



County Government of Isiolo Rangelands Management Bill, 2022

A proposed bill to provide appropriate legal framework and mechanisms for conserving and managing rangelands, and for connected purposes in Isiolo County

ISIOLO COUNTY RANGELANDS MANAGEMENT BILL, 2022

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A BILL for

AN Act of the Isiolo County Assembly to provide appropriate legal framework and mechanisms for conserving, restoring and managing rangelands, and for connected purposes

ENACTED by the Isiolo County Assembly as follows-

PART I – PRELIMINARY

1. This Act may be cited as the County Government of Isiolo Rangelands Management Act, 2022. Title and Commencement

2. In this Act unless the context otherwise requires- Interpretation

“Chief Officer” means the County Chief Officer for the time being in charge of rangelands management matters in the County;

“community” means the local inhabitants and users of the rangelands resources in the County;

“County” means the Isiolo County;

“County Assembly” means Isiolo County Assembly;

“County Government” means the Isiolo County Government;

“Ecosystem” means a dynamic complex of plant, animal micro-organism communities and their non-living environment interacting as a functional unit;

“Environmental Impact Assessment” means a systematic examination conducted to determine whether or not a programme, activity or project will have any adverse impacts on the environment;

“Executive Committee Member” means the County Executive Committee Member for the time being in charge of rangelands management matters in the County;

“Fund” means the Rangelands management Fund established in section 44 of this Act;

“Fund Administrator” the Administrator of the Rangelands management Fund established in section 44 of this Act;

“**Gazette**” means the Kenya Gazette;

“**Governor**” means the Governor of Isiolo County;

“**National Government**” means the Government of the Republic of Kenya;

“**rangelands**” means land carrying natural vegetation which provides habitat suitable for herds of wild or domestic animals whether privately or communally owned within the County, excluding gazetted settlements;

“**Steering Committee**” means the County Rangelands Management Steering Committee established in section 4 of this Act;

“**Technical Committee**” means the County Rangelands management Technical Committee established in section 15 of this Act;

“**Ward Committee**” means the Ward Rangelands management Committee established in section 23 of this Act.

3. (1) The object of this Act is to facilitate and promote the sustainable and holistic management of rangelands and rangelands resources through:
- (a) strengthening customary mechanisms for grazing control;
 - (b) facilitating community peace building ;
 - (c) promoting inter-community access to rangelands resources;
 - (d) regulation of fencing in rangelands areas;
 - (e) protection of seasonal rangelands reserves;
 - (f) optimize the economic potential of the rangelands;
 - (g) facilitate land related County Planning and Development under the Fourth Schedule of the Constitution of Kenya; and,
 - (h) adopt any other approaches and initiatives in furtherance of the objectives stated above

Objective and Guiding Principles

(2) The implementation of this Act shall be guided by the following principles-

- (a) every person has the right to a clean and healthy environment and a duty to safeguard and enhance the environment;
- (b) the right to development of the rangelands will be exercised taking into consideration sustainability, resource efficiency, and economic, social and environmental needs;
- (c) an integrated ecosystem approach to conserving rangelands resources will be adopted and enhanced to ensure that all ecosystems are managed seamlessly while also providing a rangelands of benefits to the citizenry;
- (d) the benefits that rangelands ecosystems generate will be integrated into the county and national accounting system, programs and projects;
- (e) rangelands resources will be utilized in a manner that does not compromise the quality and value of the resource or decrease the carrying capacity of supporting ecosystems. Prevention of rangelands degradation through the adoption of sustainable rangelands management practices is more effective than rangelands rehabilitation;
- (f) the management of the rangelands will ensure equitable access to resources for present and future generations;
- (g) a coordinated and participatory approach to rangelands management will be embraced to ensure that the relevant government agencies, county governments, private sector, civil society, landowners and communities are involved in planning, implementation and decision-making processes;
- (h) the management of the rangelands will be through decentralization and devolution of authority and responsibilities to the lowest level possible;
- (i) the precautionary principle shall be applied in decision making to avoid an irreversible loss of opportunity: Where there are credible threats of serious or irreversible damage to key environmental resources, lack of full scientific certainty will not be used as a reason for

postponing cost-effective measures to prevent environmental degradation.

- (j) the polluter and users of ecological and natural resources in the rangelands shall bear the full environmental and social costs of their activities;
- (k) rule of law, effective institutions, transparency and accountability, respect for human rights and the meaningful participation of citizens will be integrated in rangelands management;
- (l) where benefits will accrue from utilization of biodiversity, these will be shared to promote conservation and sustainable use of biodiversity; and
- (m) building resilience in rangelands ecosystems will be critical to managing uncertainty in the landscapes and adapting to short-term and long-term changes such as seasonal conditions and climate change.

PART II – INSTITUTIONAL ARRANGEMENT

- 4. (1) There is established a Rangelands Management Division, as a Division in the County Ministry of Agriculture, Livestock and Fisheries. Establishment of the Rangelands Management Division

- (2) The County Executive Committee Member shall ensure that the Rangelands Management Division is established and operationalized in accordance with the provisions of section 56 of the County Governments Act, 2012.

- 5. There is here established the County Rangelands Management Steering Committee. Establishment of County Rangelands Management Steering Committee

- 6. The Steering Committee shall coordinate and oversee the conservation and management of rangelands in the County and in this connection shall- Functions of the Steering Committee
 - (a) coordinate formulation and monitor implementation of the County Rangelands Strategy, the County Rangelands Management Plan and any other county rangelands policies, plans and strategies;

- (b) mobilize funds into the County Rangelands management Fund established under this Act;
- (c) review, approve and monitor implementation of Regulations for administration and management of the Fund;
- (d) review and make recommendations on the biannual report on the implementation of the County Rangelands Strategy and any other reports on rangelands management in the County;
- (e) advise the county government on legislative, policy and other measures necessary for rangelands management;
- (f) approve and oversee the implementation in the County of a comprehensive programme of rangelands management education, awareness creation and capacity building;
- (g) provide policy direction on research, training and dissemination of information relating to rangelands management to the public and other stakeholders in the County;
- (h) ensure positive linkages, interactions and synergy between the County, neighboring counties and the national government in rangelands management programming and action’
- (i) ensure a coordinated approach to rangelands management within the county government and national government and among the different stakeholders in the County;
- (j) coordinate the formulation of a reporting framework for rangelands management and the preparation and dissemination of an annual report on rangelands management activities in the County; and
- (k) perform any other functions that may further the foregoing objectives and/or as may be assigned by the Governor.

7. (1) The Steering Committee shall comprise 13 members who shall be appointed by the Governor on the recommendation of the County Executive Committee Member

Composition of the Steering Committee

(2) The Members of the Steering Committee shall be:

- (a) Governor as Chair;
- (b) County Commissioner as Co-chair
- (c) Executive Committee Member;
- (d) County Executive Committee Member in charge of the County Treasury;
- (e) County Executive Committee Member in charge of water, environment, natural resources and climate change;
- (f) County Executive Committee Member in charge of lands
- (g) County Coordinator, National Drought Management Authority
- (h) Three (3) community representatives nominated by the Executive Committee Member and appointed by the Governor of whom-
 - i. one will be a woman,
 - ii. one will be a youth and
 - iii. one will be a person with disability
- (i) one representative from development partners working within the County;
- (j) one representative of the conservancies in the County; and
- (k) Chair of the Fund.

(3) A person shall only qualify to be nominated for appointment under subsection (2)(h) and (j) if the person has demonstrated experience, or expertise and interest on issue of rangelands management and/or environmental conservation and has actively and publicly engaged with these issues in the County.

(4) Without prejudice to the provisions of subsection (2) a person shall not qualify to be nominated for appointment under subsections (h) and (j) unless such person is-

- (a) a citizen of Kenya; and,
- (b) fulfils the requirements of Chapter 6 of the Constitution;

(5) The Governor shall ensure compliance with the two-thirds gender principle in the appointment of members of the Steering Committee.

(6) The Governor and the County Commissioner may appoint their respective representatives to perform their respective roles as specified in subsection (2) (a) and (b).

8. Members of the Steering Committee appointed under section 6(2) (h) (i) and (j) shall serve for one non-renewable term of three years. Term of the Steering Committee
9. (1) A member of the Steering Committee may resign from the Committee by issuing one month's notice in writing. Removal of Member of the Steering Committee
- (2) A member of the Steering Committee may be removed from the Committee by the Governor on any or a combination of the following grounds-
- (a) failure to attend two consecutive meetings of the Steering Committee without reasonable cause duly communicated to the chair of the Committee;
 - (b) serious violation of the Constitution or any other written law;
 - (c) gross misconduct;
 - (d) physical or mental incapacity; and/or,
 - (e) bankruptcy.
- (3) A person who is a member of the Steering Committee under section 6(2) (e), (f), (g) and (h) shall cease to be a member of the Committee upon ceasing to be a member of the interest group or upon being recalled by the interest group for a good cause and

through a written communication from an authorized official of the interest group to the chair of the Committee.

(4) Whenever a member of the Steering Committee is removed or otherwise ceases to be a member of the Committee, the County Executive Committee Member shall advise and/or propose a replacement to the Governor within 30 days of the vacancy

10. (1) The County Executive Committee Member shall be the secretary to the Steering Committee.

Secretary and Secretariat of the Steering Committee

(2) The Rangelands Management Division shall be the secretariat of the Steering Committee.

11. (1) Members of the Steering Committee shall at their first meeting elect a vice-chair from amongst the members appointed under section 6 (2) (g), (h), (i) and (j).

Meetings of the Steering Committee

(2) The Steering Committee shall meet at least twice in a financial year.

(3) Without prejudice to the provision of subsection (2) the Steering Committee may meet as and when deemed necessary in furtherance of its mandate.

(4) The quorum for meetings of the Steering Committee shall be two-thirds of the membership, at least two (2) of whom shall be those appointed under subsection (2) (g), (h), (i) and (j).

(5) A resolution of the Steering Committee shall require an affirmative vote of at least one-half of the members present at a meeting, excluding the chair's vote which shall be a casting vote.

(6) In the absence of the Chair, the vice-chair shall chair meetings of the Steering Committee and in the absence of both the Chair and the vice-chair members in attendance shall elect one of them to chair the meeting.

(7) The Steering Committee may invite to its meetings any person, which it considers, will contribute to its deliberations, and the attendance and participation of such person shall be recorded in the minutes of the Steering Committee.

12. (1) Members of the Steering Committee shall be paid such allowances as are stipulated by Guidelines from the Salaries and Remuneration Commission from time to time. Allowances for members of the Steering Committee
- (2) Such allowances shall be paid by monies appropriated by the County Assembly to the Rangelands Management Fund.
13. Subject to the provisions of this Act, the Steering Committee may either generally or in a particular case, delegate the exercise of any of its functions under this Act to any sub-committee or to any member of the Steering Committee or officer or agent thereof. Delegation of powers by the Steering Committee
14. There is hereby established the Rangelands management Technical Committee. Establishment of Rangelands Management Technical Committee
15. The functions of the Technical Committee shall be- Functions of Technical Committee
- (a) to coordinate planning and implementation of projects and activities for rangelands management in the County;
 - (b) to coordinate implementation of the County Rangelands management Plan and the Rangelands Finance Framework;
 - (c) establish guidelines to be used in Ward Rangelands management Committees in formulating rangelands management projects for funding by the County Rangelands management Fund;
 - (d) formulate and implement capacity building plans and activities for the Ward Rangelands Management Committees and the Village Rangelands Management Committees;
 - (e) provide operational and logistical support to the Ward Rangelands Management Committees and the Village Rangelands Management Committees;
 - (f) coordinate the development and implementation of the County Rangelands management Fund Regulations;
 - (g) advise the Steering Committee on strategies, priority programmes, projects and activities for rangelands management in the County;

- (h) formulate and implement strategic actions to foster rangelands management education, awareness creation and capacity development in the County;
- (i) coordinate research and knowledge management on rangelands management;
- (j) formulate a monitoring, evaluation, learning and reporting framework for rangelands management activities in the County;
- (k) prepare and disseminate an annual report on rangelands management activities in the County; and,
- (l) perform any other functions assigned to it by the Steering Committee

16. (1) Members of the Committee shall be-

Composition of Technical Committee

- (a) County Chief Officer Livestock who shall be the Chair;
- (b) County Director Livestock Production who shall be the Secretary;
- (c) Chief Finance Officer;
- (d) County Director Veterinary Services;
- (e) County Director Agriculture;
- (f) County Director Environment & Climate Change;
- (g) County Director of Water Services;
- (h) Deputy Director Rangelands Management Division;
- (i) A representative of the National Drought Management Authority;
- (j) County Director National Environment Management Authority;
- (k) The County Chief Warden;
- (l) The County Ecosystem Conservator;

(m) County Director of the Kenya Meteorological Department;

(n) One (1) community representative;

(o) One (1) representative of the conservancies in the County; and,

(p) The Fund Administrator.

(2) Members of the Technical Committee shall at their first meeting elect a vice-chair from among the members nominated for appointment under subsections (h) (i), (j), (k), (l), (m), (n) and (o).

17. (1) The County Executive Committee Member shall appoint Members of the Technical Committee.

Appointment and term of Technical Committee

(2) Members of the Technical Committee appointed under section 16 (1) (k) and (l) shall serve for one non-renewable term of three years.

18. The removal of members appointed under section 16 (i) (j), (k), (l), (m), (n) and (o) shall be governed by section 9 (3).

Removal of Member of Technical Committee

19. The Rangelands Management Division shall serve as the secretariat of the Technical Committee.

Secretariat of Technical Committee

20. (1) The Technical Committee shall meet at least once every quarter in each financial year.

Meetings of Technical Committee

(2) Without prejudice to the provision of subsection (1) the Technical Committee may meet as and when deemed necessary in furtherance of its mandate.

(3) The quorum for meetings of the Technical Committee shall be two-thirds of the members, at least two (2) of whom must be those appointed under 16 (1) (i), (j), (k) and (l).

(4) A resolution of the Technical Committee shall require an affirmative vote of more than one half of the membership present at a meeting, excluding the Chair's vote which shall be a casting vote.

(5) In the absence of the Chair or vice-chair, the members shall elect one of them to preside over the meeting.

(6) The Technical Committee may coopt any person knowledgeable on the items of its agenda to attend its meetings

21. Members of the Technical Committee shall be paid such allowances as are stipulated by Guidelines from the Salaries and Remuneration Commission from time to time.

Allowances for Members of Technical Committee

22. There is hereby established a Sub-County Rangelands Management Committee in all the Sub-Counties in the County.

Establishment of Sub-County Rangelands Management Committee

23. The functions of the Sub-County Rangelands management Committees shall be to-

Functions of Sub-County Rangelands Management Committee

- (a) coordinate and mobilize communities and other stakeholders in the sub-county to design and implement rangelands management activities;
- (b) coordinate the activities of the Ward Rangelands Management committees in the sub-county;
- (c) conduct public education, awareness creation, and capacity building at the sub-county level on rangelands management;
- (d) participate in county planning and budgeting processes with a view to ensuring the mainstreaming of rangelands issues and prioritization of rangelands management in county development plans;
- (e) implement rangelands management activities in the sub-county;
- (f) mediate on any conflict arising out of the use of rangelands resources and the management of rangelands within the sub-county;
- (g) monitor and report on all rangelands management activities in the sub-county; and,

- (h) Perform any other functions that may be assigned to it by the rangelands institutional hierarchy above it from time to time.

24. The Sub-County Rangelands Management Committee shall comprise of-

Composition of Sub-County Rangelands Management Committee

- (a) Sub-County Administrator as Chair;
- (b) The Deputy County Commissioner as co-chair;
- (c) The Ward Administrators of the all the wards in the sub-county;
- (d) Sub-County Livestock Production Officer;
- (e) Sub-County Agriculture Officer;
- (f) Sub-County Veterinary Officer;
- (g) Sub-County Environment & Climate Change Officer;
- (h) Sub-County Water Services Officer;
- (i) One representative of Civil Society Organizations operating in the sub-county; and,
- (j) One representative of the conservancies operating in the sub-county;
- (k) Two youth representatives of whom shall not be of the gender.

25. (1) The members of the sub-county committee at their first meeting shall elect a vice-chair from among the members.

Meetings of Sub-County Rangelands Management Committee

(2) The Chair and the vice-chair shall not be members of the same gender.

(3) The Sub-County Rangelands Management Committee shall meet once every quarter of a financial year.

(4) Quorum of Sub-County Rangelands Management Committee shall be two thirds of its membership.

(5) The Committee may co-opt not more than two persons in any meeting based on a specific required expertise as and when needed.

(6) Members of the Committee appointed under section 24 (i), (j) and (k) shall serve for one non-renewable term of three years.

26. There is hereby established a Ward Rangelands management Committee in all the ten (10) wards.

Establishment of Ward Rangelands management Committees

27. The functions of the Ward Rangelands Management Committee shall be to-

Functions of Ward Rangelands management Committee

- (a) coordinate and mobilize communities and other stakeholders in the ward to design and implement rangelands management activities;
- (b) coordinate the activities of the Village Rangelands Management Committees in the Ward;
- (c) promote the use of indigenous knowledge on rangelands management in the Ward;
- (d) conduct public education, awareness creation, and capacity building at the ward level on rangelands management;
- (e) coordinate, the planning and holding of community dialogue sessions in consultation with the Village Rangelands Management Committees in the Ward;
- (f) provide support to communities in the ward in developing proposals on rangelands management projects for funding by the County Rangelands Management Fund;
- (g) mediate on any conflict arising out of the use of rangelands resources and the management of rangelands within the ward;
- (h) in consultation with the Steering Committee, adopt and implement intra and inter communal resolutions on rangelands management under this Act in the ward;

- (i) monitor and report on all rangelands management activities in the ward; and,
- (j) Perform any other functions that may be assigned to it by the rangelands management institutional hierarchy above from time to time.

28. The Ward Committee shall be composed members representing the diverse interests in the community who shall be-

Composition of Ward Rangelands management Committees

- (a) Ward Administrators who shall be the chair;
- (b) Ward Agricultural Officer;
- (c) Ward Livestock Production Officer;
- (d) the chiefs whose areas of jurisdiction fall under the ward;
- (e) two community representatives whom shall not be of the same gender; and,
- (f) one religious leader in the ward.

29. (1) The members of the Ward Rangelands Management Committee at their first meeting shall elect a vice-chair from among the members specified in section 28 (e) and (f).

Meetings of the Ward Rangelands management Committee

- (2) The Chair and the vice-chair shall not be members of the same gender.
- (3) The Ward Rangelands Management Committee shall meet once every quarter of a financial year.
- (4) Quorum of Ward Rangelands Management Committee shall be two thirds of its membership.
- (5) The Committee may co-opt not more than two persons in any meeting based on a specific required expertise as and when needed.
- (6) in making its decisions the ward committee shall ensure that such decisions are informed by the input from the following committees and persons in the ward-

- (a) grazing management committee;
- (b) peace committee;
- (c) environmental management committee;
- (d) community climate monitors;
- (e) community disease reporters;
- (f) water resources users associations;
- (g) Water users association;
- (h) Ward Planning Committee;
- (i) Community Health Workers Committee; and
- (j) any other relevant committee.

(7) A notice convening committee meetings shall be issued not less than 14 days prior to the date thereof, and shall be widely publicized through public barazas, the media, and by a notice placed prominently at the Ward office.

(8) Members of the ward committee appointed under section 29 (e) and (f) shall serve for one non-renewable term of three years.

30. (1) A member of the ward committee may at any time resign from the Committee by giving one month's notice to the County Executive Committee Member.

Removal of member of Ward Rangelands management Committee

(2) The removal of members appointed under section 25 (d) & (e), (f), (g) and (h) shall be governed by section 9 (3).

31. Members of the Committee shall serve on a voluntary basis, but shall be paid a sitting allowance and reimbursed reasonable public transport costs at a rate to be determined by the County Treasury.

Allowances for members of Ward Rangelands management Committee

32. (1) There is hereby established a Village Rangelands Management Committee which-

Establishment and Functions of Village Rangelands Management Committee

- (a) shall be responsible for the management of rangelands resources in the village with respect to-
 - (i) management of livestock watering points;
 - (ii) implementation of controlled grazing plans;
 - (iii) mediation of any conflict arising out of the use of rangelands resources and the management of rangelands under this Act within the village;
 - (iv) adoption and implementation of intra and inter communal resolutions on rangelands management under this Act in the village with the directive of the Steering Committee;
 - (v) monitoring implementation of rangelands management measures in the village; and,
 - (vi) any other responsibility as may be assigned by the ward committee.

(b) Shall be composed of-

- (i) The village administrator who shall be the chair;
- (ii) frontline extension workers covering the village;
- (iii) two (2) people nominated by the council of elders;
- (iv) the area assistant chief who shall be *ex-officio*
- (v) a representative of women groups in the village;
- (vi) two youth representatives of who shall not be of the same gender.

(2) The Village Rangelands Management Committee shall meet at least once every three months

(3) The County Executive Committee may make regulations to streamline the structure and functions of the Village Rangelands Management Committees.

33. (1) The County Executive Committee Member with the approval of the County Executive Committee shall make regulations for the operationalization of Rangelands Scouts.

Rangelands Scouts

(2) The regulations shall specify-

- (a) qualification for nomination as a scout;
- (b) area of jurisdiction;
- (c) facilitation;
- (d) mode of operation;
- (e) training of the rangelands scouts; and,
- (f) control and reporting structure.

(3) The Rangelands Scouts shall perform the following roles;

- (a) surveillance of rangelands resource utilization;
- (b) gathering information on status of rangelands resources;
- (c) enforcement of rangelands regulation and conservation measures including grazing plans in collaboration with law enforcement officers;
- (d) map and report on potential resource-based conflict hotspots; and,
- (e) scout for availability of water and pasture in neighboring communities during dry periods.

(4) The County Executive Member designate shall in consultation with the County Commissioner arrange for the security of the Rangelands Scouts.

34. (1) The Steering Committee shall promote peace building and conciliation within the rangelands.

Peace building in the rangelands

(2) In promoting peace building the steering committee shall-

- (a) ensure that every Village Rangelands Management Committee holds at least two (2) community dialogue sessions in a financial year;
- (b) facilitate the Village Rangelands Management Committees to hold the community dialogue sessions; and,
- (c) ensure that an annual report on the community dialogue sessions is prepared and submitted to the Steering Committee.

35. (1) Any conflict arising from the use of rangeland resources and the management of the rangelands under this Act shall at first instance be resolved by the sub-county rangelands management committee in whose jurisdiction the conflict arose through mediation.

Conflict resolution mechanisms in the rangelands

(2) Should there be a conflict that is not resolved in accordance with sub-section (1) above, the Technical Committee shall-

- (a) appoint a conflict resolution panel to mediate on the matter and prepare a report;
- (b) submit the report prepared in (2) (a) above to the Steering Committee; and,
- (c) mark the matter as closed in case it is resolved or refer the matter for arbitration by the Rangelands Management Steering Committee.

(3) The conflict resolution panel appointed in sub-section (2) (a) above shall comprise of-

- (a) an ordained religious leader in Isiolo County who shall be the chair;
- (b) a nominee of the County Commissioner who shall be the secretary;
- (c) three (3) other members of whom-
 - (i) one (1) shall be nominated by public benefit organizations operating within the County;

(ii) one (1) shall be a specialist in conflict resolution and nominated by the Steering Committee; and,

(iii) one (1) shall be a competent arbitrator nominated by the person for the time being in charge of judiciary affairs in the County.

PART III – RANGELANDS MANAGEMENT DEVELOPMENT & CONSERVATION MEASURES

36. (1) The Rangelands Management Technical Committee shall formulate a County Rangelands Management Strategy in consultation with the relevant stakeholders

County Rangelands Management Strategy

(2) The County Rangelands Strategy shall be for a period of ten years.

(3) The Rangelands Management Technical Committee shall formulate a Rangelands Management Plan which-

(a) shall be a five year implementation framework for the rangelands management strategy; and,

(b) shall be reviewed twice in a financial year by the Steering Committee.

37. The County Rangelands Management Strategy shall –

Contents of County Rangelands Management Strategy

(a) be aligned to the current National Rangelands Management and Pastoralism Strategy;

(b) contain a rangelands management needs, challenges and remedies assessment for the County;

(c) articulate a rangelands management implementation strategy informed by the needs, challenges and remedies assessment and specify measures and mechanisms for-

(i) institutionalizing good governance and prudent management of Isiolo County rangelands and rangelands resources;

- (ii) supporting and strengthening frameworks for research, robust knowledge management, monitoring and evaluation; and learning;
 - (iii) developing and supporting strategies for capacity building of the traditional rangelands management institutions in Isiolo County; and,
 - (iv) enhancing public awareness for effective participation in rangelands management activities.
- (d) contain elaborate measures for the sustainable utilization of rangelands resources which shall include measures to-
- (i) develop and promote the gums and resins value chain; and,
 - (ii) develop and promote the bee keeping value chain.
- (e) streamline gender inclusivity and participation in rangelands conservation and management in the County.

38. The Steering Committee shall approve the County Rangelands Management Strategy.

Approval of County Rangelands Management Strategy

39. The Technical Committee shall undertake an annual review of the implementation of the County Rangelands Management Strategy and report to the Steering Committee.

Annual review of County Rangelands Management Strategy

40. The Steering Committee in consultation with National Government agencies and other departments of the County Government shall promote the development of rangelands within the scope of this Act, by-

Rangelands development measures

- (a) promoting investments in rangelands management efforts and programmes by providing appropriate fiscal and economic incentives to the private sector;
- (b) promoting private sector involvement in rangelands resource management and governance;
- (c) developing a capacity development framework to support the traditional rangelands management institutions.

41. The Steering Committee shall facilitate programs on land rights and sustainable land use awareness in the County including-

Land rights and sustainable land use awareness

- (a) constitutional and legislative provisions on community land rights;
- (b) best practices in rangelands management;
- (c) mainstreaming of rangelands management into County policies, strategies and plans;
- (d) gender equality and land rights; and,
- (e) Any other issue of relevance to sustainable land use and management.

42. (1) The Technical Committee shall undertake periodic surveys and mapping of existing grazing zones within the rangelands in consultation with the Sub-County, Ward and Village Rangelands Management Committees.

Rangelands Zoning

(2) The zones within the rangelands shall be categorized as-

- (a) wet season zones;
- (b) dry season zones; and,
- (c) Drought reserve zones

(3) The rangelands zones shall determine the grazing schedules in the County.

43. (1) The County Rangelands Management Technical Committee shall develop annual grazing schedules for the entire County. Grazing Schedules
- (2) The Technical Committee shall develop the grazing schedules by consolidating all the grazing schedules as forwarded by the respective Sub-County Rangelands Management Committees
- (3) The Sub-County Rangelands Management Committees shall consolidate all the grazing schedules as forwarded by the respective Ward Rangelands Management Committees.
- (4) The Ward Rangelands Management Committee shall consolidate all the grazing schedules as forwarded by the Village Rangelands Management Committees.
- (5) The Village Rangelands Management Committees in consultation with inhabitants of the settlements in the village shall develop grazing schedules for the village.
- (6) The development and consolidation of the grazing schedules shall be guided by section 42 (3).
44. (1) The Rangelands Management Technical Committee shall facilitate research, documentation and dissemination and application of customary methods and practices relating to rangeland management. Application of customary knowledge systems in rangelands management.
- (2) The information gathered in subsection (1) above shall be used in developing the grazing zones, schedules and settling disputes.
- (3) Application of customary knowledge systems will only apply if it does not contravene any existing laws.
45. (1) The County Executive Committee Member shall make regulations on fencing protocols in the rangelands. Fencing of rangelands

46. The Rangelands Management Technical Committee shall undertake rangelands improvement programs including-
- Rangelands Improvement
- (a) development of firebreaks;
 - (b) implementing rangelands reseeding activities;
 - (c) development of rangelands water resources;
 - (d) implementing measure to control pollution and contamination of rangelands;
 - (e) reintroduction of rangelands indigenous species of plants and control of invasive plant species; and,
 - (f) identification and adoption of Technological Innovation Management Practices to improve rangelands productivity.
47. (1) Within one year of coming into force of this Act, the Steering Committee shall conduct a mapping exercise for all the fragile and vulnerable rangelands in the County.
- Measures for managing fragile and vulnerable rangelands
- (2) The Steering Committee may in consultation with the stakeholders prescribe measures to manage certain areas within the rangelands that have been identified as being fragile and vulnerable.
- (3) The rangelands areas alluded to in 47 (2) above shall include-
- (a) wetlands;
 - (b) riparian zones;
 - (c) reserved grazing areas;
 - (d) areas prone to inter and intra-communal conflicts; and,
 - (e) any other areas as may be identified by the Steering Committee and backed by scientific proof.

48. (1) Any person or National/County Government Ministry/Department or other agency that plans to conduct any activity other than agricultural or pastoral within the rangelands which is likely to have an adverse impact on the rangelands and its ecosystem, shall conduct an Environmental and Social Impact Assessment in accordance with the provisions of the Environmental Management and Coordination Act, 1999 and attendant Regulations.
- Rangelands Impact Assessments
- (2) Any person who violates the provisions of this section commits an offence and shall be liable on conviction to a fine not exceeding five hundred thousand Kenya Shillings or to an imprisonment for a term not exceeding two years or to both and in addition such a person shall be liable to pay compensation in respect of any resulting loss or damage as well as full cost of restoring the affected habitat to its previous state.
49. (1) The County Executive Committee Member shall make recommendations to the Rangelands Management Steering Committee in respect of-
- Control of settlements in the rangelands
- (a) parameters for establishing new settlements within the rangelands;
 - (b) control and merging of settlements; and,
 - (c) prohibition of settlements within the county rangelands reserve areas.
- (2) In making the recommendations, the County Executive Committee Member shall be guided by the provisions of the Physical Planning Act, the Isiolo County Spatial Plan and any other applicable law.
50. (1) The Technical Committee shall in consultation with relevant stakeholders undertake a periodic stock assessment of all flora and fauna including livestock and wildlife in rangelands in the County and collect and analyze statistical and other data and information on activities under the scope of this Act and forward the same to the Steering Committee.
- Technical Committee to undertake stock assessments collection and analysis of other information and forward to the Steering Committee.
- (2) Any data collected pursuant to this section shall be maintained in a database in such form as the Executive Committee Member may determine.
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PART IV: PUBLIC PARTICIPATION AND ACCESS TO INFORMATION

51. (1) Within one year of this Act coming into force, the Technical Committee shall conduct a comprehensive capacity needs assessment for rangelands management. County strategy for rangelands management education and public awareness
- (2) Based on the needs assessment the Technical Committee shall develop a capacity building programme through a participatory process.
- (3) The programme shall be presented to the Steering Committee for approval and implementation.
- (4) The programme developed thereof shall be reviewed annually.
52. (1) Notwithstanding the provisions of section 41 (1) the Technical Committee shall ensure that the development of any rangelands management programme, plan, project or activity is preceded by a comprehensive campaign, public sensitization and awareness creation to facilitate informed public participation. Public participation and capacity building in formulation of rangelands management programmes.
- (2) The County Executive Committee Member shall ensure public participation is done in line with relevant laws.
53. The Steering Committee, the Technical Committee and the Ward Committee shall publish, publicize and ensure access to all important rangelands management information in their possession in an appropriate format to make it useable by different actors. Access to information

PART V: COUNTY RANGELANDS MANAGEMENT FUND

54. (1) There is hereby established the County Rangelands Management Fund to provide funding for priority rangelands management actions. Establishment of the County Rangelands management Fund
- (2) The County Assembly shall ensure the monies appropriated to the fund is two percent of the County annual development budget.
- (2) The fund shall be financed through-
- (a) monies appropriated by the County Assembly;

- (b) monies deposited in the fund in the form of donations, grants, gifts and endowments; and,
- (c) monies directed to the fund from the National Government and its agencies.

55. (1) The Executive Committee Member in charge of Finance shall, in consultation with the Executive Committee Member, develop Regulations for administration and management of the Fund in accordance with section 116 of the Public Finance Management Act, 2012.

County Rangelands
Management Fund
Regulations

(2) The Regulations made under subsection (1) shall provide for the following, among others:

- (a) formulation of the County Rangelands management Finance Framework;
- (b) appointment and removal of the Fund Board and Administrator;
- (c) operation of the Fund;
- (d) eligibility criteria for accessing money from the Fund;
- (e) development of project proposals, application for and disbursement of money from the Fund;
- (f) procurement of services and goods;

PART VI: FINANCIAL PROVISIONS

56. (1) Functions of the Steering Committee and the Technical committee shall be financed through appropriation by the County Assembly to the department of Agriculture, Livestock and Fisheries, and other funds receivable by the County Government for the purposes of rangelands management from time to time.

Funding operations of
Steering Committee and
Technical Committee

(2) The funds shall be administered and managed in accordance with the provisions of the Public Finance Management Act and the Public Finance Management (County Governments) Regulations.

PART VII: MISCELLANEOUS PROVISIONS

57. (1) No action taken or thing done by a member, officer or agent of the Steering Committee, the Technical Committee or the Ward Committee in good faith and in performance of functions or execution of powers vested in the said committees by this Act, shall render the member, officer or agent or any person acting on their directions personally liable for any action, claim or demand what so ever, Except where a criminal is proved to have been committed

Protection from personal liability

(2) It shall be an offence for any person to engage in acts or make commissions amounting to committees provided for under this Act.

58. (1) Any person who

Offences and penalties

- (a) without lawful excuse ignores or fails to obey any instructions issued by any member or officer or agent of the Steering Committee, the Technical Committee or Ward Committee in exercise of the powers or performance of the functions of the Steering Committee and the Committees under this Act; or
- (b) willfully obstructs any member or officer or agent of the Steering Committee, the Technical Committee or Ward Committee in the discharge of their lawful duties; or
- (c) misrepresents, knowingly submits false or misleading information to any member or officer or agent of the Steering Committee, the Technical Committee or Ward Committee in the exercise of powers or the performance of the functions of the said Committees; or
- (d) knowingly commits an act of omission or commission contrary to any provisions of this Act. commits an offence and shall be liable to an imprisonment term not exceeding three years and/or a fine not exceeding one million Kenya Shillings.

(2) When an offense under this Act is committed by a body corporate, the body corporate and every director or officer of the body corporate who had the knowledge of commission of the offense and fails

to exercise due diligence to ensure compliance with this Act shall be guilty of an offence.

59. (1) The Court before which a person is charged for an offense under this Act or any regulations made thereunder may in addition to any other order.

Forfeiture, cancellation and other orders

- (a) upon the Conviction of the accused or;
- (b) if it is satisfied that an offense is committed notwithstanding that no person has been convicted of the offense;

Order that the item or items by means by which the offense was committed be forfeited to the County.

(2) In making the order for forfeiture the court may also order that cost of any disposal thereof be borne by the person convicted thereunder.

(3) The Court may further that any license, permit or any authorization given under this Act unto which the offense relates be cancelled.

(4) The Court may further issue an order requiring that a convicted person restores at his/her own cost the environment as near as it may be to its original state prior to the offense.

60. (1) The Executive Committee Member may make Regulations for the better carrying out and administration of the provisions of this Act.

Regulations

(2) Regulations made under subsection (1) may ;

- (a) make provisions for the issues, amendments and revocation of any license;
- (b) provide for charging of fees and levying of charges;
- (c) adopt wholly or in part or with modifications any rules, standards, guidelines, regulations, county legislations, codes, instructions, specifications, or administrative procedures prescribed by any lead agency either in force at the time of prescription or publication or as amended from time to time.