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Presented by the  
Hon. Peter Kimani Kihara  
on Tuesday, November  
10, 2020



**DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

**REPORT ON A PETITION REGARDING ENCROACHMENT INTO THE  
NAIROBI NATIONAL PARK**

DIRECTORATE OF COMMITTEE SERVICES,  
CLERK'S CHAMBERS,  
PARLIAMENT BUILDINGS,  
**NAIROBI**

**NOVEMBER, 2020**

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## CHAIRPERSON'S FOREWORD

The Petition regarding Encroachment into the Nairobi National Park was presented to the House by the Hon. Speaker, on behalf of Ms. Maureen Memo Some, CEO WildNow Foundation, on 2<sup>nd</sup> July, 2020. Consequently, the petition was committed to the Committee on 3<sup>rd</sup> July, 2020 for consideration in accordance with the provision of Standing Order 227.

In considering the Petition, the Committee held meetings with the petitioners, the Ministry of Tourism and Wildlife, Kenya Wildlife Service and conducted an inspection visit to the Nairobi National Park all in a bid to deliberate on the matters canvassed in the Petition with a view to responding to the prayers sought.

The Petitioner submitted that the Nairobi National Park's (NNP) landscape was once a postcard of natural forests, flying raptors and buzzing birdlife, a labyrinthine riverine ecosystem and adaptive wetlands filled with all manner of aquatic resources. Over time this has been threatened by decimation of land available for the animals in the last three decades leading to dulling the shine of the erstwhile eco-centric National Park.

Land has been hived off for the Southern bypass, the SGR rail route, a pipeline and a possible hotel. All these encroachments have eaten out over 10,000ha in three decades.

The Petitioners therefore prayed that the Departmental Committee on Environment and Natural Resources pursuant to Standing Order 216 (5) (a):

- a) investigates into all the matters raised in the Petition
- b) makes recommendations with a view to ensure the economic value of the park is not compromised through continued encroachment and that the flora and fauna at the park is protected from extinction.

Having reviewed the evidence submitted to it, the Committee observed that:

1. The Nairobi National Park was unique in the sense that it was not only the smallest park in the country but also the only park within a city worldwide. However, the Park was experiencing an existential threat due to loss of huge tracts of land over the past few decades to encroachments meant for SGR, Southern Bypass, construction of the ICD road among other developments. The park was choking due to pressure from the surrounding areas yet KWS was not doing enough to halt the numerous infrastructural projects especially on its eastern boundary.
2. The KWS management plan expired in 2010 and a new management plan was being prepared in readiness for implementation from the year 2020. An earlier draft management plan had proposed building of a hotel within the park but that had already been revised. The plan was to erect/ improve ecofriendly eateries within the park. The rangers' canteen put up in 1976 was running on an outdated concept and there was need to upgrade and modernize it. The committee further noted that hotel within a park is likely to degrade the flora and fauna, pollute the park through waste disposal mechanisms and noise due to movements which would scare away wildlife.



3. The KWS management plan under preparation proposes modernization of facilities not major constructions within the park. The eco-friendly modernization of facilities targets to improve:
  - a) The KWS club house, to be improved into a modern, eco-friendly eatery to serve both local and foreign tourists.
  - b) The ivory burning site, an educational facility is to be constructed at the site to educate park visitors on conservation matters.
  - c) The Impala Picnic Site that has a spectacular view is to be improved through erecting of an eco-friendly camping site, modern washrooms other amenities to serve visitors.
  - d) The Nairobi Tented Camp, an eco-friendly and temporal infrastructure set up by a private investor to accommodate visitors to the park to be upgraded without disruption of the ecosystem.
4. There were rampant cases of Human-Wildlife Conflict on the Southern boundary of the park due to increased human settlement in the area. The boundary was partly fenced near Ongata Rongai town. However, there were plans to fence the remaining part of the Southern boundary to mitigate Human-Wildlife Conflict.
5. The KWS had plans to provide for an underpass connection of the Nairobi National Park to the Ngong Road Forest Reserve. This would provide more space and migratory corridors for the animals in the park.
6. There was need to adopt best practices like the use of the land adjoining the park but owned by private investors who are willing to use their land for conservation purposes in perpetuity along park boundaries.
7. KWS and KRC entered into an easement agreement in 2019 granting an easement to KRC to construct an access road to ease cargo evacuation from ICD Nairobi into the Southern Bypass. In exchange for the grant of easement, KR was expected to meet various obligations to benefit conservation efforts and KWS in general. However, due to financial constraints, the KRC had not met all its obligations.
8. The KRC leased a portion of land that belongs to the Nairobi National Park on the park's eastern boundary. The lease was done to Grain Bulk Handlers Limited (GBHL) and Compact Freight Limited. A settlement was later reached where an alternative parcel was provided by KRC to KWS in compensation for the land lost to KR through its lease to Grain Bulk Handlers Limited. However, compensation for the land occupied by Compact Freight Limited was still in abeyance as negotiations were ongoing. The lease to the two companies was part of government endeavours to increase uptake of cargo transported on the SGR. However, it was noted that despite the swap in parcels of land, the park boundaries shall remain unaltered since KWS will merely enter into an easement agreement to allow the KRC to utilise the parcels for intended purposes. There was need for the two state agencies to expedite conclusion of the easement agreements.

Consequently, the Committee recommends as follows:

1. The Kenya Railways and Kenya Wildlife Service should conclude an easement agreement regarding the land occupied by both Grain Bulk Handlers Limited and Compact Freight Limited within **60 days** from the date of tabling of this report. The agreement should clearly indicate the land offered by KRC in compensation for land ceded by KWS. Equally, there should be an express provision indicating that the Nairobi National Park boundaries shall remain unaltered.
2. The Kenya Wildlife Service should:
  - a) Develop innovative strategies to ensure the economic viability and ecological integrity of the park in light of the numerous existential threats posed to the park through unwarranted encroachments.
  - b) Clearly delineate the entire stretch of the Eastern Boundary of the Nairobi National Park and recover land lost through any irregular encroachments.
  - c) Expedite the execution of the agreement regarding benefits accruing to KWS after granting an easement for building of the ICD road.
3. The KWS should expedite the fencing of the Southern boundary of the Nairobi National Park. While fencing the boundary, consideration should be made for migratory corridors and buffer zones to deal with Human-Wildlife Conflicts likely to escalate due to increased human settlement in adjoining areas.
4. The Ministry of Tourism and Wildlife should report to the National Assembly within 90 days, from the date of tabling of this report, on the progress made in implementation of the recommendations contained herein.

**Hon. Kareke Mbiuki, M.P**  
**Chairperson, Departmental Committee on Environment and Natural Resources**

## 1.0 PREFACE

### 1.1 Committee Mandate

5. The Departmental Committee on Environment and Natural Resources is established under the National Assembly Standing Orders No. 216 (1). The functions and mandate of the Committee are also contained under the National Assembly Standing Orders, No. 216(5) as:
  - a) **Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;**
  - b) Study the program and policy objectives of the Ministries and departments and the effectiveness of the implementation;
  - c) Study and review all legislation referred to it;
  - d) Study, access and analyze the relative success of the Ministries and Departments as measured by the results obtained as compared with its stated objectives;
  - e) Investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;
  - f) Vet and report on all appointments where the constitution or any law requires the National Assembly to approve, except those under Standing Order 204; and
  - g) Make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.
  
6. The subject matter of the Departmental Committee on Environment and Natural Resources are stated in the Second Schedule of the National Assembly Standing Orders No. 216 (f) as follows: climate change, environment management and conservation, forestry, water resource management, wildlife, mining and natural resources, pollution and waste management.

### 1.2 Oversight

7. In executing its mandate, the Committee oversees the following Government Ministries and Departments namely: The Ministry of Environment and Forestry; The Ministry of Water & Sanitation and Irrigation; The State Department for Wildlife; and The State Department for Mining.

### 1.3 Members of the Committee

8. The Committee comprises the following Members:

#### **Chairperson**

The Hon. Kareke Mbiuki, M.P.  
MP for Maara Constituency

#### **Jubilee Party**

#### **Vice-Chairperson**

The Hon. Sophia Abdi Noor, M.P.  
MP for Ijaara Constituency

#### **Party of Development and Reforms (PDR)**

#### **Members**

The Hon. David Kangogo Bowen, MP for  
Marakwet East Constituency

#### **Jubilee Party**

The Hon. Francis Chachu Ganya, MP for  
North Horr Constituency

#### **Frontier Alliance Party (FAP)**

The Hon. Benard Shinali, M.P. for Ikolomani  
Constituency

#### **Jubilee Party**

The Hon. Ali Wario Guyo, MP for Garsen  
Constituency

#### **Wiper Party**

The Hon. George Macharia Kariuki, MP for  
Ndia Constituency

#### **Jubilee Party**

The Hon. Charity K. Chepkwony, MP for  
Njoro Constituency

#### **Jubilee Party**

The Hon. Kingara, Simon Nganga, MP for  
Ruiru Constituency

#### **Jubilee Party**

The Hon. Peter Kimari Kihara, MP for  
Mathioya Constituency

#### **Jubilee Party**

The Hon. Benjamin Dalu Tayari, MP for  
Kinango Constituency

#### **Orange Democratic Movement (ODM)**

The Hon. Charles Ong'ondo Were, MP for  
Kasipul Constituency

#### **Orange Democratic Movement (Odm)**

The Hon. Nasri Sahal Ibrahim, MP -  
Nominated

#### **Forum for Restoration of Democracy-K**

The Hon. Rozaah Buyu, MP for Kisumu  
County

#### **Orange Democratic Movement (ODM)**

The Hon. Hassan Oda Hulufu, MP for Isiolo  
North Constituency

#### **Kenya Patriots' Party (KPP)**

The Hon. Amin Deddy Mohamed Ali, MP for  
Laikipia East Constituency

#### **Jubilee Party**

The Hon. Said Hiribae, MP for Galole  
Constituency

#### **Forum for Restoration of Democracy- K**

The Hon. Rehema Hassan, MP for Tana  
River County  
**Maendeleo Chap Chap Party (MCC)**

The Hon. (Eng.) Paul M. Nzengu, MP for  
Mwingi North Constituency  
**Wiper Party**

#### **1.4 Secretariat**

9. The Committee is serviced by the following Members of Staff:

Ms. Esther Nginyo  
**Second Clerk Assistant**  
**Lead Clerk**

Mr. Dennis Mogare Ogechi  
**Second Clerk Assistant**

Mr. Fredrick Muthengi  
**Chief Fiscal Analyst**

Mr. Sydney Lugaga  
**Legal Counsel II**

Mr. Eugene Apaa  
**Research Officer II**



## 2.0 INTRODUCTION

10. The Petition regarding Encroachment into the Nairobi National Park was presented to the House by the Hon. Speaker, on behalf of Ms. Maureen Memo Some, CEO WildNow Foundation, on 2<sup>nd</sup> July, 2020.
11. The petitioners pointed out that Nairobi National Park's (NNP) landscape was once a postcard of natural forests, flying raptors and buzzing birdlife, a labyrinthine riverine ecosystem and adaptive wetlands filled with all manner of aquatic resources. Over time this has been threatened by decimation of land available for the animals in the last 3 decades leading to dulling the shine of the erstwhile eco-centric National Park. Land has been hived off for the Southern bypass, the SGR rail route, a pipeline and now a possible hotel. All these encroachments have eaten out over 10,000ha in 3 decades.
12. The Petitioners therefore prayed that the Departmental Committee on Environment and Natural Resources pursuant to Standing Order 216 (5) (a):
  - c) investigates into all the matters raised in the Petition
  - d) makes recommendations with a view to ensure the economic value of the park is not compromised through continued encroachment and that the flora and fauna at the park is protected from extinction.
13. The Committee consequently seized the matters raised in the Petition and processed it through deliberative meetings with the petitioners, the Ministry of Tourism and Wildlife, Kenya Wildlife Service and conducted an inspection visit to the Nairobi National Park all in a bid to deliberate on the matters canvassed in the Petition with a view to responding to the prayers sought. The evidence adduced is recorded hereunder:

### **3.0 SUBMISSIONS**

14. The Petition regarding Encroachment into the Nairobi National Park was presented to the House by the Hon. Speaker, on behalf of Ms. Maureen Memo Some, CEO WildNow Foundation, on 2<sup>nd</sup> July, 2020. Consequently, the petition was committed to the Committee on 3<sup>rd</sup> July, 2020 for consideration pursuant to Standing Order 227. In considering the petition, the Committee held meetings with the petitioners, the Ministry of Tourism and Wildlife, Kenya Wildlife Service and conducted an inspection visit to the Nairobi National Park all in a bid to deliberate on the matters canvassed in the Petition with a view to responding to the prayers sought. The evidence adduced is recorded hereunder:

#### **3.1 Submission by the Petitioners**

15. Ms. Maureen Memo Some, CEO WildNow Foundation, on behalf of the Petitioners, appeared before the Committee on Monday 6th July, 2020 and made submissions on the Petition Regarding the Encroachment of the Nairobi National Park.
16. She noted that the Nairobi National Park's (NNP) landscape was once a postcard of natural forests, flying raptors and buzzing birdlife, a labyrinthine riverine ecosystem and adaptive wetlands filled with all manner of aquatic resources. Over time this has been threatened by decimation of land available for the animals in the last 3 decades leading to dulling the shine of the erstwhile eco-centric National Park. Land has been hived off for the Southern bypass, the SGR rail route, a pipeline and now a possible hotel. All these encroachments have eaten out over 10,000ha in 3 decades.
17. Nairobi is the world's only capital with a natural park just minutes from the CBD. The 117km<sup>2</sup> park is our heritage and treasure with its 400 bird species and over 90 odd mammalian species. It is a core tourist attraction that helps in tax revenue generation and foreign exchange source. Unfortunately, the park was being encroached thus posing a threat to its biodiversity and the sustainability of the park's status as a global attraction.
18. Plans to hive and fence off land was in the newly designed NNP 2020-2030 Management Plan presents challenges to both flora and fauna. All environmental engagements must satisfy Kenya's national aspirations for posterity.
19. Plans to build a major hotel within the park would further compromise the already threatened park environmental integrity.
20. Challenges like human – wildlife conflict such as the cases where lions have ventured out into Langata and Kitengela suburbs in the dry season are evident of migratory paths being blocked. With climate change matters at the park are bound to be worse.
21. The disruption of forests, forest-life as urban-sprawl takes over in surrounding mixed rangeland and bush lands affects population density and distribution of animals. Bio diversity is greatly compromised at the park affecting feeding habits of animals. This leads to starvation in the long term as precious flora, central to nutrition and the ecosystem support fade.

22. Already, aquatic resources such as Hippopotamus, Crocodiles in the Mbagathi River have dwindled within the park largely due to pollution of the river and other streams flowing through the park from Ngong Hills.

23. The organization in the short term recommended:

- a) Stoppage of land subdivision for the proposed National Park Hotel and any other demarcation in the remaining park areas.
- b) Zone Isinya division appropriately limiting land sizes and limiting to land uses compatible to wildlife conservation e.g. pastoralism, eco-tourism, conservation agriculture, and River Athi watershed management for water quality and soil conservation.
- c) Encourage the locals to lease land to KWS while still being allowed to use it for grazing their livestock. The leased parcels should not be fenced while an effective and efficient conflict management mechanism is put in place.
- d) Consolidate subdivided parcels by removal of fences- allowing unhindered migratory pathways and innovatively broadening the attitude of Kenyans towards sustainable living for our common future.
- e) Working with communities around the park to ensure innovative and sustainable coexistence between people especially the youth and wild animals by cultivating a sense of symbiotic and mutual relations and increased environmental consciousness.

24. In the long term the petitioners recommended that:

- a) A policy be formulated requiring land purchase comprising the Isinya corridor by the KWS or requiring annual compensation of land owners in the corridor for use of their land by wild animals while they avoid using the land for incompatible activities. The government can alternatively acquire the migratory corridor land compulsorily and have it under the custodian of KWS to further shield wildlife.
- b) Promote compact development of Kitengela town through planned, relatively high density development with well-defined urban growth boundaries to ease encroachment pressure on the migration corridor.
- c) Development of Nairobi Metropolitan Open Space System (NMOSS) as an integral component of the city's spatial plan seeking to conserve the region's natural resources and better coordination of open space systems of local governments within the metropolitan region. The system should be an inter-connected network of open spaces that also support the interaction between social, economic, and ecological activities while enhancing and sustaining both human settlements and ecological processes.

25. Enforcement of regulations against haphazard sinking of boreholes in the wider area should be strengthened to reduce inequitable access to underground water thus reduce water conflicts for flora and fauna.

26. The Petitioners therefore prayed that the Departmental Committee on Environment and Natural Resources pursuant to Standing Order 216 (5) (a):
- a) investigates into all the matters raised in the Petition
  - b) makes recommendations with a view to ensure the economic value of the park is not compromised through continued encroachment and that the flora and fauna at the park is protected from extinction.

### **3.2 Submission by the Cabinet Secretary, Ministry of Tourism and Wildlife.**

27. Joseph K. Boinnet, Chief Administrative Secretary, Ministry of Tourism and Wildlife appeared before on behalf of the Cabinet Secretary, Ministry of Tourism and Wildlife, on Friday 25<sup>th</sup> September, 2020 and submitted as follows.
28. The ongoing planning for Nairobi National Park is in line with the Wildlife Conservation and Management Act, 2013.
29. Stakeholder engagement was being conducted and valuable feedback received that was being incorporated in the revised Nairobi National Park Plan.
30. The park had a perimeter fence except on the southern part, along Mbagathi river. In the past there was free movement in and out of the park on the southern part but human settlements were encroaching on the area.
31. Between 2015 and 2019, there have been 51 cases of HWC in settled areas along the southern part of the park. This led to 4 deaths and 2 injuries. The problem animals involved were rhinos, hyenas, hippos, buffaloes, and lions. KWS plans to erect a fence to curb the HWC in that area of the park.
32. Land owners practicing land use that was compatible with the park and were willing to be fenced into the park will be so fenced. This would offer a buffer zone along the southern park boundary. The buffer zone will protect the park from pollution, visual intrusion that are associated with dense human settlement. An EIA will be done before reception of the fence.
33. To enhance visitor experience in the park, the draft management plan proposes an improvement of tourist facilities in the park. This includes visitor amenities (like modern washrooms, resting shades, and benches) at tourist facilities like park entry gates and picnic sites. It also involves renovation of KWS restaurant and leasing it to an investor and upgrading an existing temporary camp into a permanent low impact tented camp. There is no new tourist facility proposed for construction in the plan.
34. EIA studies were done before each of the infrastructural projects were done including SGR, Roads, power line and oil pipeline. KWS has been implementing environmental management plans for the infrastructure to mitigate their impact on the wildlife. Therefore, no significant negative impacts arising from the public infrastructure had been noted.

### **3.3 Submissions by the Kenya Wildlife Service (KWS)**

35. Mr. Apollo Kariuki, on behalf of the Director General, KWS, appeared before the Committee on Tuesday 6<sup>th</sup> October, 2020 submitted as follows:

36. It was a legal requirement to have a park management plan and no development can be approved in the absence of a gazetted management plan.

37. The major issues of concern with respect to the Nairobi National Park include:

- a) Habitat loss and fragmentation in the dispersal areas - Habitat Fragmentation & Quarries-Naretunoi & Sheep and Goats Ranch
- b) Decline in wildlife population;
- c) Poaching,
- d) Human Wildlife Conflicts - NNP animals normally move out during rainy season and predators follow them out.
- e) Alien and invasive species;
- f) Pollution;
- g) Mining and quarries;
- h) Climate change;
- i) Low park visitation;
- j) Increased urbanization - Land Use Zoning by Kajiado County Government leading to Habitat loss and fragmentation in the dispersal area.
- k) Settlement on the Sheep and Goats Ranch;
- l) Infrastructure development

38. Management options include:

- a) Maintaining the status quo
- b) Habitat improvement through controlled burning, grass mowing and salt supplementation
- c) Fencing along the southern park boundary
- d) Habitat improvement in the park coupled with progressively fencing willing land owners to establish a buffer zone along the parks southern boundary.

39. Planned actions:

- a) Finalize the preparation of the management plan through: Presenting the revised draft plan to stakeholders for validation, compiling final draft plan, Presenting the final draft plan to KWS BOT for approval, Plan gazettelement by the Cabinet Secretary.
- b) Upgrade the existing temporary camp into a permanent low impact tented camp
- c) Renovate the KWS Club House to a proper restaurant

### **3.4 Submission by the Kenya Railways Corporation**

42. Mr. David Njogu, Corporation Secretary, Kenya Railway Corporation, representing the Managing Director, appeared before the Committee on 22<sup>nd</sup> October, 2020 and briefed it as follows.

43. The land in question is Kenya Railways land located in Embakasi Standard Gauge Railway hub. The land borders the Nairobi National Park to the East of the Park.



44. On the status and maps of Kenya Railway Corporation land especially the area bordering the Nairobi National Park he stated that the land in question borders the Eastern Boundary of Nairobi National Park and on the West of the Nairobi South SGR hub along a section of 1.6 km. The land is registered in the names of the Corporation for leasehold term of 99 years from the Government of Kenya.
45. On correspondences and documents on boundary concerns by the KWS on the Nairobi National Park land, he stated that:
- a) The electric fence erected by KWS on its Eastern Boundary wasn't on the surveyed boundary. A joint survey between KR and KWS was undertaken in May, 2019 revealing that the electric fence left between 2.5 and 13 meters outside the park. It's on the strip left out that the developments by the 2 companies came up after a lease by KR. The land size in question was 5.7 ha along the 1.6 km boundary. GBHL occupies 1.4 acres and Compact Freight Limited occupies 4.3 acres.
  - b) Discussions ensued with the intention to provide an easement/right of use for the portion of land that had been encroached on.
  - c) KWS opposed the proposal for an easement on the basis that special conditions of the title documents restrict use of park land to activities compatible to wildlife conservation and management.
  - d) A land swap was proposed when KRC would cede part of its land along the park boundary equivalent to the land in question. The proposal was approved by the boards of both KR and KWS and KWS released 1.37 acres of park land in exchange for equivalent land from KRC
46. On lease agreements between Kenya Railways Corporation and Grain Bulk Handlers Limited and Compact Limited he stated that this was a resolution of a meeting of stakeholders chaired by the Cabinet Secretary responsible for transport which resolved that KRC identifies land in its Nairobi South SGR Hub for handling of conventional cargo such as steel and grains. KRC would either develop the facility or lease land to private developers to fast track the development. Therefore, the lease to the two companies was part of government endeavours to increase uptake of cargo transported on the SGR. Through the lease, KRC was assured of at least 4 million tons of cargo per year.
47. On mitigation measures by KRC as regards coexistence with wild animals and park ecosystem, he stated that the terms of the lease agreement require the entities to fully comply with all laws including the Environmental Management and Coordination Act and its attendant Regulations; and the Wildlife Conservation and Management Act No. 47 of 2013 among others.
48. On construction of the Nairobi ICD Road he stated that KWS and KRC entered into an easement agreement in 2019 granting an easement to KRC to construct the access road A to ease cargo evacuation from ICD Nairobi into the Southern Bypass. In exchange for the grant of easement, KR was expected to:
- a) Facilitate control and management of plant invasive species introduced into the park as a result of development of the road.
  - b) Relocate facilities and amenities within the site and those too closely located to the site as to be impractical to use after development of the road. These include the parks' east gate, staff housing at both the old and new east gate camps.
  - c) Erect appropriate fences, intermediate and comprehensive fences, under the superintendence of the KWS and as per designs and specifications issues by KWS.



- d) Provide adequate drainage systems to prevent ponding and pooling of water within the park.
- e) Adhere to the projects' environmental management plan.
- f) Meet the cost of periodic monitoring of ecological effects of the road development on the park.

47. Due to financial constraints, the KRC had not met all its obligations outlined above.

### **3.5 Inspection Visit to the Nairobi National Park**

48. The Committee conducted an inspection visit to the Nairobi National Park on Tuesday 6th October, 2020. The Committee visited the following areas in and around the Park:

- a) The Club House
- b) Ivory Burning Site
- c) Impala Picnic Site
- d) The Nairobi Tented Camp
- e) Southern Boundary Fence
- f) ICD Road on the park boundary along Mombasa Road
- g) Grain Bulk Handlers Contested Site

49. During the inspection visit to the Nairobi National Park, members observed that:

- a) The club house was to be improved into a modern, eco-friendly eatery to serve both local and foreign tourists.
- b) An educational facility is to be constructed at the ivory burning site to educate park visitors on conservation matters.
- c) The Impala Picnic Site has a spectacular view and is to be improved through erecting of an eco-friendly camping site, modern washrooms other amenities to serve visitors.
- d) The Nairobi Tented Camp was eco-friendly and temporal infrastructure set up by a private investor to accommodate visitors to the park.
- e) Southern Boundary was partly fenced near Ongata Rongai. There were plans to fence the entire stretch of the boundary to mitigate human-wildlife conflict that was rife in the area due to increased human settlement.
- f) The KRC leased land that belongs to the KWS (Nairobi National Park) to Grain Bulk Handlers Limited. A settlement was later reached where an alternative parcel was provided by KRC to KWS in compensation for the land lost to KR through its lease to Grain Bulk Handlers. The swap of land parcels is irregular since it had no parliamentary approval. A similar situation obtains with respect to land leased by KR to Compact Freight Limited in the same vicinity.

#### 4.0 COMMITTEE OBSERVATIONS

50. Having received and analyzed the submissions tabled, the Committee observed as follows.

51. The Nairobi National Park was unique in the sense that it was not only the smallest park in the country but also the only park within a city worldwide. However, the Park was experiencing an existential threat due to loss of huge tracts of land over the past few decades to encroachments meant for SGR, Southern Bypass, and construction of the ICD road among other developments. The park was choking due to pressure from the surrounding yet KWS was not doing enough to halt the numerous infrastructural projects especially on its eastern boundary.
52. The KWS management plan expired in 2010. The new management plan was being prepared in readiness for implementation from the year 2020. An earlier draft management plan had proposed building of a hotel within the park but that had already been revised. The plan was now to erect/ improve ecofriendly eateries within the park. The rangers' canteen put up in 1976 was running on an outdated concept and there was need to upgrade and modernize it. The committee further noted that hotel within a park is likely to degrade the flora and fauna, pollute the park through waste disposal mechanisms and noise due to movements which would scare away wildlife.
53. The KWS management plan under preparation proposes modernization of facilities not major constructions within the park. The eco-friendly modernization of facilities targets to improve:
- e) The KWS club house, to be improved into a modern, eco-friendly eatery to serve both local and foreign tourists.
  - f) The ivory burning site, an educational facility is to be constructed at the site to educate park visitors on conservation matters.
  - g) The Impala Picnic Site that has a spectacular view is to be improved through erecting of an eco-friendly camping site, modern washrooms other amenities to serve visitors.
  - h) The Nairobi Tented Camp, an eco-friendly and temporal infrastructure set up by a private investor to accommodate visitors to the park to be upgraded without disruption of the ecosystem.
54. There were rampant cases of Human-Wildlife Conflict on the Southern boundary of the park due to increased human settlement in the area. The boundary was partly fenced near Ongata Rongai town. However, there were plans to fence the remaining part of the Southern boundary to mitigate Human-Wildlife Conflict.
55. The KWS had plans to provide for an underpass connection of the Nairobi National Park to the Ngong Road Forest Reserve. This would provide more space and migratory corridors for the animals in the park.
56. There was need to adopt best practices like the use of the land adjoining the park but owned by private investors who are willing to use their land for conservation purposes in perpetuity along park boundaries.

47. KWS and KRC entered into an easement agreement in 2019 granting an easement to KRC to construct an access road to ease cargo evacuation from ICD Nairobi into the Southern Bypass. In exchange for the grant of easement, KR was expected to meet various obligations to benefit conservation efforts and KWS in general. However, due to financial constraints, the KRC had not met all its obligations.
48. The KRC leased land that belongs to the Nairobi National Park on the park's eastern boundary. The lease was done to Grain Bulk Handlers Limited (GBHL) and Compact Freight Limited. A settlement was later reached where an alternative parcel was provided by KRC to KWS in compensation for the land lost to KR through its lease to Grain Bulk Handlers Limited. However, compensation for the land occupied by Compact Freight Limited was still in abeyance as negotiations were ongoing. The lease to the two companies was part of government endeavours to increase uptake of cargo transported on the SGR. However, it was noted that despite the swap in parcels of land, the park boundaries shall remain unaltered since KWS will merely enter into an easement agreement to allow the KRC to utilise the parcels for intended purposes. There was need for the two state agencies to expedite conclusion of the easement agreements.

**5.0 COMMITTEE RECOMMENDATIONS**

49. The Committee recommends as follows:

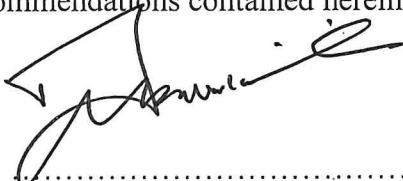
50. The Kenya Railways and Kenya Wildlife Service should conclude an easement agreement regarding the land occupied by both Grain Bulk Handlers Limited and Compact Freight Limited within **60 days** from the date of tabling of this report. The agreement should clearly indicate the land offered by KRC in compensation for land ceded by KWS.

51. The Kenya Wildlife Service should:

- d) Develop innovative strategies to ensure the economic viability and ecological integrity of the park in light of the numerous existential threats posed to the park through unwarranted encroachments.
- e) Clearly delineate the entire stretch of the Eastern Boundary of the Nairobi National Park and recover land lost through any irregular encroachments.
- f) Expedite the execution of the agreement regarding benefits accruing to KWS after granting an easement for building of the ICD road.

52. The KWS should expedite the fencing of the Southern boundary of the Nairobi National Park. While fencing the boundary, consideration should be made for migratory corridors and buffer zones to deal with Human-Wildlife Conflicts likely to escalate due to increased human settlement in adjoining areas.

53. The Ministry of Tourism and Wildlife should report to the National Assembly **within 90 days**, from the date of tabling of this report, on the progress made in implementation of the recommendations contained herein.



Signed: .....

**HON. KAREKE MBIUKI, MP  
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND  
NATURAL RESOURCES**

Date: 7/11/2020 .....

# **COMMITTEE MINUTES**





**MINUTES OF THE 45<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES HELD ON FRIDAY 23<sup>RD</sup> OCTOBER, 2020 AT SAROVA WHITESANDS HOTEL, MOMBASA AT 2:00 PM.**

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**PRESENT**

- |   |                  |
|---|------------------|
| 1. Hon. Kareke Mbiuki, M.P.                   | Chairperson      |
| 2. The Hon. Sophia Abdi Noor, M.P.            | Vice Chairperson |
| 3. The Hon. Francis Chachu Ganya, M.P.        |                  |
| 4. The Hon. Nasri Sahal Ibrahim, M.P.         |                  |
| 5. The Hon. Rozaah Buyu, M.P.                 |                  |
| 6. The Hon. Charles Ong'ondo Were, M.P.       |                  |
| 7. The Hon. Simon Nganga King'ara, M.P.       |                  |
| 8. The Hon. Hassan Oda Hulufu, M.P.           |                  |
| 9. The Hon. Benjamin Dalu Tayari, M.P.        |                  |
| 10. The Hon. Charity Kathambi Chepkwony, M.P. |                  |
| 11. The Hon. Peter Kimari Kihara, M. P.       |                  |
| 12. The Hon. Ali Wario Guyo, M.P.             |                  |
| 13. The Hon. Said Hiribae, M.P.               |                  |

**APOLOGIES**

1. The Hon. David Kangogo Bowen, M.P
2. The Hon. Bernard Shinali, M.P.
3. The Hon. Rehema Hassan, M.P
4. The Hon. (Eng.) Paul Musyimi Nzengu, M.P.
5. The Hon. Amin Deddy Mohamed Ali, M.P
6. The Hon. George Kariuki, M. P.

**IN ATTENDANCE**

**THE NATIONAL ASSEMBLY**

- |                          |   |                            |
|--------------------------|---|----------------------------|
| 1. Ms. Esther Nginyo     | - | Clerk Assistant II         |
| 2. Mr. Dennis M. Ogechi  | - | Clerk Assistant II         |
| 3. Mr. Fredrick Muthengi | - | Chief Fiscal Analyst       |
| 4. Mr. Sydney Lugaga     | - | Legal Counsel I            |
| 5. Mr. Stanley Lagat     | - | Senior Serjeant-at-Arms II |
| 6. Mr. Eugene Apaa       | - | Research Officer III       |
| 7. Stephen Nyakuti       | - | Audio Officer              |

**AGENDA**

- i) Prayers
- ii) Confirmation of Minutes
- iii) Matters Arising
- iv) **Consideration and adoption of the following reports:**

- a) **Report of the Departmental Committee on Environment and Natural Resources On the Pre-Publication Scrutiny of the Proposed Wildlife Conservation and Management (Amendment) Bill, 2020.**
- b) **Report on a Petition Regarding Encroachment into the Nairobi National Park.**
- v) AOB
- vi) Date of the next Sitting

**MIN.NO. DC/ENR/228/2020: - PRELIMINARIES**

The meeting was called to order at 2.26 p.m. after which prayers were said. The Chairperson then stated that the main agenda of the meeting was consideration and adoption of the following reports:

- a) Report on the Pre-Publication Scrutiny of the Proposed Wildlife Conservation and Management (Amendment) Bill, 2020.
- b) Report on a Petition Regarding Encroachment into the Nairobi National Park.

The Members adopted the agenda of the meeting.

**MIN.NO.DC/ENR/229/2020: - CONFIRMATION OF MINUTES**

Confirmation of minutes of the previous sitting was deferred to the next meeting.

**MIN.NO.DC/ENR/230/2020: - CONSIDERATION AND ADOPTION OF THE A REPORT ON THE PRE-PUBLICATION SCRUTINY OF THE PROPOSED WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL, 2020.**

The report on the Pre-Publication Scrutiny of the Proposed Wildlife Conservation and Management (Amendment) Bill, 2020 was adopted after being proposed and seconded by Hon. Hassan Oda Hulufu, M.P and Hon. Peter Kimari Kihara, M. P. respectively.

It was adopted with the following observations and recommendations:

**Observations**

1. The Committee observed that the amendment seeks to confer the benefits accruing from a national resource to a section of the country through collection of park entry fees. Such benefits are currently channeled to the consolidated fund and shared equitably through the National Government allocation to County Governments. The amendment also, silently converts public land to community land.
2. The Committee further observed that, if allowed, the action will trigger various counties hosting national parks to demand the same which would be unsustainable for the country.

3. It was also observed that National Reserves in Isiolo and Narok Counties were both poorly managed and riddled with alleged cases of corruption. Equally serious cases of poaching and low staff morale due to management capacity challenges are reported in the reserves.
4. Further it was noted that management from the national government would ensure standards are upheld uniformly across the country and that the parks receive support when needed in order to run smoothly.
5. Finally, the Committee observed that the interest of local communities can be integrated through ensuring they are involved in management of wildlife and ensuring they reap benefits through fair revenue sharing mechanisms.
6. Tsavo East National Park and the Tsavo West National Park comprise of the largest conservation area in the country and therefore of great importance to national security and it would be inappropriate to entrust management for purposes of the protection, conservation, sustainable use and management of wildlife from the National Government to a county government.

### **Recommendation**

Having considered the views of the key stakeholders, the Committee recommended that the legislative proposal should not be published on the grounds that, evidence from recent experience shows that national reserves under the management of the counties, for instance Narok and Isiolo Counties, have been managed poorly as has been exhibited by lack of management capacity, low staff morale, and rampant poaching among other challenges. Further, Tsavo East National Park and the Tsavo West National Park comprise of the largest conservation area in the country and therefore of great importance to national security and it would be inappropriate to entrust management for purposes of the protection, conservation, sustainable use and management of wildlife from the National Government to a county government.

### **MIN.NO.DC/ENR/231/2020:**

### **- CONSIDERATION AND ADOPTION OF THE REPORT ON A PETITION REGARDING ENCROACHMENT INTO THE NAIROBI NATIONAL PARK.**

The report on a Petition Regarding Encroachment into the Nairobi National Park was adopted after being proposed and seconded by Hon. Francis Chachu Ganya, M.P and Hon. Nasri Sahal Ibrahim, M. P. respectively.

It was adopted with the following observations and recommendations:

### **Observations**

1. The Nairobi National Park was unique in the sense that it was not only the smallest park in the country but also the only park within a city worldwide. However, the Park was experiencing an existential threat due to loss of huge tracts of land over the past few decades to encroachments meant for SGR, Southern Bypass, and construction of the ICD road among other developments. The park was choking due to pressure from the surrounding yet KWS was not doing enough to halt the numerous infrastructural projects especially on its eastern boundary.

2. The KWS management plan expired in 2010. The new management plan was being prepared in readiness for implementation from the year 2020. An earlier draft management plan had proposed building of a hotel within the park but that had already been revised. The plan was now to erect/ improve ecofriendly eateries within the park. The rangers' canteen put up in 1976 was running on an outdated concept and there was need to upgrade and modernize it. The committee further noted that hotel within a park is likely to degrade the flora and fauna, pollute the park through waste disposal mechanisms and noise due to movements which would scare away wildlife.
3. The KWS management plan under preparation proposes modernization of facilities not major constructions within the park. The eco-friendly modernization of facilities targets to improve:
  - a) The KWS club house, to be improved into a modern, eco-friendly eatery to serve both local and foreign tourists.
  - b) The ivory burning site, an educational facility is to be constructed at the site to educate park visitors on conservation matters.
  - c) The Impala Picnic Site that has a spectacular view is to be improved through erecting of an eco-friendly camping site, modern washrooms other amenities to serve visitors.
  - d) The Nairobi Tented Camp, an eco-friendly and temporal infrastructure set up by a private investor to accommodate visitors to the park to be upgraded without disruption of the ecosystem.
4. There were rampant cases of Human-Wildlife Conflict on the Southern boundary of the park due to increased human settlement in the area. The boundary was partly fenced near Ongata Rongai town. However, there were plans to fence the remaining part of the Southern boundary to mitigate Human-Wildlife Conflict.
5. The KWS had plans to provide for an underpass connection of the Nairobi National Park to the Ngong Road Forest Reserve. This would provide more space and migratory corridors for the animals in the park.
6. There was need to adopt best practices like the use of the land adjoining the park but owned by private investors who are willing to use their land for conservation purposes in perpetuity along park boundaries.
7. KWS and KRC entered into an easement agreement in 2019 granting an easement to KRC to construct an access road to ease cargo evacuation from ICD Nairobi into the Southern Bypass. In exchange for the grant of easement, KR was expected to meet various obligations to benefit conservation efforts and KWS in general. However, due to financial constraints, the KRC had not met all its obligations.
8. The KRC leased land that belongs to the Nairobi National Park on the park's eastern boundary. The lease was done to Grain Bulk Handlers Limited (GBHL) and Compact Freight Limited. A settlement was later reached where an alternative parcel was provided by KRC to KWS in compensation for the land lost to KR through its lease to Grain Bulk Handlers Limited. However, compensation for the land occupied by Compact Freight Limited was still in abeyance as negotiations were ongoing. The lease to the two companies was part of

government endeavours to increase uptake of cargo transported on the SGR. However, it was noted that despite the swap in parcels of land, the park boundaries shall remain unaltered since KWS will merely enter into an easement agreement to allow the KRC to utilise the parcels for intended purposes. There was need for the two state agencies to expedite conclusion of the easement agreements.

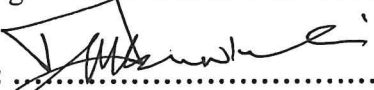
**Recommendations**

1. The Kenya Railways and Kenya Wildlife Service should conclude an easement agreement regarding the land occupied by both Grain Bulk Handlers Limited and Compact Freight Limited within **60 days** from the date of tabling of this report. The agreement should clearly indicate the land offered by KRC in compensation for land ceded by KWS.
2. The Kenya Wildlife Service should:
  - a) Develop innovative strategies to ensure the economic viability and ecological integrity of the park in light of the numerous existential threats posed to the park through unwarranted encroachments.
  - b) Clearly delineate the entire stretch of the Eastern Boundary of the Nairobi National Park and recover land lost through any irregular encroachments.
  - c) Expedite the execution of the agreement regarding benefits accruing to KWS after granting an easement for building of the ICD road.
3. The KWS should expedite the fencing of the Southern boundary of the Nairobi National Park. While fencing the boundary, consideration should be made for migratory corridors and buffer zones to deal with Human-Wildlife Conflicts likely to escalate due to increased human settlement in adjoining areas.
4. The Ministry of Tourism and Wildlife should report to the National Assembly **within 90 days**, from the date of tabling of this report, on the progress made in implementation of the recommendations contained herein.

**MIN.NO. DC/ENR/232/2020:**

**ADJOURNMENT**

There being no other business the meeting was adjourned at 5.55 pm.

SIGNED:   
.....  
**THE HON. KAREKE MBIUKI, M.P.**  
**CHAIRPERSON,**  
**DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

DATE: 4/11/2020  
.....





**MINUTES OF THE 40<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES HELD ON TUESDAY 6<sup>TH</sup> OCTOBER, 2020 AT THE KENYA WILDLIFE SERVICE HEAD OFFICE – NAIROBI NATIONAL PARK AT 10.00 AM.**

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**PRESENT**

- |   |                         |
|---|-------------------------|
| 1. <b>The Hon. Kareke Mbiuki, M.P.</b>        | <b>Chairperson</b>      |
| 2. <b>The Hon. Sophia Abdi Noor, M.P.</b>     | <b>Vice Chairperson</b> |
| 3. The Hon. Francis Chachu Ganya, M.P.        |                         |
| 4. The Hon. Bernard Shinali, M.P.             |                         |
| 5. The Hon. Hassan Oda Hulufu, M.P.           |                         |
| 6. The Hon. Nasri Sahal Ibrahim, M.P.         |                         |
| 7. The Hon. Simon Nganga King'ara, M.P.       |                         |
| 8. The Hon. Rehema Hassan, M.P.               |                         |
| 9. The Hon. Benjamin Dalu Tayari, M.P.        |                         |
| 10. The Hon. Charity Kathambi Chepkwony, M.P. |                         |
| 11. The Hon. (Eng.) Paul Musyimi Nzengu, M.P. |                         |

**APOLOGIES**

1. The Hon. David Kangogo Bowen, M.P
2. The Hon. Peter Kimari Kihara, M. P.
3. The Hon. Ali Wario Guyo, M.P.
4. The Hon. Rozaah Buyu. M.P.
5. The Hon. Said Hiribae, M.P.
6. The Hon. Amin Deddy Mohamed Ali, M.P
7. The Hon. Charles Ong'ondo Were, M.P.
8. The Hon. George Kariuki, M. P.

**IN ATTENDANCE**

**PETITIONERS**

- |                         |   |                            |
|-------------------------|---|----------------------------|
| 1. Ms. Maureen Some     | - | CEO, Wildnow Foundation    |
| 2. Ms. Kayla Waiyego    | - | Member, Wildnow Foundation |
| 3. Ms. Nicole Chepkoech | - | Member, Wildnow Foundation |
| 4. Mr. Brian Kipkoech   | - | Member, Wildnow Foundation |
| 5. Mr. Andrew Gachie    | - | Member, Wildnow Foundation |
| 6. Mr. Maxwell Muttai   | - | Member, Wildnow Foundation |

**KENYA WILDLIFE SERVICE**

- |                       |   |                        |
|-----------------------|---|------------------------|
| 1. Dr. Patrick Omondi | - | Director, Biodiversity |
| 2. Mr. Apollo Kariuki |   |                        |
| 3. Elema Saru         |   |                        |

4. Mary Kirabui
5. Daniel Muteti
6. Mwanahamisi Twalib
7. Anastancia Mwaura
8. Collins Thuni

**THE NATIONAL ASSEMBLY**

- |                         |   |                      |
|-------------------------|---|----------------------|
| 1. Ms. Esther Nginyo    | - | Clerk Assistant II   |
| 2. Mr. Dennis M. Ogechi | - | Clerk Assistant II   |
| 3. Mr. Sydney Lugaga    | - | Legal Counsel I      |
| 4. Mr. Eugene Apaa      | - | Research Officer III |
| 5. Mr. Stephen Nyakuti  | - | Audio Recording      |

**AGENDA**

- i) Prayers
- ii) Confirmation of Minutes
- iii) Matters Arising
- iv) **Inspection visit to the Nairobi National Park to assess encroachment of the park and respond to a petition by Maureen Some of Wildnow Foundation.**
- v) AOB
- vi) Date of the next Sitting

**MIN.NO. DC/ENR/210/2020: - PRELIMINARIES**

The meeting was called to order at 10.21 a.m. after which prayers were said. The Chairperson then asked all those present to introduce themselves. Thereafter, he stated that the main agenda of the meeting was to get a briefing from the KWS before embarking on an inspection visit to the Nairobi National Park to assess encroachment of the park in a bid to respond to a petition by Maureen Some of Wildnow Foundation.

The Members adopted the agenda of the meeting.

**MIN.NO.DC/ENR/211/2020: - CONFIRMATION OF MINUTES**

Confirmation of minutes of the previous sitting was deferred to the next meeting.

**MIN.NO.DC/ENR/212/2020: - BRIEFING FROM THE KWS ON THE NAIROBI NATIONAL PARK.**

Mr. Apollo Kariuki appeared before the Committee and briefed it that:

1. It was a legal requirement to have a park management plan and no development can be approved in the absence of a gazetted management plan.
2. The major issues of concern with respect to the Nairobi National Park include:
  - a) Habitat loss and fragmentation in the dispersal areas - Habitat Fragmentation & Quarries-Naretunoi & Sheep and Goats Ranch

- b) Decline in wildlife population;
  - c) Poaching,
  - d) Human Wildlife Conflicts - NNP animals normally move out during rainy season and predators follow them out.
  - e) Alien and invasive species;
  - f) Pollution;
  - g) Mining and quarries;
  - h) Climate change;
  - i) Low park visitation;
  - j) Increased urbanization - Land Use Zoning by Kajiado County Government leading to Habitat loss and fragmentation in the dispersal area.
  - k) Settlement on the Sheep and Goats Ranch;
  - l) Infrastructure development
3. Management options include:
- a) Maintaining the status quo
  - b) Habitat improvement through controlled burning, grass mowing and salt supplementation
  - c) Fencing along the southern park boundary
  - d) Habitat improvement in the park coupled with progressively fencing willing land owners to establish a buffer zone along the parks southern boundary.
4. Planned actions:
- a) Finalize the preparation of the management plan through: Presenting the revised draft plan to stakeholders for validation, compiling final draft plan, Presenting the final draft plan to KWS BOT for approval, Plan gazettement by the Cabinet Secretary.
  - b) Upgrade the existing temporary camp into a permanent low impact tented camp
  - c) Renovate the KWS Club House to a proper restaurant

## **MEMBERS' OBSERVATIONS**

Members observed that:

1. The southern boundary of the park had a connection to ensure migratory corridors through the sheep and goats ranch only. However, there were efforts being made, through a taskforce, to have a migratory corridor through the Swara ranch too.
2. There were also plans to have an underpass connection of the park to the Ngong Road Forest.
3. The KWS prioritized protection of buffer zones especially along the southern boundary of the park to adequately protect wildlife.
4. There was need to adopt best practices like the use of the land owned by private investors who are willing to use their land for conservation purposes in perpetuity along park boundaries.

**MIN.NO. DC/ENR/213/2020:**

- **INSPECTION VISIT TO THE  
NAIROBI NATIONAL PARK**

The Committee visited the following areas in and around the Nairobi National Park:

1. The Club House
2. Ivory Burning Site

3. Impala Picnic Site
4. The Nairobi Tented Camp
5. Southern Boundary Fence
6. ICD Road
7. Grain Bulk Handlers Contested Site

## **MEMBERS' OBSERVATIONS**

Members observed that:

1. The club house was to be improved into a modern, eco-friendly eatery to serve both local and foreign tourists.
2. An educational facility is to be constructed at the ivory burning site to educate park visitors on conservation matters.
3. The Impala Picnic Site has a spectacular view and is to be improved through erecting of an ecofriendly camping site, modern washrooms other amenities to serve visitors.
4. The Nairobi Tented Camp was ecofriendly and temporal infrastructure set up by a private investor to accommodate visitors to the park.
5. Southern Boundary was partly fenced near Ongata Rongai. There were plans to fence the entire stretch of the boundary to mitigate human-wildlife conflict that was rife in the area due to increased human settlement.
6. The ICD road was done by Kenya National Highways Authority on land allegedly provided by Kenya Railways Corporation but belonging to KWS (Nairobi National Park). This land wasn't alienated through a process approved by Parliament hence an anomaly. KWS wasn't paid for ceding the land but an agreement was reached on KRC building staff houses for KWS staff.
7. The KRC leased land that belongs to the KWS (Nairobi National Park) to grain bulk handlers. A settlement was later reached where an alternative parcel was provided by KRC to KWS in compensation for the land lost to KRC through its lease to Grain Bulk Handlers. The swap of land parcels is irregular since it had no parliamentary approval. A similar situation obtains with respect to land leased by KRC to Compact Company in the same vicinity.

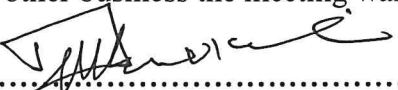
## **RESOLUTIONS**

1. It was resolved that KWS furnishes the Committee with the following by Tuesday 13<sup>th</sup> October, 2020:
  - a) The original Nairobi National Park management plan;
  - b) The proposed Nairobi National Park management plan;
  - c) The Agreement between KWS and Kenya Railways Corporation regarding the ICD Road
  - d) The Nairobi National Park land maps; and
  - e) Correspondences between KWS and Kenya Railways Corporation and other stakeholders (private companies) on the boundary dispute.
2. Invite both Compact Company and Grain Bulk Handlers to make submissions on the boundary dispute before the Committee.

**MIN.NO. DC/ENR/214/2020:**

**ADJOURNMENT**

There being no other business the meeting was adjourned at 6.40 pm.

SIGNED:  .....

**THE HON. KAREKE MBIUKI, M.P.  
CHAIRPERSON,  
DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

DATE: 4/11/2020 .....



**MINUTES OF THE 36<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES HELD ON FRIDAY 25<sup>TH</sup> SEPTEMBER, 2020 IN THE COMMITTEE ROOM ON 2<sup>ND</sup> FLOOR, CONTINENTAL HOUSE PARLIAMENT BUILDINGS AT 10:00 AM.**

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**PRESENT**

- |   |                         |
|---|-------------------------|
| 1. <b>The Hon. Kareke Mbiuki, M.P.</b>    | <b>Chairperson</b>      |
| 2. <b>The Hon. Sophia Abdi Noor, M.P.</b> | <b>Vice Chairperson</b> |
| 3. The Hon. Francis Chachu Ganya, M.P.    |                         |
| 4. The Hon. Bernard Shinali, M.P.         |                         |
| 5. The Hon. Rozaah Buyu. M.P.             |                         |

**APOLOGIES**

1. The Hon. David Kangogo Bowen, M.P.
2. The Hon. Hassan Oda Hulufu, M.P
3. The Hon. Nasri Sahal Ibrahim, M.P.
4. The Hon. Peter Kimari Kihara, M. P.
5. The Hon. Ali Wario Guyo, M.P.
6. The Hon. Simon Nganga King'ara, M.P.
7. The Hon. Said Hiribae, M.P.
8. The Hon. Amin Deddy Mohamed Ali, M.P
9. The Hon. Charles Ong'ondo Were, M.P.
10. The Hon. George Kariuki, M. P.
11. The Hon. Rehema Hassan, M.P.
12. The Hon. Benjamin Dalu Tayari, M.P.
13. The Hon. Charity Kathambi Chepkwony, M.P
14. The Hon. (Eng.) Paul Musyimi Nzengu, M.P.

**FRIEND TO THE COMMITTEE**

The Hon. Michael Muchira, M.P.

**IN ATTENDANCE**

**MINISTRY OF TOURISM AND WILDLIFE**

- |                           |   |  |
|---------------------------|---|--|
| 1. Joseph K. Boinnet      | - | Chief Administrative Secretary           |
| 2. Prof. Fred Segor       | - | Principal Secretary                      |
| 3. Brig. (Rtd.) J. Waweru | - | Director General, Kenya Wildlife Service |
| 4. Mary N. Kirabui        | - | Assistant Director, Kws                  |
| 5. Micheal Wanjau         | - | KWS                                      |



## **WILDNOW FOUNDATION**

- |                    |   |                         |
|--------------------|---|-------------------------|
| 1. Maureen Some    | - | CEO, Wildnow Foundation |
| 2. Kayla Waigego   | - | Wildnow Foundation      |
| 3. Elma Kajuju     | - | Wildnow Foundation      |
| 4. Andrew Gachie   | - | Wildnow Foundation      |
| 5. Evaline Chemtai | - | Wildnow Foundation      |
| 6. Maxwell Mutai   | - | Wildnow Foundation      |

## **THE NATIONAL ASSEMBLY**

- |                          |   |                      |
|--------------------------|---|----------------------|
| 1. Mr. Eugene Apaa       | - | Research Officer III |
| 2. Mr. Fredrick Muthengi | - | Chief Fiscal Analyst |
| 3. Mr. Stephen Nyakuti   | - | Audio Recording      |

## **AGENDA**

- i) Prayers
- ii) Confirmation of Minutes
- iii) Matters Arising
- iv) Meeting with the Cabinet Secretary for Tourism and Wildlife regarding:
  - Response to Questions from the following Members: Hon Kubai Iringo, Hon Danson Mwashako, Hon. Michael Muchira;
  - Response to the Petition on Nairobi National Park Encroachment by Ms. Maureen Memo
  - Response to the issues raised by the Committee on parks Encroachment; and
  - Briefing on sessional paper no. 01 of 2020 on Wildlife Policy.
- v) AOB
- vi) Date of the next Sitting

## **MIN.NO. DC/ENR/188/2020:**

## **- PRELIMINARIES**

The meeting was called to order at 10.25 a.m. after which prayers were said. The Chairperson then asked all those present to introduce themselves. Thereafter, he stated that the main agenda of the meeting was meeting with the Cabinet Secretary for Tourism and Wildlife regarding:

- Response to Questions from the following Members: Hon Kubai Iringo, Hon Danson Mwashako, Hon. Michael Muchira;
- Response to the Petition on Nairobi National Park Encroachment by Ms. Maureen Memo
- Response to the issues raised by the Committee on parks Encroachment; and
- Briefing on Sessional Paper No. 01 of 2020 on Wildlife Policy.

The Members adopted the agenda of the meeting.

## **MIN.NO.DC/ENR/189/2020:**

## **- CONFIRMATION OF MINUTES**

Confirmation of Minutes of the previous Sitting was deferred to the next meeting.



**MIN.NO.DC/ENR/190/2020:**

- **MEETING WITH THE CABINET  
SECRETARY FOR TOURISM AND  
WILDLIFE REGARDING RESPONSE  
TO A QUESTION FROM HON.  
MICHAEL MUCHIRA, MP**

Hon. Michael Muchira, MP posed his question as follows:

- a) Could the Cabinet Secretary outline measures the Ministry has put in place to address the Human-Wildlife Conflict on Ol Jorok Constituency particularly involving hippopotamuses in the areas near Lake Ol-Bolossat?
- b) Are there any measures in place by the Ministry to facilitate compensation of the area residents for losses incurred as a result of destruction of crops and other properties by the said wildlife?

Joseph K. Boinnet, Chief Administrative Secretary, Ministry of Tourism and Wildlife responded as follows:

1. On measures put in place to address the Human-Wildlife Conflict on Ol Jorok Constituency he stated that:
  - a) KWS has an office in Nyandarua County and an outpost at Mutitu area. These have a ranger force of 15 with 2 vehicles for mobility.
  - b) Four wildlife sensitization meetings on hippo behavior and mitigation of HWC held at Lake. Ol-Bolossat. In this respect, KWS was collaborating with NEMA, KFS and the county government.
  - c) Lake. Ol-Bolossat area has produced 2 of the 4 community representatives to the Nyandarua Community Conservation Committee that handles matters of HWC.
2. On measures in place by the Ministry to facilitate compensation of the area residents for losses incurred he stated that 40 claims (copy of details provided) had been lodged for compensation from the year 2017 to date and were being processed.

#### **OBSERVATIONS**

1. The measures to address HWC are largely short term and the KWS ought to consider serious long term interventions like fencing to control animals and insurance for compensation.
2. Between 2013 and 2017, no compensation was made due to lack of funds.
3. The Ministry of Tourism and Wildlife should compensate victims of HWC equitably across the country.
4. The ministry was considering going the insurance way in compensation of victims. The same was in trial phase before being rolled out.
5. 40 cases within a year in one constituency was too high. There was need for the KWS to be proactive in controlling HWC.

**MIN.NO. DC/ENR/191/2020:**

- **MEETING WITH THE CABINET  
SECRETARY FOR TOURISM AND  
WILDLIFE REGARDING RESPONSE  
TO A QUESTION FROM HON KUBAI  
IRINGO, MP.**

Hon Chachu Ganya, MP posed the question on behalf of Hon. Kubai Iringo, MP as follows:

- a) Could the Cabinet Secretary provide a progress report on the status of construction of Kabukuro Borehole in Igembe Central Constituency commissioned by the KWS?
- b) The funds allocated and utilized since its inception?
- c) Measures to ensure the project is completed?

Joseph K. Boinnet, Chief Administrative Secretary, Ministry of Tourism and Wildlife responded as follows:

1. Kabukuro borehole is a community project drilled and fully funded by Plan international in 1987. It collapsed when cleaning and solar power installation attempts were made.
2. The KWS took it up through its CSR program. However, attempts to refurbish it failed calling for new borehole initiative.
3. KWS approved the initiative and a consultant (Charlis Bichage Osano) was brought on board in February, 2019 to undertake a hydrological survey.
4. Estimated project cost was Ksh. 2,358,000. Of this, Ksh. 330,000 had been used. Ksh 180,000 for a completed hydrological survey and Ksh. 150,000 for EIA by NEMA (not yet submitted).
5. The project was being considered for funding in the 2020/2021 FY.

#### **OBSERVATIONS**

1. KWS should consider conducting own EIA in connection with NEMA.
2. There was need for the KWS to follow up on the progress of the EIA report with NEMA to ensure the project is expedited.

**MIN.NO. DC/ENR/192/2020:**

**MEETING WITH THE CABINET SECRETARY FOR TOURISM AND WILDLIFE REGARDING RESPONSE TO A QUESTION FROM HON DANSON MWASHAKO.**

The Hon Danson Mwashako, MP neither made it to the meeting nor delegated his question. The question was consequently dropped.

**MIN.NO. DC/ENR/193/2020:**

**MEETING WITH THE CABINET SECRETARY FOR TOURISM AND WILDLIFE REGARDING RESPONSE TO THE PETITION ON NAIROBI NATIONAL PARK ENCROACHMENT BY MS. MAUREEN MEMO**

Joseph K. Boinnet, Chief Administrative Secretary, Ministry of Tourism and Wildlife appeared before the Committee and briefed it that:

1. The ongoing planning for Nairobi National Park is in line with the Wildlife Conservation and Management Act, 2013.
2. Stakeholder engagement was being conducted and valuable feedback received that was being incorporated in the revised Nairobi National Park Plan.
3. The park had a perimeter fence except on the southern part, along Mbagathi river. In the past there was free movement in and out of the park on the southern part but human settlements were encroaching on the area.
4. Between 2015 and 2019, there have been 51 cases of HWC in settled areas along the southern part of the park. This led to 4 deaths and 2 injuries. The problem animals involved were rhinos, hyenas, hippos, buffaloes, and lions. KWS plans to erect a fence to curb the HWC in that area of the park.
5. Land owners practicing land use that was compatible with the park and were willing to be fenced into the park will be so fenced. This would offer a buffer zone along the southern park boundary. The buffer zone will protect the park from pollution, visual intrusion that are associated with dense human settlement. An EIA will be done before reception of the fence.
6. To enhance visitor experience in the park, the draft management plan proposes an improvement of tourist facilities in the park. This includes visitor amenities (like modern washrooms, resting shades, and benches) at tourist facilities like park entry gates and picnic sites. It also involves renovation of KWS restaurant and leasing it to an investor and upgrading an existing temporary camp into a permanent low impact tented camp. There is no new tourist facility proposed for construction in the plan.
7. EIA studies were done before each of the infrastructural projects were done including SGR, Roads, power line and oil pipeline. KWS has been implementing environmental management plans for the infrastructure to mitigate their impact on the wildlife. Therefore, no significant negative impacts arising from the public infrastructure had been noted.

## **OBSERVATIONS**

1. Grain Bulk Handlers and Compact Company have put up silos in part of Nairobi National Park. The said land was granted mistakenly by the Kenya Railways Corporation.
2. Nairobi National Park experiences an existential threat and the Ministry was looking for ways of ensuring its viability by ensuring maintenance of its ecological integrity. There were also efforts to reposition the park as a premier park within a city.
3. The KWS management plan expired in 2010. There were plans to have the plan being developed ready for implementation from the year 2020. Public participation was still open before validation of the final draft of the management plan. An earlier draft management plan had proposed building of a hotel within the park but that had already been revised. The plan was now to erect/ improve ecofriendly eateries within the park. The rangers' canteen put up in 1976 was running on an outdated concept and there was need to upgrade and modernize it.
4. There were plans to modernize by having an excellent reception, modern washrooms, shop to sell memorabilia, improve picnic sites and have an education centre to educate visitors on what to expect in the park.
5. There were plans to fence the southern boundary of the park to aid in mitigation of Human-Wildlife Conflict. There will be efforts to create a buffer zone on that boundary area and migratory corridors.



6. The Nairobi national park was choking due to pressure from the surrounding yet KWS was not doing enough to halt the numerous infrastructural projects especially on its boundary along Mombasa road.
7. There was need to engage the committee on the management plan before its validated and consequently implemented.
8. Alteration of park boundaries is an exclusive mandate of the National Assembly and no such alteration can be done without its approval.
9. There was need to plan a visit to the Nairobi national park by the committee within a week accompanied by KWS and KRC officials.
10. Covid-19 had greatly impacted the Nairobi National Park and KWS in general with a decline of visitors by 90%.

**Resolutions**

1. The secretariat schedules a meeting with the management of Kenya Railways Corporation to deliberate on the anomaly of allocating land under KWS to third parties.
2. The secretariat plans a visit to the Nairobi National Park by the Committee within a week accompanied by KWS, the petitioners and KRC officials.

**MIN.NO. DC/ENR/194/2020:**

**- ADJOURNMENT**

There being no other business the meeting was adjourned at 1.55 pm.

**SIGNED:** .....

**THE HON. KAREKE MBIUKI, M.P.**

**CHAIRPERSON,**

**DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

**DATE:** ..... 4 / 11 / 2020 .....



- iii) Matters Arising
- iv) **Meeting with the Wildnow Foundation regarding a petition on encroachment into the Nairobi National Park.**
- v) AOB
- vi) Date of the next Sitting

**MIN.NO. DC/ENR/140/2020: - PRELIMINARIES**

The meeting was called to order at 2.53 pm after which prayers were said. The Chairperson then asked all those present to introduce themselves and thereafter stated that the main agenda of the meeting was meeting with the WildNow Foundation regarding a petition on encroachment into the Nairobi National Park.

The Members adopted the Agenda of the meeting.

**MIN.NO.DC/ENR/141/2020: - CONFIRMATION OF MINUTES**

Confirmation of minutes of the previous sitting was deferred to the next meeting.

**MIN.NO.DC/ENR/142/2020: - MEETING WITH THE WILDNOW FOUNDATION REGARDING A PETITION ON ENCROACHMENT INTO THE NAIROBI NATIONAL PARK.**

Maureen Memo, the CEO of the WildNow Foundation appeared before the committee and briefed it that:

1. Nairobi is the world's only capital with a natural park just minutes from the CBD. Our 117km sq park is our heritage and treasure with its 400 bird species and over 90 odd mammalian species. It is a core function of tourism attraction for our guests as it presents panoramic authentic wildlife and greenery experiences a stones throwaway from the bustle of Nairobi's CBD. This makes it a veritable attraction for both local and international travel feeding the exchequer with valued taxes and forex. Unfortunately, being encroached thus posing a threat to biodiversity and the sustainability of the park's status as a global attraction.
2. Plans to hive and fence off land for the satisfaction of the newly designed NNP 2020-2030 Management Plan presents challenges to both flora and fauna. All environmental engagements must satisfy Kenya's national aspirations across the arch of centuries, not mere decades.
3. Plans to build the hotel are adding to the already compromised environmental integrity of Nairobi's air purity and proximate wildlife dispersal areas such as Kitengela, Isinya and Kajiado.
4. Challenges like sighting of animals caught off their regular zones have seen lions in Langata and Kitengela suburbs in the dry season. Migratory paths are facing more blockades; urban recreation for the ordinary Kenyan youth is also coming under stark threat. With climate change a reality, such will get worse. All these will invariably push up park enjoyment cost benefits for the average tourist, further disenfranchising young users for whom we are supposed to hold this national treasure and heritage we call NNP.

5. Residents of these areas can expect to have sharp relief human- animal conflicts going forward as frustrated animals find migratory paths blocked or experience food and water scarcity. Future generations of handicapped wildlife are foreseen by Wild Now Foundation.
6. The Nairobi National Park's (NNP) landscape was once a postcard of natural forests, flying raptors and buzzing birdlife, a labyrinthine riverine ecosystem and adaptive wetlands filled with all manner of aquatic resources. Over time this has been threatened by decimation of land available for the animals in the last 3 decades leading to dulling the shine off the erstwhile eco-centric National Park. Land has been hived off for the Southern bypass, the SGR rail route, a pipeline and now a possible hotel. All these encroachments have eaten out over 10,000ha in 3 decades. The park can hardly recognize itself!
7. The disruption of forests, forest-life as urban-sprawl takes over in surrounding mixed rangeland and bush lands affects population density and distribution of animals. Bio diversity is nipped at the bud and these shorten the life of both flora and fauna. By affecting feeding habits of animals, it leads to starvation in the long term as precious flora, central to nutrition and the ecosystem support fade.
8. Already, aquatic resources such as Hippopotamus, Crocodiles in the Mbagathi river have dwindled within the park largely due to pollution of the river and other streams flowing through the park from Ngong Hills.
9. The organization in the short term recommended:
  - a) Stoppage of land subdivision for the proposed National Park Hotel and any other demarcation in the remaining park areas.
  - b) Zone Isinya division appropriately limiting land sizes and limiting to land uses compatible to wildlife conservation eg pastoralism, eco-tourism, conservation agriculture, and River Athi watershed management for water quality and soil conservation.
  - c) Encourage the locals to lease land to KWS while still being allowed to use it for grazing their livestock as piloted by FoNNaP. The leased parcels should not be fenced while an effective and efficient conflict management mechanism is put in place.
  - d) Consolidate subdivided parcels by removal of fences- allowing unhindered migratory pathways and innovatively broadening the attitude of Kenyans towards sustainable living for our common future.
  - e) Working with communities around the park to ensure innovative and sustainable coexistence between people especially the youth and wild animals by cultivating a sense of symbiotic and mutual relations and increased environmental consciousness.
  - f) KWS avoids this Covid19 lockdown window as a time for public participation given health, transport and even communication challenges posed by the times. That KWS instead satisfies its core mandate of improving the consciousness of Kenyan citizenry – especially the youth whose future is in peril- of conservation and management of national parks, wildlife conservation areas and sanctuaries.
10. In the long term it recommends:
  - a) A policy be formulated requiring land purchase comprising the Isinya corridor by the KWS or requiring annual compensation of land owners in the corridor for use of their land by wild animals while they avoid using the land for incompatible activities. The government can alternatively acquire the migratory corridor land compulsorily and have it under the custodian of KWS to further shield wildlife.

- b) Promote compact development of Kitengela town through planned, relatively high density development with well-defined urban growth boundaries to ease encroachment pressure on the migration corridor.
- c) Development of Nairobi Metropolitan Open Space System (NMOSS) as an integral component of the city's spatial plan seeking to conserve the region's natural resources and better coordination of open space systems of local governments within the metropolitan region. The system should be an interconnected network of open spaces that also support the interaction between social, economic, and ecological activities while enhancing and sustaining both human settlements and ecological processes.
- d) Alongside the above, enforcement of regulations against haphazard sinking of boreholes in the wider area should be strengthened to reduce inequitable access to underground water thus reduce water conflicts for flora and fauna.

**MIN.NO. DC/ENR/143/2020:**

**OBSERVATIONS**

Members made the following observations:

1. There was no harm in the KWS conducting public participation in the Covid-19 period since it could be done through digital/online platforms.
2. The Nairobi national park was unique in the sense that it was the smallest park in the country but also the only park within a city worldwide.
3. The Nairobi national park had lost huge tracts of land over the past few decades due to encroachments meant for SGR, southern bypass, among other developments.
4. There was need to establish the motivation for setting up the proposed hotel in the park. However, a hotel within a park is likely to degrade the flora and fauna, pollute the park through waste disposal mechanisms and noise due to movements which would scare away wildlife.
5. There was no justification for establishment of a hotel in the park since the park was within a city which had thousands of hotels that could cater for all range of visitors to the park unlike other parks that were located in remote locations.
6. The KWS management plan cites migration of some species due to disruption of their ecosystems by the SGR and the southern bypass. A hotel in the park is likely to have similar effects.
7. There was need for the KWS to provide the committee with the EIA report done for the project.

**RESOLUTION**

The Committee shall schedule a meeting with the Cabinet Secretary for Tourism and Wildlife and the Kenya Wildlife Service to engage them on the matters canvassed in the petition.

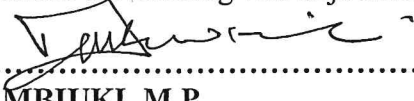


**MIN.NO. DC/ENR/144/2020:**

**ADJOURNMENT**

There being no other business the meeting was adjourned at 5.01 pm.

**SIGNED:** .....



**THE HON. KAREKE MBIUKI, M.P.**

**CHAIRPERSON,**

**DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

**DATE:** ..... 4 / 11 / 2020 .....

# **ADOPTION LIST**

**ENVIRONMENT AND NATURAL RESOURCES COMMITTEE ATTENDANCE REGISTER**

DATE: 23/10/2020

VENUE: White Sands Hotel, Mombasa.

STARTING TIME: 9 AM

ENDING TIME: 1.00 PM

REPORT WRITING RETREAT IN WHITESANDS MOMBASA FROM 20<sup>TH</sup> TO 24<sup>TH</sup> OCTOBER, 2020

	NAME	SIGNATURE
1.	The Hon. Kareke Mbiuki , M.P., Chairperson	
2.	The Hon. Sophia Abdi Noor , M.P., Vice Chairperson	
3.	The Hon. Francis Chachu Ganya, M.P.	
4.	The Hon. Bernard Shinali, M.P.	
5.	The David Kangogo Bowen, M.P.	
6.	The Hon. Simon King'ara, M.P.	
7.	The Hon. Benjamin Dalu Tayari, MP.	
8.	The Hon. Charity Kathambi Chepkwony, M.P.	
9.	The Hon. Charles Ong'ondo Were, M.P.	
10.	The Hon. Amin Deddy Mohamed Ali, M.P.	
11.	The Hon. Hassan Oda Hulufu, M.P.	
12.	The Hon. George Kariuki, M.P.	
13.	The Hon. Ali Wario Guyo, M.P.	
14.	The Hon. Nasri Sahal Ibrahim, M.P.	
15.	The Hon. Peter Kimari Kihara, M.P	
16.	The Hon. Eng. Paul Musyimi Nzengu, M.P.	
17.	The Hon. Rehema Hassan, M.P.	
18.	The Hon. Rozaah Buyu. M.P.	
19.	The Hon. Said Hiribae, M.P.	

COMMITTEE CLERK: RUTH RAGINYO SIGNATURE:

DIRECTOR, COMMITTEES: Peter K. Chemweno SIGNATURE:

**COPY OF THE  
PETITION**



**PETITION TO THE NATIONAL ASSEMBLY PURSUANT TO ARTICLE 119 OF THE CONSTITUTION, THE PETITIONS TO PARLIAMENT (PROCEDURE) ACT, 2012 AND THE NATIONAL ASSEMBLY STANDING ORDERS.**

**TO THE HON. JUSTIN MUTURI, EGH, MP,  
THE SPEAKER OF THE NATIONAL ASSEMBLY,  
PARLIAMENT BUILDINGS,  
P.O BOX 41842-00100,  
NAIROBI.**

I am citizen of Kenya and the Chief Executive Officer of the WildNow Foundation and the Petitioner herein and I do make this Petition on behalf of the Foundation.

**IN THIS REGARD, WE WISH TO DRAW THE ATTENTION OF THE HOUSE TO THE FOLLOWING-**

1. **THAT** the WildNow Foundation is a youth-based organization that aims at promoting conservation and sustainability in Kenya.
2. **THAT** Nairobi is the only Capital with a natural park and it is 117 square kilometers with 400 bird species and over 90 mammalian species.
3. **THAT** the Nairobi National Park has been a source of revenue for the national government obtaining from both local and foreign tourism.
4. **THAT** despite the economic value of the National Park to the country, there have been plans to hive and fence off land for the newly designed Nairobi National Park 2020-2030 Management Plan which presents challenges to both flora and fauna at the Park.
5. **THAT** over the years, encroachment of the Park have led to further degradation of the environment through air pollution, change of migratory routes/paths for wild animals, increase in animal-human life conflicts, rapid decrease of wild animals population due to encroachment of their normal feeding and grazing areas and interference with the aquatic resources that have affected the aquatic ecosystem for aquatic animals.

**NATIONAL ASSEMBLY  
RECEIVED**

**01 JUL 2020**

**SPEAKER'S OFFICE  
P. O. Box 41842, NAIROBI.**



PETITION TO THE NATIONAL ASSEMBLY PURSUANT TO ARTICLE 119 OF THE CONSTITUTION, THE PETITIONS TO PARLIAMENT (PROCEDURE) ACT, 2012 AND THE NATIONAL ASSEMBLY STANDING ORDERS.

6. THAT further the plans to now build the National Park Hotel will not only lead to further environmental degradation of the Park but will also render the Park nearly nugatory as the encroachment shall be done to an ecosystem that is barely in existence due to the encroachment that has happened over the years.
7. THAT despite our efforts to have the matters raised herein addressed by the Ministry of Tourism and Wildlife and other relevant bodies our efforts have been futile.
8. THAT the issues in respect of which the Petition is made are not pending before any court of law or constitutional or legal body.

THEREFORE, THE PETITIONER PRAYS AND WILL EVER PRAY-

- (a) THAT the Departmental Committee on Environment and Natural Resources does pursuant to Standing Order 216(5)(a) investigate and inquire into all the matters raised herein; and
- (b) THAT it does make the relevant and appropriate recommendations thereof with a view of ensuring that the economic value of the National Park to the country is not threatened through continued encroachment and that the flora and fauna at the Park is also protected from extinction.

Name..... *Maurice Momo Sam* .....

Date..... *26-6-2020* .....

Address..... *Nairobi 3050* .....

I.D Number..... *38301354* .....