

## COASTAL PLANNING

### The Coast Development Authority

The leading coastal planning agency in Kenya is the Coast Development Authority (CDA) which was established by an Act of Parliament in 1990. The CDA, which is a corporate body and which is under the Ministry of Land Reclamation, Regional and Water Development, is required to plan, initiate, coordinate and monitor development activities within the administrative districts of Coast Province, the Southern half of Garissa District, and Kenya's exclusive economic zone.

Among the functions and powers of the CDA as listed under the Act, are the following -

- to plan for the development of the Coastal Area and initiate projects;
- to develop a long range development plan for the Coastal Area;
- to initiate studies, carry out surveys, and assess alternative demands on the natural resources of the Coastal Area, and to initiate, operate or implement projects in agriculture, forestry, wildlife, tourism, power generation, mining and fishing;
- to monitor and evaluate project performance leading to improved future planning;
- to coordinate and monitor the abstractive use of water;
- to take initiatives to protect and utilize water and soil resources;
- to identify, collect, collate and correlate data on the use of water and other resources as may be necessary for efficient forward planning;
- to avoid the duplication of effort by maintaining liaison with operational agencies of government, the private sector and others;
- to examine hydrological effects and ecological changes and evaluate how these affect people dependent on the river environment;
- to implement projects with a primary objective of socioeconomic development;
- to plan and liaise with relevant agencies in the exploration and development of fishing and marine activities in the EEZ.

The prime goal of the CDA can be summarized as - the improvement of the standard of living of all coastal people without impairment of the resource potential. In order to achieve this goal, the Authority has developed strategies which will lead to self-sufficiency in food production for the Coastal Area, the creation of wealth from available resources, the provision of meaningful opportunities for public participation, and development on a sustainable basis. These strategies in turn, have resulted in the criteria by which development proposals and projects are either deemed to merit promotion, or discouraged by the Authority.

# Management of the Coast

As a development agent, the CDA advocates for the effective management of natural resources. It encourages development projects that minimize negative impacts on natural resources since this is the most effective path to sustainable development.

## **Other agencies involved in coastal planning**

In addition to the key contribution made by the Coast Development Authority which, by definition is focused on the coast, there are a number of other agencies involved in planning for the development and wise use of lands and other resources in Kenya. The main ones are -

- Ministry of Planning and National Development
- Ministry of Lands and Settlements
- Tana and Athi Rivers Development Authority (TARDA)
- Local Government Planning functions of
  - Mombasa Municipal Council
  - Tana-River County Council
  - Malindi Municipal Council
  - Kilifi County Council
  - Kwale County Council
  - Lamu County Council
  - District Development Committees

Between them and in collaboration with other organizations, the above lead agencies cover economic development planning, land use planning and urban planning nationwide, including the Coastal Area.

The Ministry of Planning and National Development is responsible for coordinating economic development planning at National and District level. Each operational Ministry prepares its own sectoral economic development plans and forwards them to the Planning Ministry for incorporation with other plans to become National and District Development Plans.

Towns and other urban and rural centres are managed and planned by the Municipal, County or Town Councils in liaison with the Ministry of Local Government. The recently-created Coast Development Authority (see above) will work within this framework to satisfy its responsibilities for planning and coordinating development and managing resources in the Coastal Area.

On the other hand, physical and land use planning are mainly the responsibility of the Ministry of Lands and Settlements. The Physical Planning Department of the Ministry prepares District as well as Provincial Land Use Plans. These plans are not restricted to a particular region in Kenya and also cover most of the urban and rural areas. Before a physical plan is produced and accepted for implementation, it has to undergo a procedure aimed at ensuring that the proposed land-use development is acceptable to the majority.

The Physical Planning Department starts the planning process by judiciously examining topocadastral information, aerial photographs and boundary plans. Some of this information is provided by the Survey Department of the same Ministry. The proposed plans are then submitted to the Lands Department for circulation to various public implementing agencies. The public implementing agencies are normally various Ministries and state organs such as the Ministry of Land Reclamation, Regional and Water Development, the Ministry of Agriculture Marketing and Livestock Development, the Ministry of Environment and Natural Resources, etc. These agencies are invited to undertake a technical evaluation of the proposed plans and make recommendations to the Lands Department giving explicit reasons for acceptance or rejection of the proposed plans. The Lands Department then approves or rejects the proposed land-use plans, based on the

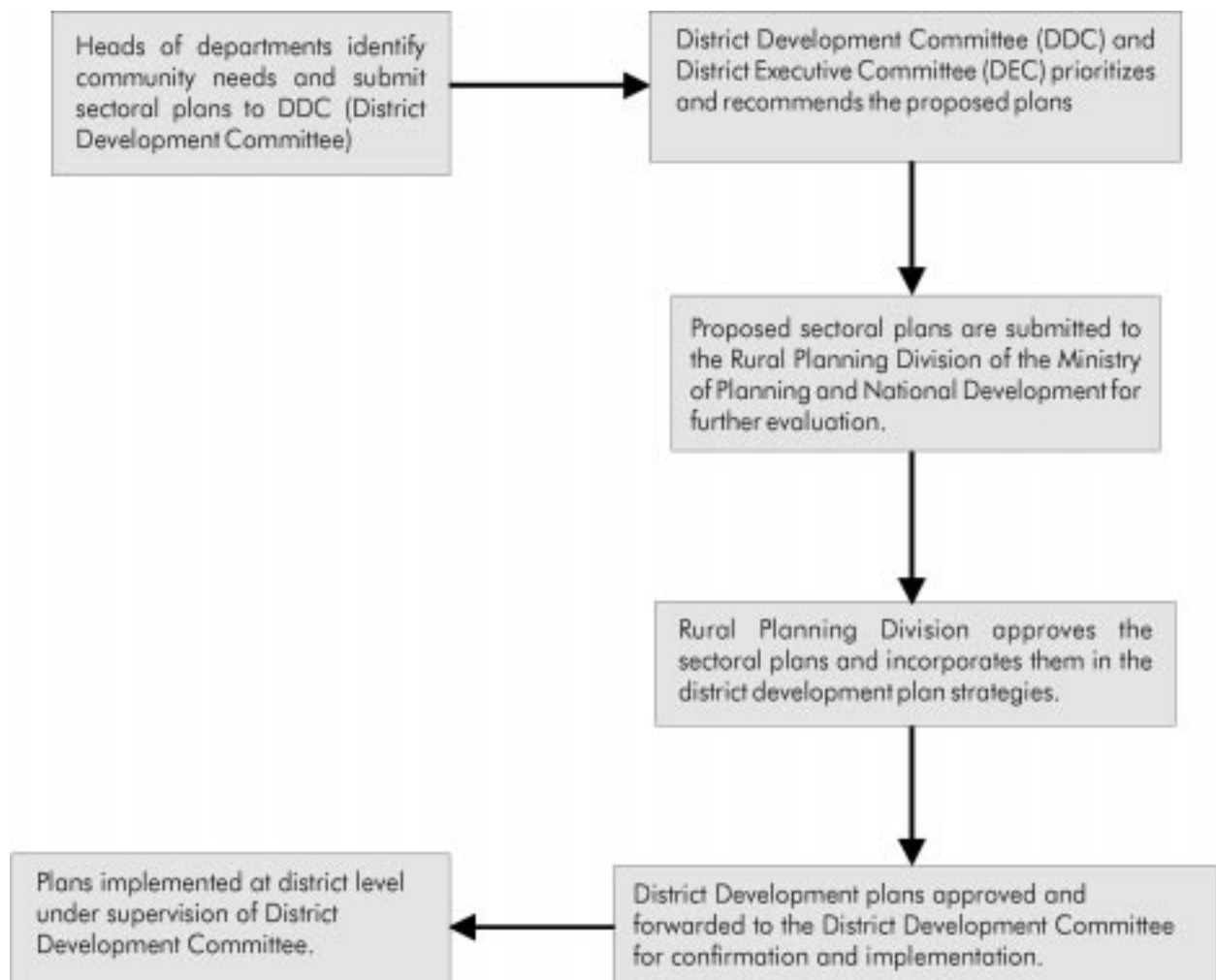


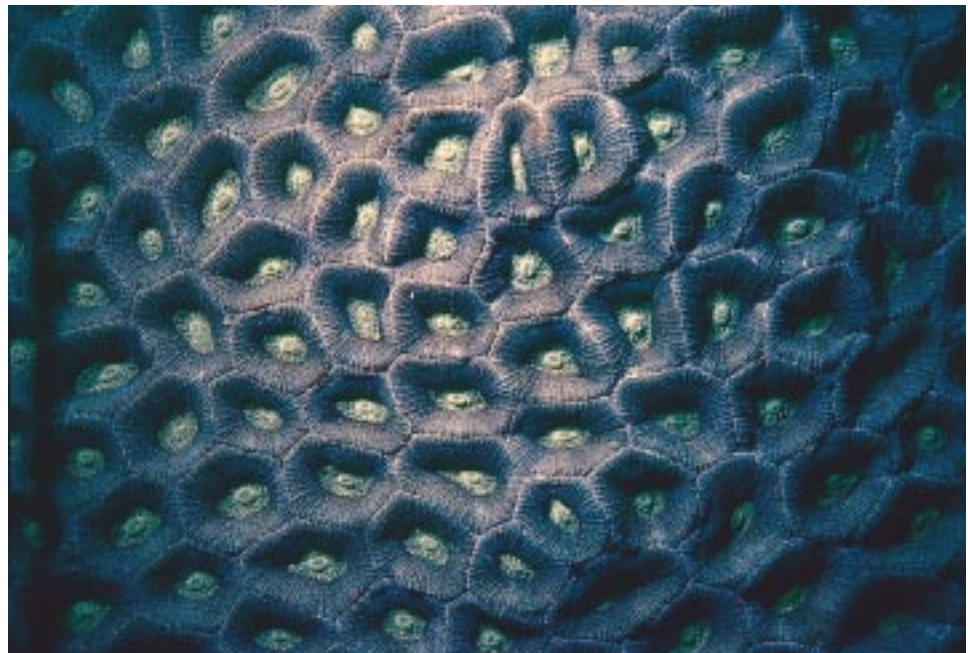
Figure 73 : The development planning process in Kenya

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recommendations of the public implementing agencies. When the plans are approved by the Lands Department, the department goes ahead with registration and the issuing of titles to the land.

The Town Planning Department which has existed since 1947, produces short and long term development plans for central government and all local authorities except Mombasa and Nairobi. For the latter two cities it prepares some plans and advises on the feasibility of others prepared by the municipalities themselves. The Department is also involved in the preparation of national physical development strategies. The larger municipalities such as Mombasa and Malindi have been encouraged to carry out and implement their own plans with recommendations and policy advice from central government and government planning agencies.

It is important to note that the integration of physical planning with social and economic planning and development, is also the responsibility of the Physical Planning Department and this is met by liaising with the various development authorities at national, provincial and district level.



*Figure 74 : Kenya's valuable coral parks need protecting from marine pollutants*

## CONTINGENCY PLANNING

The Kenya Ports Authority (KPA), under the Kenya Ports Authority Act, has the responsibility for controlling pollution in the territorial waters of Kenya, that is all inshore waters and those extending up to 100 nautical miles (about 160km) offshore. In fulfilment of this responsibility, the KPA, together with representatives of the oil industry, the oil refinery, the shipping industry and bunkering services, has set up the National Oil Spill Response Committee (NOSRC) which has developed a National Oil Spill Response Contingency Plan.

The Plan recognizes three levels of potential oil spill incidents within Kenyan territorial waters. Tier One incidents will involve spillages of up to 100 tonnes of oil and are expected to be dealt with primarily by the operators responsible, if within their own installations. Only spills into the sea will activate the Plan and the NOSRC.

Tier Two spillages will comprise up to 1000 tonnes of oil and are the level of spill on which the Plan will focus most. These moderate size spills are beyond the capability of one single operator and the cooperative effort provided by the Plan will be applied. However, depending on the extent of the spill, climatic and other conditions at the time, and the resources that are threatened, even a Tier Two spill may need to be treated as a Tier Three incident.

Tier Three incidents involve larger spills, probably over 500 tonnes and those greater than 10,000 tonnes. In such cases, the NOSRC will provide "first aid" but will be unable to cope adequately within its own resources and will require external assistance which has already been identified by the Plan.

Having identified the potential magnitude of spills in Kenyan waters and acknowledged its own limitations, the Plan also identifies the resources that are at risk, assesses the level of risk involved and provides guidelines for shoreline cleanup depending on the type of shoreline contaminated.

Finally, the Plan provides a list of what needs to be done when oil is discovered to have been spilled; who is responsible for particular tasks; the lines of communication to ensure coordination of effort; and a directory of equipment, contractors, suppliers, experts, and maps of sensitive areas.

The discovery of an oil spill, or any other chemical spill, or the detection of likelihood of such a spill, by any person, should be notified immediately to :

The Manager, Marine Operations  
Kenya Ports Authority  
Mombasa  
Tel (Office) 011-311 409; Tel (After Hours) 011-471 590; Fax 011-311 867

or,

The Oil Spills Response Administrator  
c/o Esso Kenya Limited  
Mombasa  
Tel (Office) 011-495 762; Tel (After Hours) 011-432 184; Fax 011-494 515