eselenkei and MGR were protected especially their livelihoods after subdivision.

- Mr. Koech said that he feared for the first time there will be Maasai squatters in the Amboseli region due rampant land sale. The social fabric and livelihoods of the community will disintegrate due to subdivision of the group ranches. In the near future, say 5 to 10 years, the Maasai history, culture and traditions, in the region will change significantly. In his view Maasai livelihoods strategies would be affected since some were selling their land to purchase livestock but were later forced to sell it, leading to escalation of poverty in the community. He suggested a lot of awareness creation and sensitization were needed to manage land sales after subdivision of the group ranches.

Min 05/16/06: Mr. James Ndung'u asked what could be done to manage land sales among the Maasai after group ranches subdivision.

- Mr. Koech answered that chiefs should be involved in all land sales and are supposed to write an official letter to the land's office confirming land ownership and indicated whether family members had consented to the sale. Land sale was mostly done by men and rarely involved their spouses or children. Generally, the process of selling land among the Maasai was not following the stipulated guidelines and procedure which led to sale of land to multiple buyers. To address this problem, his office was working closely with chief's, group ranch officials and land agents.

Min 06/16/06: Mr. James Ndung'u asked what should be done to restore limestone mining areas in MGR and sand harvesting zones in Eselenkei group ranch.

- Mr. Koech said there should be clear plans on how such areas should be rehabilitated after the agreed use time had elapsed.

Min 07/16/06: John Kiringe asked whether the agreed restrictions of the 31 acres allocated to each member of MGR will be included in the title deeds.

- Mr. Koech said this was not possible and instead, it was upon the community members to agree on how to observe the said restrictions.

Min 08/16/06: Closing Remarks

Mr. James Ndung'u thanked Mr Koech for the agree to meet the consultants and for sharing his views. He emphasized the importance of the SEA in facilitating MGR gazettment of the Eselenkei

and MGR LSPs as it will protect and communities' land in the near future The meeting was adjourned at 10.35 am.

Annex 10: Minutes of the SEA consultation meeting for Mbirikani and Eselenkei Group Ranches Land Use and Sub-division Plans with ALOCA Officials held at Amboseli Junction Hotel on Thursday 16th June 2022

Members Present

1. Mr. Samuel Kaanki (ALOCA Chairman)
2. Mr. John Gisa ALOCA coordinator)
3. Mr. Joseph Parmuat (ALOCA Secretary)
4. Mr. Sadalla Korinko (ALOCA Treasurer)
5. Mr. Kimarei Mapewa (Chairman, Osupuko conservancy)
6. Mr. James Ndung'u (ENRM Associates Consultant)
7. Prof. Francis Mwaura (ENRM Associates Consultant)
8. Prof. John Kiringe (ENRM Associates Consultant)
9. Mr. Kisimir Saibulu (Taking minutes)

Min 01/16/06: Preliminaries - The meeting started at 16.14 pm with Mr. Samuel Kaanki introducing the ALOCA officials while Mr. James Ndung'u introduced the ENRM Associates team. Prof. Francis Mwaura explained what the SEA was and why it was necessary to gather views of the ALOCA officials regarding LSPs for Eselenkei and Mbirikani Group Ranches. Mr. Kaanki said ALOCA officials were in a good position to share lessons learnt from subdivision of the former Kimana Group Ranch.

- Prof. Mwaura further outlined the purpose of subjecting the LSPs for the 2 ranches so that it would ensure security of wildlife, local people and their livelihoods.

Min 02/16/06: Prof. Francis Mwaura asked the officials about the subdivision process of the former Kimana Group Ranch.

- Mr. Kaanki said the group ranch was the first to be subdivided in the Amboseli region though it was done without a plan and no zones were established like what had happened in Mbirikani and Eselenkei group ranches. ALOCA conservancies had approved management plans. Due to land of a subdivision plan, wildlife movement corridors and routes were blocked through fencing, human settlements, and unplanned large farms like the Ngong Veg and KiliAvo which covered more than 1,000 acres of wildlife use areas and corridors within the former Kimana group ranch.
- Mr. Joseph Parmuat felt that during subdivision of Kimana group ranch the government let down the community down by failing to seize the opportunity to ensure wildlife conservation areas and movement corridors were set aside. He added that after subdivision, the Africa Wildlife Foundation (AWF) assisted some of the landowners to establish conservancies which were managed under the umbrella of Amboseli Landowners Conservancies Association (ALOCA). After AWF closed its operations in the region, the conservancies were leased to Big Life Foundation. Parmuat pointed out that Big Life Foundation and ALOCA members had created a predator consolation fund to compensate for livestock attacked or killed by predators in their conservancies. Each landowner made an annual contribution of Ksh. 1,000 to cater for the consolation funds.

Min 03/16/06: John Kiringe asked whether subdivision of the former Kimana group ranch had led to landlessness among the Maasai.

- Mr. Kaanki responded by said that most of the land sale was done by members who were not living in the group ranch or were members in other group ranches. But overall, there were so many squatters in Kimana town due to sale of land by some men and youthful Maasai men.

MIN 04/16/06: John Kiringe whether members of MGR would adhere to the restrictions imposed on the 31 acres allocated in the pastoralism and wildlife conservation zone.

- Mr. Kaanki responded that, even though a land title deed permitted the owner to sell the land, buyers were still expected to abide and with the restrictions.

MIN 05/16/06: John Kiringe asked whether there was a future for pastoralism after subdivision of Mbirikani and Eselenkei group ranches based on the lessons learnt after subdivision of Kimana group ranch.

- Mr. Kaanki mentioned that livestock numbers and pastoralism in general will decline substantially in the 2 ranches as evident in the former Kimana group ranch.
- Mr. Sadalla said that decline pastoralism in the Kimana area was a caused by loss of livestock grazing land due to rampant farming and sale of land to individual landowners. Disintegration of communal livestock grazing management and guidelines also contributed to the decline.
- Mr. John Gisa pointed that many members of the former Kimana group ranch sold their land and purchased livestock but were forced to sell it later though this made them poor. He suggested that pastoralism in the former Kimana group ranch may have declined by 60%.
- According to Mr. Kaanki, poverty levels among the Maasai of the former Kimana group ranch had increased significantly and he attributed this to subdivision of the ranch. He strongly suggested that members of Eselenkei and MGR should discouraged from selling their land, and should continue to use their subdivided land communally to sustain pastoralism. He also noted there is rampant sale of land among the Maasai and this needs to be addressed urgently.

Min 06/16/06: John Kiringe sought the opinion of the ALOCA officials on the proposal by some of the Maasai to be allowed to graze their livestock in Tsavo West and Chyulu Hills N. Parks where there was plenty of grass biomass.

- Mr. Joseph Parmuat said this should not be allowed so that the community would learn how to better manage grazing resources on their land and also come up with strategies for sustainable pastoralism.

Min 07/16/06: John Kiringe and James Ndung'u sought to know how subdivision of the group ranches impacted members.

- Mr. Kaanki responded by saying that over 98% of members of the former Kimana group ranch were poor and attributed this to rampant land sale and the ensuing mismanagement of the funds obtained from such sales.

MIN 08/16/06: James Ndung'u asked what advise should be given to members of MGR and Eselenkei group ranches after subdivision.

- Mr. Kaanki responded that they should not sell their land whatsoever. Additionally, they should enforce and adhere to the restrictions imposed on the pastoralism and wildlife conservation zones. This this will curtail sale of the land without a better understanding on its impacts to their livelihoods.
- Mr. Sadalla added that if members were to sell their land for whatever reason, they should not sell entire parcels and instead they should sell portions of the same.

Min 09/16/06: Closing Remarks

- James Ndung'u thanked the ALOCA officials for participating in the SEA consultations.
- Prof. Francis Mwaura added that the SEA report will enhance land management of Eselenkei and MGR after their subdivision.

- Mr. Kaanki also thanked the consultants for organizing the meeting and suggested the SEA report should advise the government to intervene during the subdivision process of Amboseli region group ranches. The meeting was adjourned at 17.37 pm

ANNEX B – ATTENDANCE LISTS



BIG LIFE FOUNDATION

Habitat Planners

Physical Planners, Environment, Research and Development Consultants
Mercantile Hse, Rm 214, Koinange st, P.o. B.ox 10982 - 00100, Nairobi, Tel: 020-2242685, 0722-369133.
Website: www.habitatplanners.com, Email: info@habitatplanners.com

ENRM ASSOCIATES

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) FOR THE ESELENKI GROUP RANCH LAND USE AND SUB-DIVISION PLAN

SCOPING CONSULTATIONS KEY INFORMANTS

#	NAMES	INSTITUTION	DESIGNATION	EMAIL & PHONE NUMBER	SIGNATURE	DATE CONSULTED
1	JACKSON MEEPEN	EGR TREASURER	ESELENKEI	Mokaeiyiagoo.com mail		19/04/22
2	Jonah ole Mai	EGR chair	ESELENKEI	Jonaholoshaiki@		19/04/22
3	Joel ole Leshan	Biglife	Social Engagements Consultant	jikeshan@yahoo.com		20/4/2022
4	C. Mill	BLF	COO	craig@biglife.org		20/4/22
5	Bernice Leyian	BLF	CEO	bernice@biglife.org		20/4/22
6						
7						
8						
9						



BIG LIFE FOUNDATION

Habitat Planners

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ENRM ASSOCIATES

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) FOR THE ESELENKI GROUP RANCH LAND USE AND SUB-DIVISION PLAN

COMMUNITY SCOPING CONSULTATIONS

ATTENDANCE LIST

VENUE: ~~OLE~~ ILORERO DATE: 20/4/22

#	NAMES	ID NUMBER	INSTITUTION / PLACE OF RESIDENCE	DESIGNATION / OCCUPATION	EMAIL & PHONE NUMBER	SIGNATURE
1	Sabina Lemomo	25040425	Ilorero ~~Loirero~~	Business/farmer	0711487325	
2	Aldamin Saitabao		"	Business/farmer	0741553445	
3	Ngarna Rimoti		"	Business/farmer	0716491020	
4	LEKENI LOLARAMI	25869631	"	Land Harvester	0712086012	
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BIG LIFE FOUNDATION

Habitat Planners

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Mercanfile Hse, Rm 214, Koinange st, P.o. B.ox 10982 - 00100, Nairobi, Tel: 020-2242685, 0722-369133.
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COMMUNITY SCOPING CONSULTATIONS

ATTENDANCE LIST

VENUE: Olanti DATE: 20/4/22

#	NAMES	ID NUMBER	INSTITUTION / PLACE OF RESIDENCE	DESIGNATION / OCCUPATION	EMAIL & PHONE NUMBER	SIGNATURE
1	MUTUNKE Oloonk	12492658	"	Pastor	0714 799 796	
2	RITAH REST	30106832	OLANTI	Nyumba Kumi Secretary	0742352797	
3	OLONANA MEEKISHO		OLANTI	Chairman Nyumba Kumi	0725 774635	
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BIG LIFE FOUNDATION

Habitat Planners
Physical Planners, Environment, Research and Development Consultants
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COMMUNITY SCOPING CONSULTATIONS

ATTENDANCE LIST

VENUE: OLOTOI **DATE:** 20/4/22

#	NAMES	ID NUMBER	INSTITUTION / PLACE OF RESIDENCE	DESIGNATION / OCCUPATION	EMAIL & PHONE NUMBER	SIGNATURE
1	MAANYU KIDIRI	14672280	SELENKEI	G-R- Representative	0717442741	
2	LENKAM KUTAYA	23752631	SELENKEI	G.R.R-	0718364817	
3	JOEL S. NKIINTI	20292572	SELENKEY	BLF PREDITORS	0712410432	
4	STIPHINE NKIINTI	9209822	SELENKEY	G.R.R	0727809601	
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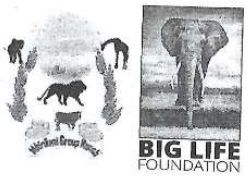


STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) FOR THE MBIRIKANI ESELENKI GROUP RANCH LAND USE AND SUB-DIVISION PLAN

SCOPING CONSULTATIONS KEY INFORMANTS

ZONE/AREA: LOITOKITOK (KWA DCC OFFICE) DATE: 16/06/22 (Gateway Hotel)

#	NAMES	INSTITUTION	DESIGNATION	EMAIL & PHONE NUMBER	SIGNATURE
1	James Ndungi				
2	John Karinge	Habitat Planners	Consultant	0722846625 JWKinige@gmail.com	
3	Kasimir Zaibuke	SFS	Minutes Taker	kasimirzaibuke@gmail.com 0759127012	
4	Audley Koech	DCC LOK sub-county	0721178417	Interviewer/Chairman	
5	Francis Mwaura	Habitat Planners	Consultant	0722906460 francismwaura2018@gmail.com	
6	Samuel Kaeniki	ALOCA	Chairman	olekaaniie@gmail.com 0723918658	
7	JOSEPH PARMUAT	ALOCA	SECRETARY	0721897417	
8	Kimaire Mapenga	ALOCA	Chairman OSILWELO	0727275991	
9	John Ciisa	ALOCA Coordinator	Coordinator	0721378087	
10	Sadallah Korinko	ALOCA	TREASURER	0722309434	



Habitat Planners
Physical Planners, Environment, Research and Development Consultants
Mercantile Hse, Rm 214, Koinange st. P.o. Box 10982 - 00100, Nairobi, Tel: 020-2342685, 0722-369133.
Website: www.habitatplanners.com, Email: info@habitatplanners.com



STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) FOR THE MBIRIKANI ESELENKI GROUP RANCH LAND USE AND SUB-DIVISION PLAN

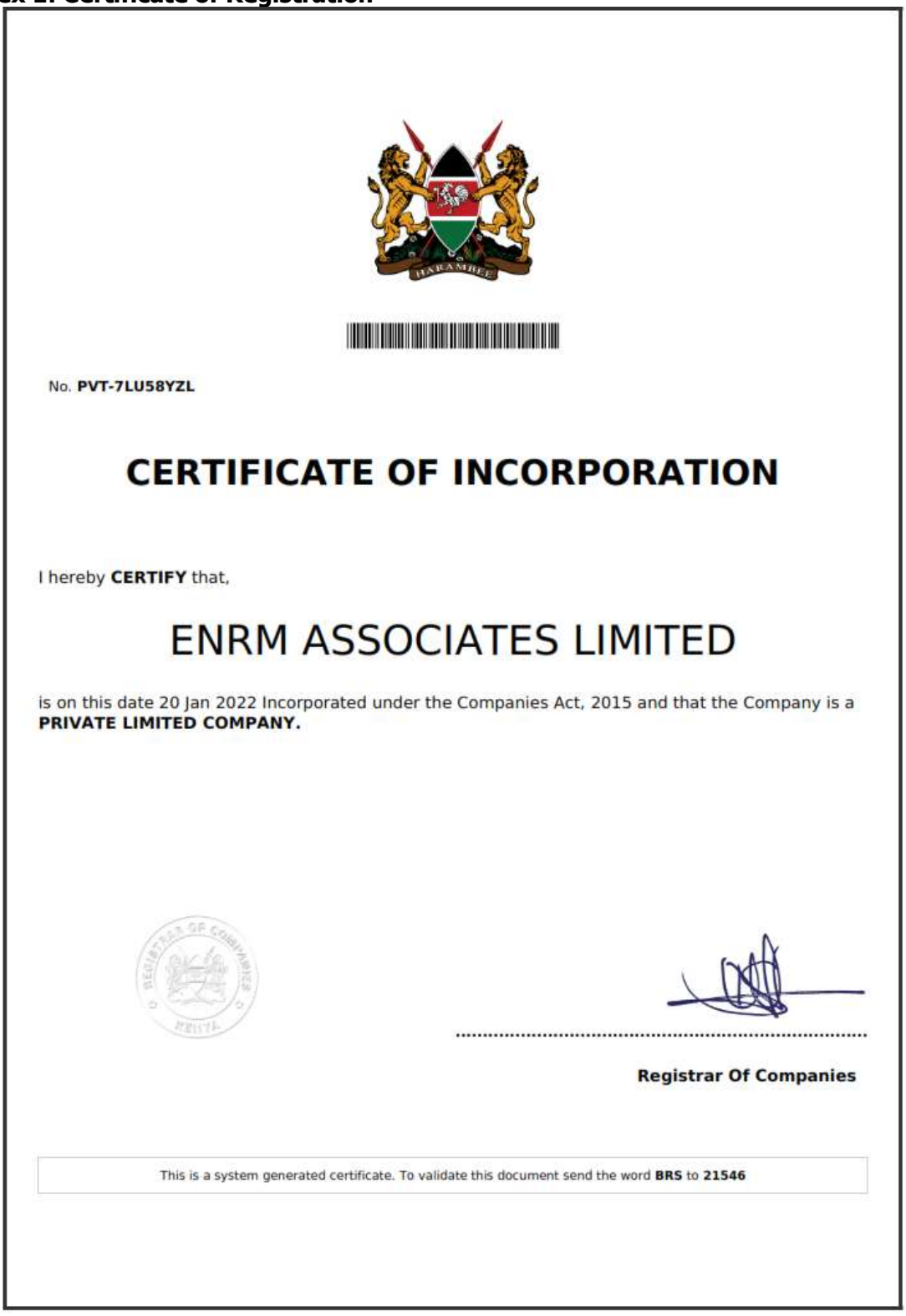
SCOPING CONSULTATIONS KEY INFORMANTS

ZONE/AREA: Sits Near Consultations DATE: 16.06.22

#	NAMES	INSTITUTION	DESIGNATION	EMAIL & PHONE NUMBER	SIGNATURE
1	Daniel Kipkosgei	KWS	Snr Warden	dkosgey@kws.go.ke	
2	Benson Leyian	BLF	C.E.O	benson@biglife.org	
3	Richard Bonham	BLF	CHAIR	richard@biglife.org	
4	Vicki Fishlock	ATE	RESIDENT SCIENTIST	vfishlock@elephanttrust.org	
5	Jackson Mwaka	AET	Executive Director	jmwaka@amboseliecosystem.org	
6	DANIEL KAAKA	AET	Conservancies Coordinator	dkaaka@amboseliecosystem.org	
7	EVAN MWAVUA MKALA	IFAW	ATK Program Manager	emkala@ifaw.org	
8	Luke Maamai	Lion Guardians	Program Manager	Luke@lionguardians.org	
9	JOHN KOLICO	WWF			
10					

ANNEX C –ENRM ASSOCIATES PRACTICING LICENSES

Annex 1: Certificate of Registration



No. **PVT-7LU58YZL**

CERTIFICATE OF INCORPORATION

I hereby **CERTIFY** that,

ENRM ASSOCIATES LIMITED

is on this date 20 Jan 2022 Incorporated under the Companies Act, 2015 and that the Company is a **PRIVATE LIMITED COMPANY.**

.....

Registrar Of Companies

This is a system generated certificate. To validate this document send the word **BRS** to **21546**

Annex 2: KRA Tax Compliance 2022-2023

KENYA REVENUE AUTHORITY

Tax Compliance Certificate

For General Tax Questions
Contact KRA Call Centre
Tel: +254 (020) 4999 999
Cell: +254(0711)099 999
Email: callcentre@kra.go.ke

www.kra.go.ke

Taxpayer PIN : P052085571H

Certificate Date: 12/03/2022

Name and Address :

Enrm Associates Limited
NA, Marine Plaza, NA, Kajiado East District,
PO Box:79972,
Postal Code:00200

Certificate Number:
KRAKJD1264583322

This is to confirm that Enrm Associates Limited,
Personal Identification Number P052085571H
has filed relevant tax returns and
paid taxes due as provided by Law.

This Certificate will be valid for
twelve (12) months up to 11/03/2023.

Caveat: This certificate is issued on the basis of information available with the authority as at the certificate date mentioned above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.

Disclaimer : This certificate is system Generated and therefore does not require signature.You may confirm validity of this certificate on the iTax Portal by using the TCC Checker.This certificate confirms your compliance status for a period of five years preceding the date of issue. The certificate may however be with withdrawn on grounds of outstanding debt affecting periods prior to this.

Annex 3: NEMA Certificate of Registration

FORM 5 (r.14(4))

nema
mazingira yetu | uhai wetu | wajibu wetu

NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)
THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT

CERTIFICATE OF REGISTRATION AS AN ENVIRONMENTAL IMPACT ASSESSMENT/ AUDIT EXPERT

Certificate No: NEMA/EIA/RC/6671

Application Reference No: NEMA/EIA/ER/13976

This is to certify M/s **ENRM Associates** of

P.O. Box 79972-00200 Nairobi (Address) has been registered as an Environmental Impact Assessment Expert in accordance with the provisions of the Environmental Management and Coordination Act Cap 387 and is authorized to practice in the capacity of a Lead Expert/Associate

Expert/Firm of Experts (Type) **Firm of Experts**

Expert Registration No: **12767**

Issued Date : **7/28/2022**

Signature

(Seal)

Director-General
The National Environmental Management Authority

P.T.O.

Annex 4: ENRM Practicing License 2022

FORM 7 (r.15(2))

nema
mazingira yetu | uhai wetu | wajibu wetu

NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY(NEMA)

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT

ENVIRONMENTAL IMPACT ASSESSMENT/AUDIT (EIA/EA) PRACTICING LICENSE

License No : NEMA/EIA/ERPL/18102

Application Reference No: NEMA/EIA/EL/23553

M/S **ENRM Associates**
(individual or firm) of address

P.O. Box 79972-00200 Nairobi

is licensed to practice in the

capacity of a (Lead Expert/Associate Expert/Firm of Experts) **Firm of Experts**
registration number **12767**

in accordance with the provision of the Environmental Management and Coordination Act Cap 387.

Issued Date: **9/20/2022** Expiry Date: **12/31/2022**

Signature…..

(Seal)
Director General
The National Environment Management Authority

Annex 5: ENRM Associates EIK Certificate 2022



EIK Environment
INSTITUTE OF KENYA

Certificate of Membership

This is to certify that
ENRM Associates
Member No: EIK/3/5724

Is a Non Practising Firm registered with Environment Institute of Kenya
An Institute Founded in the year 2014 to extend and disseminate Environmental knowledge and promote the practical application for public good.

Linda Munyao
Chairperson

09/09/2022
Date

This Certificate remains the property of Environment Institute of Kenya. Membership is subject to annual renewal

Annex 6: Francis Mwaura NEMA practicing license 2022



FORM 7

nema

NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY(NEMA)

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT

ENVIRONMENTAL IMPACT ASSESSMENT/AUDIT (EIA/EA) PRACTICING LICENSE

License No : NEMA/EIA/ERPL/16984

Application Reference No: NEMA/EIA/EL/21931

M/S **Francis Mwaura Mwangi**
(individual or firm) of address

P.O. Box 79972-00200 Nairobi

is licensed to practice in the

capacity of a (Lead Expert/Associate Expert/Firm of Experts) **Lead Expert**
registration number **0077**

in accordance with the provision of the Environmental Management and Coordination Act Cap 387.

Issued Date: **3/30/2022**

Expiry Date: **12/31/2022**

Signature.....

(Seal)
Director General
The National Environment Management Authority

P.T.O.

Annex 7: Francis Mwaura EIK Certificate 2022



EIK Environment
INSTITUTE OF KENYA

Certificate of Membership

This is to certify that

Francis Mwaura

Member No: EIK/1/2257

Is a Practising Lead Member of Environment Institute of Kenya
An Institute Founded in the year 2014 to extend and disseminate
Environmental knowledge and promote the
practical application for public good.

ENVIRONMENT INSTITUTE OF KENYA

Linda Munyao
Chairperson

12/01/2022
Date

This Certificate remains the property of Environment Institute of Kenya. Membership is subject to annual renewal