

# Voices for Wetlands and Water: Case Studies on Water Resources Management and WASH in Kenya

2016 - 2020



**Wetlands**  
INTERNATIONAL

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## Acknowledgement

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We would particularly like to thank the national and county government officials and water governance CSOs for their collaboration and partnership and, above all, the Water Resources Users Association (WRUA) officials who volunteer their time and resources to protect water catchments in very difficult circumstances.

## About Watershed

“Watershed-Empowering Citizens” is a strategic partnership of the Dutch Ministry of Foreign Affairs, IRC, Simavi, Wetlands International and Akvo. The Programme works to strengthen the capacity of civil society organisations to influence policy and achieve Sustainable Development Goal 6 in Bangladesh, Ghana, India, Kenya, Mali, Uganda and The Netherlands.

In Kenya, the Programme was implemented in Kajiado and Laikipia counties, with a focus on strengthening the capacity of CSOs on lobbying and advocacy to ensure that their views, interests and the needs of the communities they represent are addressed in national and county government policies, budgets and projects. These interventions were implemented between 2016 and 2020 with the support of the Kenya Water and Sanitation Civil Society Network (KEWASNET), Centre for Social Planning and Administrative Development (CESPAD), Neighbours Initiative Alliance (NIA), Kenya Water for Health Organisation (KWAHO) and Mt Kenya Ewaso Water Partnership (MKEWP).

Our hope is that this will, in the long term, deliver improvements in WASH and water resources governance and assure access to environmentally sustainable services in these two counties. Of particular concern are the marginalised members of society such as women, the very poor and persons living with disability who bear the biggest burden of environmental degradation.



Ministry of Foreign Affairs of the Netherlands



## Foreword

### Investing in Joint Solutions

According to Ramsar (2018), 35 to 80 per cent of the world's wetlands have been wiped off the face of the earth. The impact of this loss is evident in the decline of biodiversity and the quality and quantity of water, and their effects on livelihoods in many places across Africa.

In Kenya, as it is in most developing countries, loss of wetlands is caused by rapid population growth, rising pressure on land and the exploitation of natural resources with little regard to wise use. Wetlands are particularly at risk in the water-deficit northern and southern parts of Kenya where climate change and overexploitation and destruction of catchments imperil lives and livelihoods which fuel water-related conflicts between communities, and between humans and wildlife.

Whereas several national and local institutions have varying responsibility over wetlands, policy gaps and weak institutional collaboration make the enforcement of regulations governing the protection of wetlands difficult. As a result, long-term resource availability (both quality and quantity) and efficient service delivery cannot be guaranteed (IRC, 2021).

Given rapid shifts in weather patterns occasioned by climate change, the need to halt destruction of wetlands, reclaim those that are lost and manage scarce water resources prudently, particularly in semi-arid areas, cannot be overstated. This will require political commitment, sound policies and increased awareness within government and among water users (Wetlands International, 2017).

In addition to conserving the wetlands that remain intact and restore those that are degraded, the resource must be tracked and mapped nationwide. Financial and economic



**Julie Mulonga - Director,  
Wetlands International Eastern Africa**

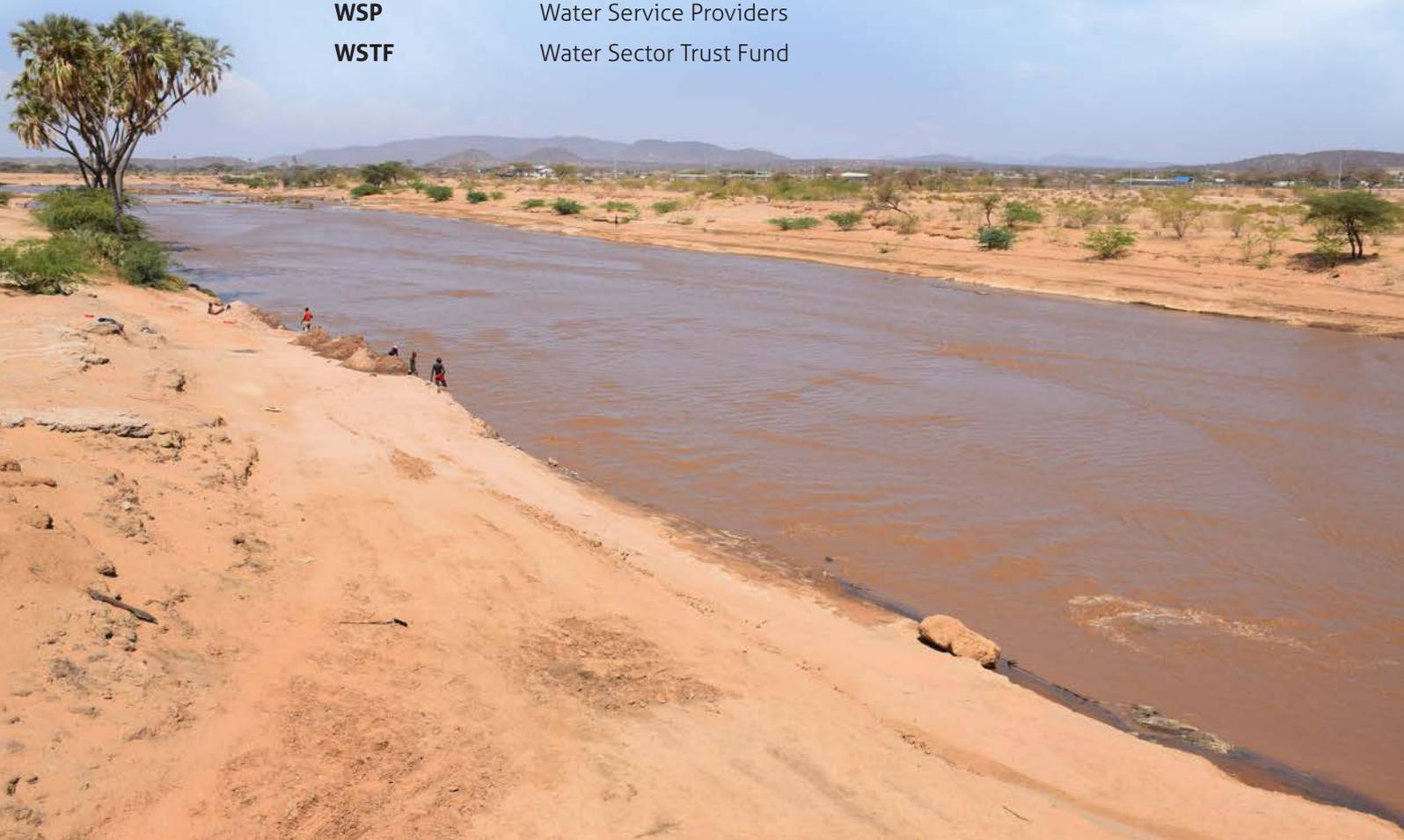
incentives for upstream water users and private sector linkages for the protection of water resources are also needed.

To address some of these pressing water governance related challenges in Kenya, Wetlands International, in partnership with the Dutch Ministry of Foreign Affairs, IRC, Simavi and Akvo launched the Watershed-Empowering Citizens Programme. Implemented in the water-stressed counties of Kajiado and Laikipia from 2016 to 2020, the Programme sought to bring water sector stakeholders together and forge joint solutions to strengthen the capacity of communities, CSOs and marginalised groups to participate and influence governance in Water Resources Management (WRM) and Water Sanitation and Hygiene (WASH).

This report is a summary of case studies from the two programme sites. It highlights the linkages between WASH and WRM, outlines programme wins and losses, the challenges that remain unaddressed and, most importantly, offers valuable lessons for the design of programmes for areas with similar challenges. These case studies also underline the importance of investing in information and knowledge among water users and the role of robust policy, collaboration and meaningful partnerships in the development and implementation of effective WRM systems for WASH services.

## List of Acronyms

<b>CESPAD</b>	Centre for Social Planning and Administrative Development
<b>CIDP</b>	County Integrated Development Plan
<b>CSO</b>	Civil Society Organisation
<b>IWRM</b>	Integrated Water Resources Management
<b>KES</b>	Kenya Shillings
<b>KEWASNET</b>	Kenya Water and Sanitation Civil Society Network
<b>KFS</b>	Kenya Forest Service
<b>KWAHO</b>	Kenya Water and Health Organisation
<b>KWS</b>	Kenya Wildlife Service
<b>KWTA</b>	Kenya Water Towers Agency
<b>LAWADAV</b>	Laikipia Women with Disability Amplified Voices
<b>MKEWP</b>	Mount Kenya Ewaso Water Partnership
<b>NAWASCO</b>	Nanyuki Water and Sewerage Company
<b>NEMA</b>	National Environment Management Authority
<b>NIA</b>	Neighbours Initiative Alliance
<b>SCMP</b>	Sub-Catchment Management Plan
<b>UDPK</b>	United Disabled Persons of Kenya
<b>WASH</b>	Water Sanitation and Hygiene
<b>WRA</b>	Water Resources Authority
<b>WRM</b>	Water Resources Management
<b>WRUA</b>	Water Resources Users Association
<b>WSP</b>	Water Service Providers
<b>WSTF</b>	Water Sector Trust Fund



## Executive Summary



**Kajiado and Laikipia counties are water-stressed forcing many communities to dig deeper into pockets to access the life-supporting commodity**

Laikipia and Kajiado counties are both semi-arid with a transboundary and insufficient water resource and diverse water users ranging from urban dwellers to smallholder and large-scale farmers and pastoralists. Both counties host several endangered mega fauna.

Many rivers here are seasonal, creating stiff competition for water during dry seasons. Pastoralists who dwell downstream move their stock upstream in search of water and pasture. This causes inter- and intra-community conflicts between farmers and pastoralists, and between pastoralists from different communities. These conflicts occasionally spiral into violence and loss of human life.

Wild animals also move upstream or to the community springs, causing crop and property damage, livestock raids and conflict. In recent years, climate change, rapid population growth and land use change from pastoralism to irrigated farming have spiked demand for the dwindling water resource, causing degradation of water catchments, impacting WASH and increasing conflicts.

Unfortunately, laws governing management of water resources and protection of wetlands are hampered by policy gaps and institutional conflicts within government agencies that cause duplication of functions and hinder proper enforcement of regulations.

Poor access to clean and adequate water has a direct impact on livelihoods. Marginalised and vulnerable groups such as pastoralists, women, the very poor and persons living with disability are usually the most affected. Unfortunately, in semi-arid areas, where water is not just life but a political tool as well, those most desperate for water are cut off from politics and decision making and rarely participate in the planning, management and distribution of water resources.

The Watershed Programme in Kenya was, therefore, structured to strengthen CSOs and citizen groups to access and process information and improve their capacity to lobby government and other institutions involved in improving WRM and the delivery of water and sanitation services that last.

Apart from training WRUAs in water resource management, institutional governance, and management, development and implementation of water catchment protection tools, the Programme also helped to demonstrate linkages

between WRM and water, sanitation and hygiene issues in the Kajiado and Laikipia counties' annual and five-year development plans.

From a sustainability perspective, WRM and WASH are also embedded in the Kajiado County Natural Resources Management Bill, the Kajiado County Water Policy, and the Environmental Management and Coordination (Conservation and Management of Wetlands) Amendment Regulations 2018. This is in part because of Watershed's lobbying and advocacy efforts.

While a great deal of work still lies ahead, the dialogue forums the Programme helped create in both counties provide platforms for integration, coordination, joint planning and leveraging of resources for implementation of sustainable WRM and WASH plans.

**By Lilian Nyaega - Regional Programme Officer  
Wetlands International Eastern Africa and  
Titus Wamae - Regional Policy & Advocacy  
Officer Wetlands International Eastern Africa**

## Key Messages

- While users, practitioners and decision-makers appreciate that WRM and WASH are intrinsically connected, it is not always clear what those linkages are and how to make the best use of the linkages to promote WASH and WRM in both policy and practice. Disseminating knowledge from this interaction can inform and bring about changes in water use and governance.
- The failure to include vulnerable and marginalised people in decision-making processes remains a major hurdle for their engagement in policy making. When given the opportunity, they contribute their unique experiences and valuable perspectives to decision-making, creating avenues for sustainable WRM and WASH.
- Multi-stakeholder platforms are useful in advancing collaborative action in water resources governance including translating joint decisions into development interventions and outcomes. The involvement of key stakeholders in such planning can strengthen ownership from water users particularly when developed in the context of policy and practice dialogues on WRM and WASH.
- There is a clear and pressing need for county and national government agencies to strengthen the financial dimension of water resources management. Addressing these gaps call for innovation, cooperation and goodwill.

# Case Studies on Linkages between Water Resources Management and WASH

## Kajiado County: Thirst in the Dust of Kilimanjaro

### Community Voices in Decision-Making Processes

The Entarara community of Oloitokok, Kajiado County, draws water from shallow wells, streams, seasonal rivers and the Entarara Water Project, a water harvesting and storage initiative. People here keep livestock and also engage in farming by irrigation.

Before the Entarara WRUA was formed in 2009 and a Sub-Catchment Management Plan (SCMP) drawn a year later, awareness on the importance of protecting the catchment was low. Tree felling and charcoal burning were common along seasonal rivers whose banks are severely eroded

by heavy floodwaters. Water-related conflicts between members of the community and with wildlife were also widespread, particularly during the dry season.

WASH was a challenge, too, because of open defecation, bathing in rivers and dumping of pesticide bottles in rivers and streams.

Through Watershed, the WRUA officials received training on national and county legislation and their implications for CSO practice in the WASH

the prioritisation of water projects over other “development” projects.

“Educating community groups elevates watershed management in a big way. We now plant trees for income so that our men don’t have to fell trees along riverbanks to burn charcoal. Natural vegetation is better protected because women are growing trees for firewood. As a result, vegetation cover along the rivers and at the springs is improving and there is less erosion,” she says.



Abigael Ntawuasa with community scouts Margaret Ngina and Agnes Saiyoki in awe of the rare *Mnyanza* tree at Entarara Forest

and WRM sector. They were also trained to apply social accountability tools and processes, public participation guidelines and the importance of CSOs and citizens engaging in government-led planning and budgeting processes.

Abigael Sein who is a member of the Entarara WRUA, patron of several youth groups, secretary of the Kajiado WRUA Council and a budget champion, says there has been an improvement in the allocation of financial resources for water and environmental conservation at the County due to lobbying by WRUA officials. The community has been invited to participate in decision-making processes and can now voice where they feel county water points should be located, push for funding for incomplete boreholes and influence

“  
**Due to awareness efforts by WRUA officials, farmers now understand that uncontrolled abstraction of water upstream affects those living downstream and that it is likely to trigger tensions and human-wildlife conflict within the community - Abigael Ntawuasa**  
 ”

A bonus for the community has been the rehabilitation of Entarara Forest, a catchment for several springs. Previously besieged by excisions and human activity, the springs had dried up, forcing users to sink shallow wells. When it received protection from the County Government of Kajiado following lobbying by WRUA officials, the springs that had dried up sprung back in three years.

But there is another observation: degraded catchments and water points not only compromise WASH, but also impact heavily on the lives of rural women in Africa because, as mothers, caregivers, farmers and custodians of livestock, they are often the major water users.

A strong and influential leader in a community where women traditionally lack a voice, Abigael is a mentor who educates fellow women and youth and speaks passionately about WRM and WASH, bringing soft power to the negotiating table in her roles as WRUA official, budget leader and County WRUA Summit member.

Nothing underscores the need to involve more women in WRM to improve water, sanitation and hygiene.



Abigael Ntawuasa (R) harvesting French beans with Dareen Pius, one of her farm workers, under the shadow of Africa's highest mountain, Kilimanjaro



## Isinya: Women Cooperatives for Ecologically Sustainable Livelihoods

Penina Tombo is a 65-year-old retired nurse whose home lies in the semi-arid Isinya sub-county of Kajiado, Kenya. She has been involved in community development work targeting women, orphans and people living with HIV/AIDS since 1992.

Once an open landscape inhabited by the pastoralist Maasai, land use in Isinya has changed drastically in the past four decades. Middle class Kenyans who work 60 kilometres away in Kenya's capital city of Nairobi have set up homes here. The Maasai are gradually shunning nomadism and setting up permanent dwellings. There is less pasture, and the huge Maasai livestock herds of yore are on the backpedal. Large scale commercial flower farms now dot the landscape. Light industries, too, which residents blame for air pollution and dumping of effluent along River Isinya, affect the quality of water downstream.

All these human, agricultural and industrial activities require huge volumes of water, a challenge in a water-scarce area serviced by one seasonal river whose catchment is exposed to sand harvesting. The recourse is underground water, but heavy abstraction by flower farms and light industries sucks up all the water in shallow wells, compromising water sanitation and hygiene in the community.

**Light industries illegally dump oils and chemical waste such as this site in Isinya**

Penina got involved in water resources management in 2009 when she sunk a shallow well that soon dried up after commercial flower farms and light industry factories moved into the area. Together with eight neighbours whose wells had also gone dry, they formed Isinya WRUA where she sits as vice-chair. With funding from Water Sector Trust Fund (WSTF), the officials were trained by Watershed to develop a Sub-Catchment Management Plan (SCMP) which was registered in 2010. The WRUA deliberately sought membership from women, who now comprise 30 per cent of 100 households.

"Like many others, our WRUA is not consulted when mega water projects that affect us are initiated, approved and implemented. We have also tried to reach out to the private investors, but they are disinterested," Penina says.

Through her training on leadership and governance under Watershed, Penina has organised women in her community into a 300-member cooperative for milk production. They join hands to improve the quality of their livestock and preserve pasture. They also harvest water from their roofs and channel it into tanks and water pans for use during dry seasons to mitigate climate change impacts.

"Watershed training empowered women to speak up, seek leadership positions and initiate other development projects like this milk cooperative," she says proudly.





A yellow-barked Acacia tree affected by soil and water pollution at a site close to Penina Tombo's home in Isinya

## Kimana Swamp: Why Birds Fled the Nest

Kimana is an illustration of how rising human populations, changing lifestyles, unsustainable use, lethargy, competing stakeholders and lack of political goodwill can destroy a critical wetland.

The Ministry of Environment and Forestry, National Environment Authority (NEMA), Kenya Wildlife Service (KWS), Water Resources Authority (WRA) and the County Government of Kajiado are the key stakeholders, yet none has direct authority over this wetland.

The land belongs to the local Maasai whose dwindling livestock numbers do not pay as well as agribusiness – even when the land is merely leased to farmers.

Measuring 10,000 hectares, Kimana is the biggest wetland in Kajiado. Its influence spreads across geographical boundaries and ecosystems up to Tsavo West National Park and the Indian Ocean, hundreds of kilometres away. But this reservoir that once stored and provided water for thousands of people, livestock and wildlife for generations has been reduced to a swamp only in name. Sucked dry by commercial onion, tomato and French beans farmers, a biodiversity haven that once teemed with life is now a toxic, dying vegetable farm.

**Emmanuel Parsaloi & Francis Saigilo at Kimana Swamp**



Outdated irrigation methods waste water, while fertilisers and deadly pesticides used to farm vegetables seep underground, poisoning water, soils and the people, livestock and wildlife that depend on it downstream. The damage extends further afield, as the produce ends up in plates in Nairobi and other urban centres spread across the country.

A small township has also emerged on the swamp to feed the army of farmhands, loaders and drivers who earn a living here. Such unregulated developments discharge effluent into water systems.

Upstream, 11 springs that used to drain into the swamp no longer do because of heavy abstraction for furrow irrigation. Logging, charcoal burning and encroachment onto riparian land have destroyed their catchment while shallow pit latrines have compromised water quality.

Emmanuel Parsaloi is chairman of Ilkisonko WRUA which was registered in 2008. The WRUA manages these springs which are now demarcated and fenced. But the status of Kimana, from where hundreds of trucks laden with fresh farm produce drive out of daily, and the challenges that undermine its integrity weigh heavily on his mind.

“

**Why is it so difficult to gazette this wetland so that it is protected? Why is it so hard to enforce regulations so that the water resource is managed better to enable the community, our livestock and wildlife to access clean water? - Emmanuel Parsaloi**

”

His greatest fear is that destruction of the wetland and surrounding springs will not just affect water and sanitation services, but will also disrupt local livelihoods and economy.

Kimana Swamp is presently a farm that supplies vegetables to Nairobi and beyond



## Entasopia: Oasis between Wilderness and a Salty Lake

The Entasopia and Oloibortoto rivers water the springs of Nguruman in a 50-kilometre escarpment stretching close to the north-western corner of Lake Natron in Tanzania. Green and thick with indigenous trees, fruit trees, vegetation and farmland, Nguruman is a bustling, multi-ethnic community of fisherfolk, and fruit and vegetable farmers and traders.

But from a primary water user's perspective, this oasis lies in a complex basin. The farming community of Nguruman lives midstream and has no control over human activities on the catchment in the lush Loita Hills and Narok from where the two rivers flow. Up and over the escarpment, commercial farms need water for irrigation, while downstream, the arid land is dedicated to pasture for livestock whose survival is determined by how the Nguruman community manages water.

In the middle stands the giant Tata Chemicals Magadi, Africa's largest soda ash producer and biggest water consumer in Kajiado County. The company is located at Lake Magadi, a salty lake and breeding site for lesser flamingos.

Entasopia WRUA Secretary Moses Lemunge worries that human population growth and lifestyle change from pastoralism to irrigated farming is exerting undue pressure on scarce

water resources; that droughts and floods are becoming more frequent because of climate change. The floods rip up pipes that distribute water to farms and cause massive erosion of the river banks, sweeping away trees that have protected the rivers for decades.

The springs are in dire need of fencing to limit destruction from human activities and reduce conflicts arising from abuse of the resource. River banks that are eroded need to be rehabilitated, and damaged water distribution pipes and boxes repaired.

Unfortunately, Entasopia WRUA is not in close ties with Tata Chemicals Magadi who, coincidentally, are members of the WRUA. Shunned by upstream large commercial farms that are not members despite being heavy water users, the WRUA is underfunded and incapable of protecting water resources in this basin.

Consequently, regulations are not enforced. Water volumes have been decreasing substantially over the years, with the permanent Ewaso Ng'iro River, which rises from the Mau Escarpment, drying up completely in 2018. Entasopia WRUA Chairman and community elder, Kipas Minchor, says he has never seen this before. "We fear that, at one point in future, we might not have water in this place," says Minchor.



Lesser flamingos in Lake Magadi



Kipas Minchor (L) and Moses Lemunge at Oloibortoto River in Nguruman, Magadi

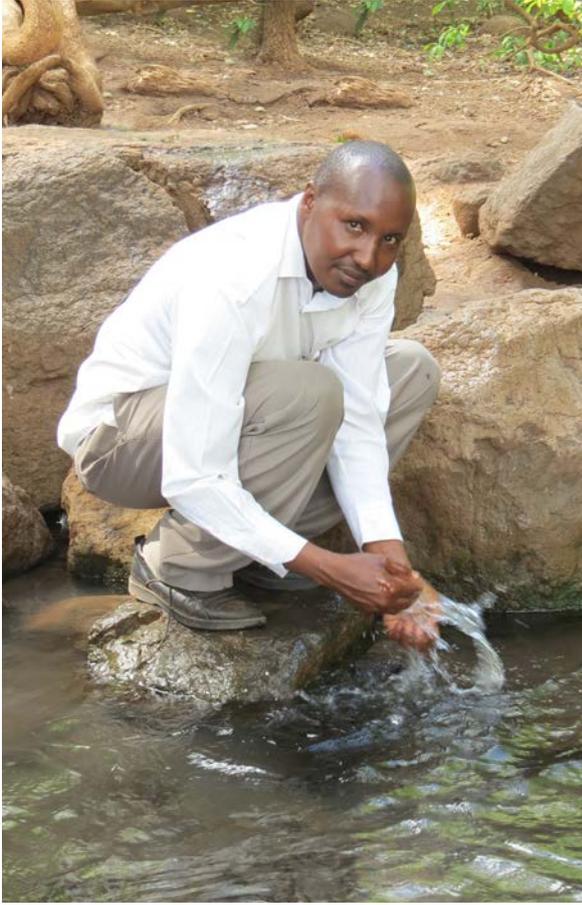
There is a need to cultivate better relations with large water users upstream who are not affiliated to either Entasopia or WRUAs in Narok, but Minchor says efforts to reach out to them have been futile.

Destruction of this resource would impact water and sanitation, the livelihoods of thousands of pastoralists and smallholder farmers, and the operations of commercial farms and Tata Chemicals Magadi.



Tata Chemicals Magadi factory

## Leveraging Resources for Catchment Management



**Emmanuel Memusi - Chairman,  
Kajiado County WRUA Summit**

The Kajiado County WRUA Summit is one of the most innovative outputs of the Watershed Programme. With representatives drawn from each of the 17 WRUAs in the County, the Summit, formed in 2018, is a strong lobbying and advocacy platform. It also provides water managers and community leaders a holistic view of the entire county water ecosystem for better management and distribution of the resource.

Kajiado WRUAs grapple with many challenges related to funding and capacity. Out of 17, only five have received support from WRA. Most SCMPs need review, and a majority of the WRUAs are yet to implement planned activities due to financial challenges. This reinforces the need to explore and cultivate support from other stakeholders in the water sector.

An organisational capacity assessment and training by Watershed exposed the Summit members to resource mobilisation. The national and county stakeholders were identified - some were part of the training - and their offices visited to seek support for project activities. Part of these initiatives have borne fruit.

Based on their SCMP, Nalepo WRUA, for instance, successfully secured EUR 85,000 from Water Resources Authority (WRA) in 2019 to undertake activities aimed at reducing surface run-off, water pollution and recharging groundwater for sustainable sanitation and hygiene services.

WRUA officials, however, still require basic training on proposal writing to enable them to exploit more funding opportunities.

Watershed also helped the Summit to establish links with the County Government. The officials were trained on the four stages of budgeting – formulation of budget items, approval of budget items and amounts, and execution and evaluation. Once equipped, the officials put their lobbying skills into action, negotiating an increase in budget allocation for water governance between 2018 and 2020.

“Because WRUAs are not recognised within the County’s legal framework, we now lobby county officials to ensure that our views are considered when water projects are planned or executed.

“  
**How do our voices reach the big person? How do we bring grassroots people and key decision makers under one platform? - Emmanuel Memusi**  
 ”

For instance, 70 per cent of the boreholes drilled by the County have stalled. We believe this would not be the case had there been community inclusion and participation,” says Summit Chairman, Emmanuel Memusi.

There is a multiplicity of players, both government and non-governmental, that are involved in water governance in Kajiado. The Summit believes WRM and WASH objectives will be better realised if WRUAs target key decision-makers, particularly within the Kajiado County.

“Senior County staff get transferred too frequently, forcing the Summit to initiate fresh lobbying with each appointment. That is why targeting key decision-makers is more strategic,” says Summit member, Abigael Sein.

As an umbrella organisation, the Summit aspires to work toward well protected and demarcated water sources and equitable sharing of clean water. This can only be achieved through better collaboration between WRUAs and all County WRM and WASH stakeholders.

Penina Tombo, who is a member of the Summit, believes water governance would improve if more women were involved in decision-making. “Ultimately, it is women who manage the water and decide what to do with it,” she says.

”

Through the capacity building that Watershed equipped the WRUAs, there was marked interest by the community in the public forums organised by the County Government. Budget allocation for water development was crucial for the citizens as this is a water-scarce area. For the 2017/2018 total county budget, water and environment was allocated KES 381 million (4.66 per cent of total budget), KES 531 million (5.53 per cent of 2018/2019 budget) and KES 590 million (5.92 per cent of 2019/2020 budget).



Caleb Muinde, Statistician at Department of Finance, County Government of Kajiado

Pit latrine at Kimana Swamp



## Using Media to Amplify Community Voices

Bus Radio is a local broadcasting station and community-based organisation in Kajiado. Launched in 2017, it broadcasts over a 60-Kilometre radius and livestreams on Facebook. The Station's biggest fan base comprises women and youths.

Broadcaster Victor Juma, a water budget champion who was trained on lobbying and advocacy under the Watershed Programme, is passionate about governance, issues affecting youths and the management of environment and water resources.

“**Water is both an urban and rural problem here. We are farmers and pastoralists in a water-stressed land. Water and its governance should be given priority over health, education and infrastructure in Kajiado County budgets, but this is not the case.**”

The young journalist uses his media celebrity status and the Station's *Maji ni Uhai* (Water is Life) talk show as a platform to create awareness about water rights and responsibilities and to lobby county government officials on water

governance issues. The programme is also an arena for the community to air views on water and the environment.

“The information we provide is credible and authoritative. We know the issues we discuss percolate to the government because our radio programme is co-hosted by a County Environment official. We also engage CSOs that have interests in water and environmental conservation,” Juma says.

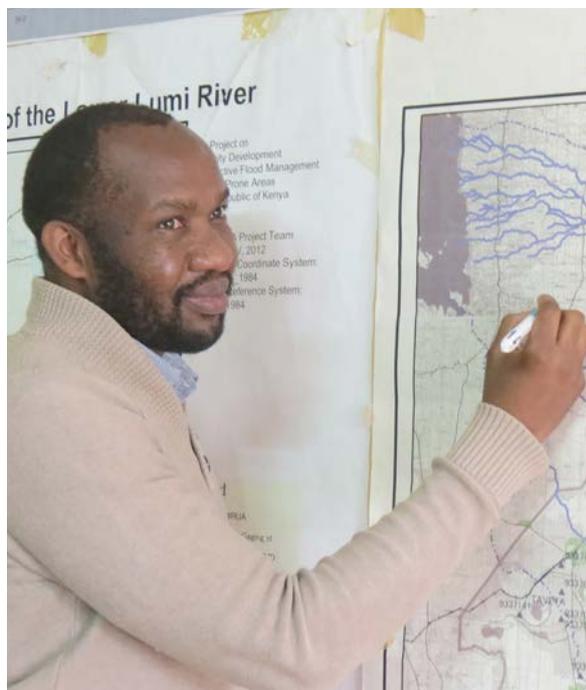
The budget champion believes conserving the catchment is as critical as drilling new boreholes. He is lobbying the County Government through his radio platform to enact a water policy and the legislation to govern the Environment, Climate Change, Sand Harvesting and Renewable Energy sector.

Juma views the media as a vital link between the government and the community through which information on water governance can be shared and illegal activities and government lapses in the sector exposed.

### Victor Juma of Bus Radio in Kajiado Town



## Policy Gaps in Coordination of WASH and WRM



**Robert Owaga - Water Conservation Officer,  
WRA, Nolturesh-Lumi Sub-Region**

Kajiado County produces a lot of water but is classified as a water-scarce area with supply standing at 50 per cent of demand because topographical challenges hinder supply. Indeed, water is the subject of political conflict with the neighbouring and downstream counties of Machakos and Makueni who utilise the bulk of the water from Kajiado.

The Water Resources Authority (WRA) is responsible for the collaborative management of water resources, including wetlands, and the resolution of user conflicts at the community level in Kenya (Water Act, 2016). Roles may however overlap where some wetlands are located in areas that fall under the jurisdiction of Kenya Wildlife Service (KWS), the National Environment Management Authority (NEMA), Kenya Water Towers Agency (KwTA) and Kenya Forest Service (KFS).

Kajiado County Government, on the other hand, is in charge of water distribution through

the Water Service Providers (WSPs). Turf wars emerge when the County Government develops water supply infrastructure such as boreholes without obtaining abstraction permits from WRA as defined in the Fourth Schedule of the Water Act. This indiscriminate sinking of boreholes has an implication on water quality and quantity in the water-scarce county. Key water governance concerns in Kajiado are related to the conservation and allocation of available water resources to meet human, livestock and wildlife needs. This can be a challenge when policy gaps and overlaps create tension, conflict, confusion or competition between county and national government agencies.

There is need to improve collaboration between WRA and the County Government as a matter of policy. This would help align water policy plans and budgets for better resource mobilisation and allocation.

WRUAs have a critical role to play in WRM and WASH. They should be self-sustaining, but this is not the case. Only a fraction of water users are signed up members and payment of membership fees is poor. Aligning SCMPs to County Integrated Development Plans (CIDPs) would avail human and financial capital for water resources management and make WRUAs more effective.

More awareness of the rights and responsibilities of water users is needed to bridge WRM and WASH. Local administration can support WRUAs in awareness creation and enforcement of regulations under the Chiefs' Authority Act (Chapter 128) which empowers them to "prevent the pollution of the water in any stream, watercourse or waterhole, and the obstruction of any stream or watercourse". More collaboration between the County Government and other stakeholders is also needed to enforce WASH.





## Laikipia County: Scarcity in Abundance

### Strengthening Public Private Partnerships in Laikipia

Laikipia's Upper Ewaso Ng'iro basin encompasses urban dwellers, large and small holding farmers and pastoralists. The highland areas are blessed with abundant rainfall and permanent rivers and springs. But water issues here are thorny, particularly on the communities who dwell on the lower, semi-arid reaches of the basin served with only one permanent river, seasonal rivers and streams.

Intense land sub-division, unregulated irrigation and water wastage in this dry area have reduced river flow, leading to conflicts between farmers and pastoralists, and humans and wildlife on the other hand. During severe droughts, desperate pastoralists drive cattle up the mountain and hills, compromising the ecological integrity of the water catchments. The situation is compounded by climate change, with droughts becoming longer and floods more frequent.

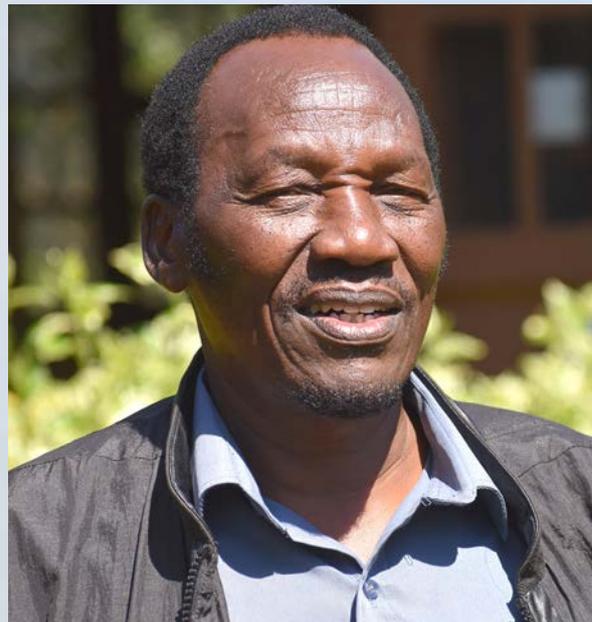
Mount Kenya-Ewaso Water Partnership (MKEWP) was established by growers and conservancies out of the realisation that a focused group dealing with water to drive conservation and equitable distribution of the limited resource was needed to support voluntary WRUAs which were ineffective because of inadequate capacity and lack of resources.

Comprising six wildlife conservancies, 30 WRUAs, 17 commercial flower farmers from the Mt Kenya Growers Group, two research institutions and environmental state agencies such as WRA, KFS, KWS and NEMA, MKEWP covers the five counties of Nyeri, Laikipia, Isiolo, Nyandarua and Meru that form the water basin for all rivers streaming from Mt Kenya and the Aberdares Range.

At the apex is the MKEWP Council. With representatives drawn from county governments

and member associations, the Council sits thrice a year as a platform for strategy development, coordination, planning, information sharing and collaboration.

MKEWP Coordinator Stanley Kiriimi, also Watershed lead for Wetlands International in Laikipia County, says the association's main objective is to build capacity for WRUAs to enable them to execute their functions in partnership with public and private institutions. Most critical are downstream communities where WRUAs are weak because of several issues, notably the feeble attachment by pastoralists to land and rivers.



Stanley Kiriimi, MKEWP Coordinator

"The national government should use water fees paid to WRA to facilitate WRUAs so that they can monitor compliance of regulations along rivers and curb catchment destruction," Kiriimi observes.

MKEWP has developed a management model to improve the capabilities of these water associations to carry out their functions.

Citing Ngusishi River WRUA in Timau as an example of what other water user associations can achieve if well resourced, Kirimi says the association has river scouts and offices. Funded by commercial entities and the local community, the WRUA can monitor abstraction, pollution and conduct riparian protection activities.

“MKEWP is currently lobbying county governments to adopt this management model dubbed WRUA Institutional Development Project where WRUAs are tied to performance contracts and funded by members and WRA. This initiative is supported by Watershed and other stakeholders,” MKEWP Water Officer James Mwangi says.

MKEWP is also assisting WRUAs to lobby county governments so that SCMPs are incorporated in County Integrated Development Plans and budgets. This would bridge the policy and legal gaps that have subjected WRUAs to minimal support and funding from county governments.

While the current focus is on conservation and equitable sharing of the water resource, change of land use from pastoralism to farming is exposing rivers to pollution and erosion. Further, many urban centres lack sewerage facilities, while those that do have inadequate capacity to remove nitrates and phosphates from sewerage before discharging treated water into rivers. This compromises water quality and WASH.

## Maji Chap Chap: Bringing Rain Water to the Kitchen Table

Ewaso Maji Users (EMU) Sacco is a community-based financier for the five MKEWP counties. The Sacco enables members to be water secure by borrowing affordable loans, dubbed Maji Chap-Chap, for installing water harvesting infrastructure. It is the only water Sacco in Kenya.

With current membership standing at 250 and growing, the Sacco partners with manufacturers and suppliers to help members acquire quality products for harvesting and storing rainwater at discounted rates. The manufacturers and suppliers also link members to qualified and certified technicians.

Once the infrastructure is installed, water for household use is harvested and stored in tanks while the excess is channelled into water pans for irrigation and livestock use.

Maji Chap-Chap enables farmers to shift from rain-fed agriculture so that they can produce crops all year round and depend less on irrigation during dry seasons. This not only cushions them from the impacts of climate change but also eases pressure on scarce river water during droughts and improves livelihoods. In addition, it assures sanitation and hygiene in the dry months of the year when river water is minimal or unavailable.



Susan Gathoni, CEO EMU Sacco

“Members who have taken up this initiative are now model farmers. Our challenge is capital growth, which has been affected by the COVID pandemic. The county governments have expressed interest but yet to get involved. We, however, hope to start a revolving fund that will inject capital into the Sacco so that it can run on its own,” says Susan Gathoni, MKEWP Water Officer and CEO, EMU Sacco.

Patrick Maina at his farm in Nanyuki, Laikipia



## Best Practice in Sustainable Water Resource Management

**Patrick Maina**, an EMU Sacco beneficiary, is a Nanyuki-based water technician and smallholder farmer. Rainwater from all the roofs in his home is harvested and channelled into storage tanks and water pans. Overflow from the reservoirs is directed onto a field where he grows fodder for hay while household wastewater is recycled and channelled to a banana farm. No water goes to waste on his farm.

Maina utilises the stored water during the dry season and employs drip irrigation and technology adapted to locally available resources to minimise wastage and maximise efficiency. He keeps livestock and fish and grows drought resistant, high yielding crops on his model farm which is also a training centre for farmers from water-scarce counties such as Kajiado and Kitui.



Patrick Maina with a water filter

**Tim Hobbs** runs a 25-hectare mixed organic farm in Nanyuki. It is the only certified carbon neutral business in Kenya. The enterprise produces roses and summer flowers for export and also engages in livestock farming, beekeeping and sustainable forestry.

The farm uses 1,000 cubic metres of water a day. The greenhouses collect rainwater which is channelled into dams and lagoons. All runoff is collected into a 20-acre dam with a spillover into the Burguret River. This bulk water storage facility is designed to sustain the farm for 90 days, thus eliminating the need for abstraction when river volumes are low. Water for domestic use is sourced from a borehole on the farm.



Tim Hobbs at his flower farm in Nanyuki

**“Efficient water harvesting, high value crops and improved farming techniques should be exploited to improve WASH, boost household incomes, improve livelihoods and conserve water resources in semi-arid areas.” - Stanley Kirimi**

## Changing Times for Pastoralists

Kudoti WRUA is based in the semi-arid Mukogodo Location of Laikipia North with only 105 registered members out of 3,000 water users. Payment of water fee is poor and irregular, making it difficult for the WRUA to execute activities outlined in their SCMP.

Kudoti water users are split into upper, mid and lower zones. The upper zone has a surface dam and one borehole constructed by the County Government. The mid zone has one surface dam on Loirien River while the lower zone has one surface dam and three boreholes dedicated to the community. Two dams are dedicated for Doldol Town. All the dams were constructed by a donor.

Access to water in the interior is a challenge, especially during prolonged dry spells when residents walk 5-10 kilometres to the nearest spring. But because dams built for wildlife have silted up, elephants troop to the springs too, destroying vegetation and creating conflict with locals.

The community abuts the Samburu who, in times of drought, migrate to Mukogodo in search of pasture in the forest that serves as a catchment for the area's springs and seasonal rivers.

**Climate change is a threat to pastoralists who are forced to cover longer distances for pasture and water**

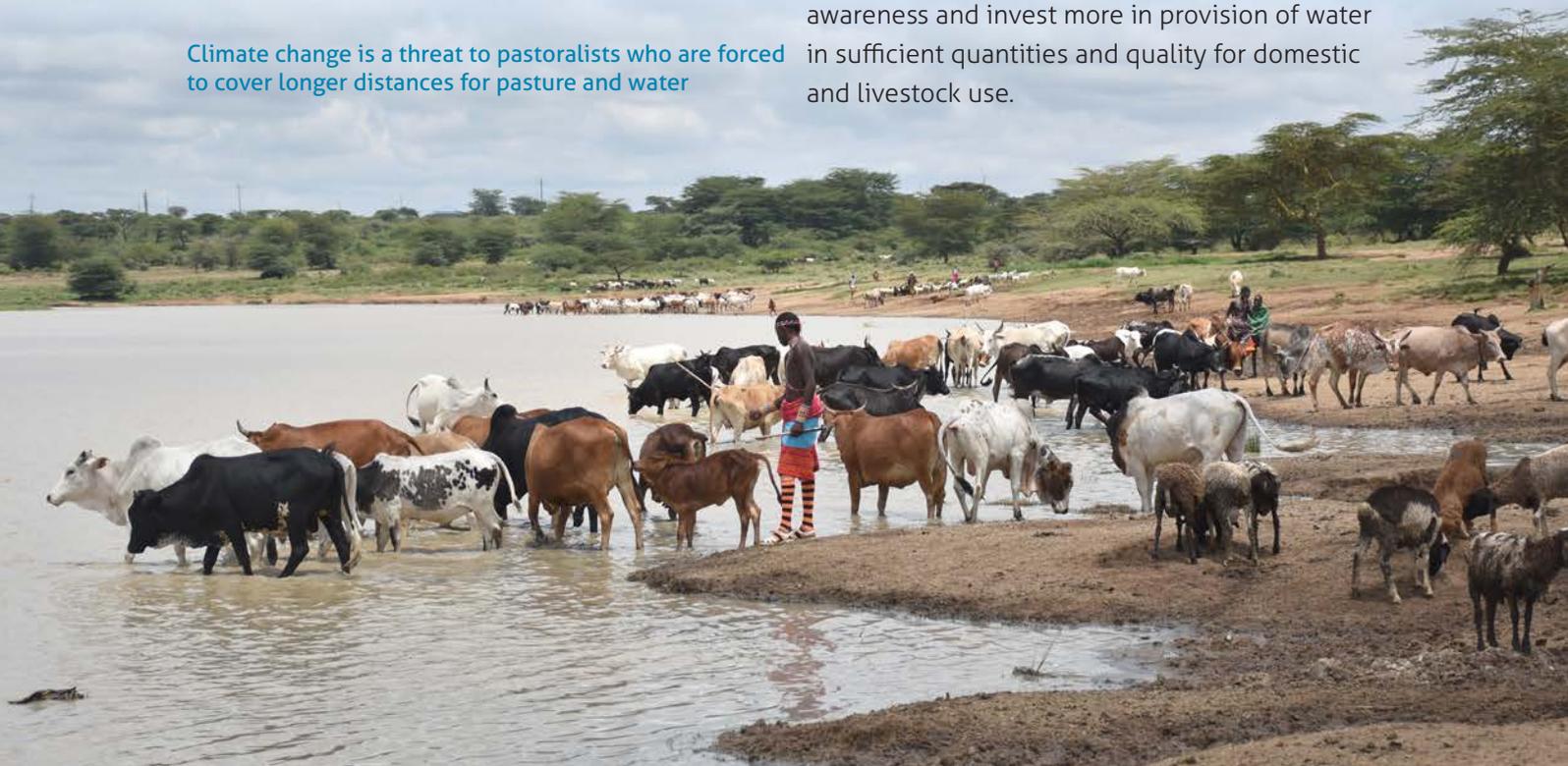


Daniel Kimalel, Kudoti WRUA Chair

**We post community scouts to protect the springs from human destruction and have a grazing committee to secure key areas of the forest from livestock.**

They however need two boreholes repaired, water piped to the interior, a dam for wildlife, earth dams for livestock and shallow wells for domestic use.

In remote pastoralist communities such as Mukogodo, stakeholders must make a deliberate effort to reach and strengthen WRUAs, raise awareness and invest more in provision of water in sufficient quantities and quality for domestic and livestock use.



## Never Take Water for Granted

As a young girl, I would walk two kilometres to the seasonal Loisukuut River in search of water for domestic use. Today, women and girls spend three to four hours per trip as the water volume has decreased and livestock, which always have top priority in our community, also drink from the same water point. For womenfolk in my community and even the larger Laikipia North, 20-litres of water is pure gold.

I first saw water running from a tap at age 12 when I joined a boarding school and marvelled at the water gushing from a shower. Up to date, we have no tap water. Those who have water take it for granted. In my home area, 10 people can use one cup of water at times.

We have partnered with a foundation to mitigate the effects of climate change at the local level because weather disparities severely impact persons with disabilities.

This initiative includes campaigning against uncontrolled sand harvesting and pollution of Loisukuut River to stop erosion of the river bank and destruction of the acacia trees which guard the catchment that sustains our people.



Jacinta Silakan of Sangida Foundation is also a member of Kudoti Community

When the COVID pandemic broke out, we were hit with a new realisation. The markets were shut down. We could not get any vegetables. It was during this period that we, together with another organisation, initiated an empowerment programme to explore alternative livelihoods such as chicken rearing and vertical gardening. Some 100 families have taken up this initiative to supplement their nutrition and income.



For womenfolk, a 20-litre container of water is pure gold





Tim Hobbs, Chairman, Mount Kenya Growers Group

## Awareness and Efficiency to Curb Wastage

In this area, there used to be a perception that commercial farmers were using up most of the water in our rivers, but this is not the case. In reality, community water projects use over 80 per cent of the water abstracted from rivers.

The more pertinent question for Mount Kenya Growers Group and other water users is, how efficiently are we using our water? Inefficiency, wrong irrigation technology and wasteful practices should be curbed through education and awareness. A case in point is when we came across a farmer irrigating his wheat crop using overhead sprinklers at midday on a windy day.

We also have thousands of water users who are neither registered with a WRUA nor pay water fees. They exploit the resource at no cost and are likely to misuse and waste it because if you do not pay for something, there is a tendency not to appreciate it.

Despite policy gaps, our regulatory framework for water governance is generally sound. However, the biggest impediment is weak implementation and inadequate enforcement due to budgetary constraints.

Another weakness is the absence of a holistic approach to WRM in large water basins with multiple users such as Ewaso Ng'iro North which transcends county administrative boundaries. This is the coordination gap that MKEWP is trying to fill.

For instance, during the dry season, pastoralists move their herds up the mountain in search of pasture – not water. Unfortunately, the link between pasture management and conservation is rarely recognised as a WRM strategy. This means individuals and groups pursue their water interests with little consideration for the needs of others.

The connection between people upstream and those downstream is also distant and a lot of sensitisation is needed to cement an understanding that what happens upstream affects the pastoralists downstream. The potential for commercial agriculture for employment and economic growth in this region is immense, but only if the resource is conserved and shared equitably.

## Community Engagement and Partnerships in Action

Naromoru WRUA, which manages a 100 Kilometre-long stretch of the transboundary Naromoru River in a 188Km<sup>2</sup> basin, is one of the most inspiring WRUAs in Kenya.

The association employs a community approach to ensure equitable sharing of river water by upper, mid and lower users. The WRUA is governed by a management committee with representatives drawn from all three sections of the river. The managing director of Nanyuki Water and Sanitation Company (NAWASCO), the Laikipia County government-owned firm responsible for urban water supply, also sits on the 17-member committee. The team meets once every month.

Unlike most WRUAs, the Naromoru association has a rented office and its affairs are coordinated by a salaried manager. Its KES 50,000 monthly budget is funded by contributions from NAWASCO, community water projects, two commercial farms and individual households. The WRUA develops funding proposals for big projects and is currently working with the Water Resources Authority to access grants from the Water Sector Trust Fund (WSTF).

"I had not quite grasped the power of lobbying before. We have achieved so much by simply having a dialogue with leaders, including members of parliament and governors, and explaining our needs. The Nyeri County Commissioner has, for instance, promised to allocate us land to build an office," says WRUA Chairman, farmer and trainer, Ephraim Kahenya.

Naromoru WRUA plans to raise revenue and compliance by increasing membership from 35 to 80 per cent of water users. It also hopes to employ river scouts to clamp down on illegal water abstractions which stand at 90 per cent of river connections.

The WRUA has successfully put the Watershed training on lobbying and advocacy into use – first by seeking funding from MKEWP to lobby for a government-funded mega-dam, and then collecting 1,000 signatures to petition the Laikipia County Government over lack of progress for the project. They also successfully lobbied the County Government to address waste management issues by digging a trench and diverting seepage from a dumpsite located 100 metres from Naromoru River and to have the wasteyard moved altogether. Thus, the Nyeri County Government has set aside KES 20 million (approximately 15,600 Euro) to purchase land for a new dumpsite far removed from the river.

### Hand in Glove

Water, Sanitation and Hygiene (WASH) and Water Resources Management (WRM) are closely intertwined as adequate provision of WASH services depends on good water resources management, and good water resources management in turn requires WASH services to be provided in an adequate manner. Nothing illustrates this better than the Naromoru WRUA fighting to ensure that untreated waste water is not disposed in open water bodies and that it does not pollute groundwater.

**Smallholder farmer Ephraim Kahenya grows fruits, vegetables and lavender**



## Enabling Disadvantaged Pastoralist WRUAs

Unlike upstream communities that have more access to water and are therefore better resourced, distance and geographical challenges leave downstream WRUAs disadvantaged. Partners cannot reach them and they get demoralised when they are unable to mobilise resources for activities outlined in their sub-catchment management plans.

Indigenous Movement for Peace Advancement and Conflict Transformation (IMPACT) is a community development organisation that works with pastoralist communities to address major problems affecting minority and indigenous peoples. In regards to water resources, IMPACT focuses on building capacity for WRUAs to take action as key water stakeholders at the community level in the pastoralist areas of Samburu and Isiolo.



**Due to marginalisation, literacy levels are low. This affects the capacity and awareness of pastoralist WRUAs.**



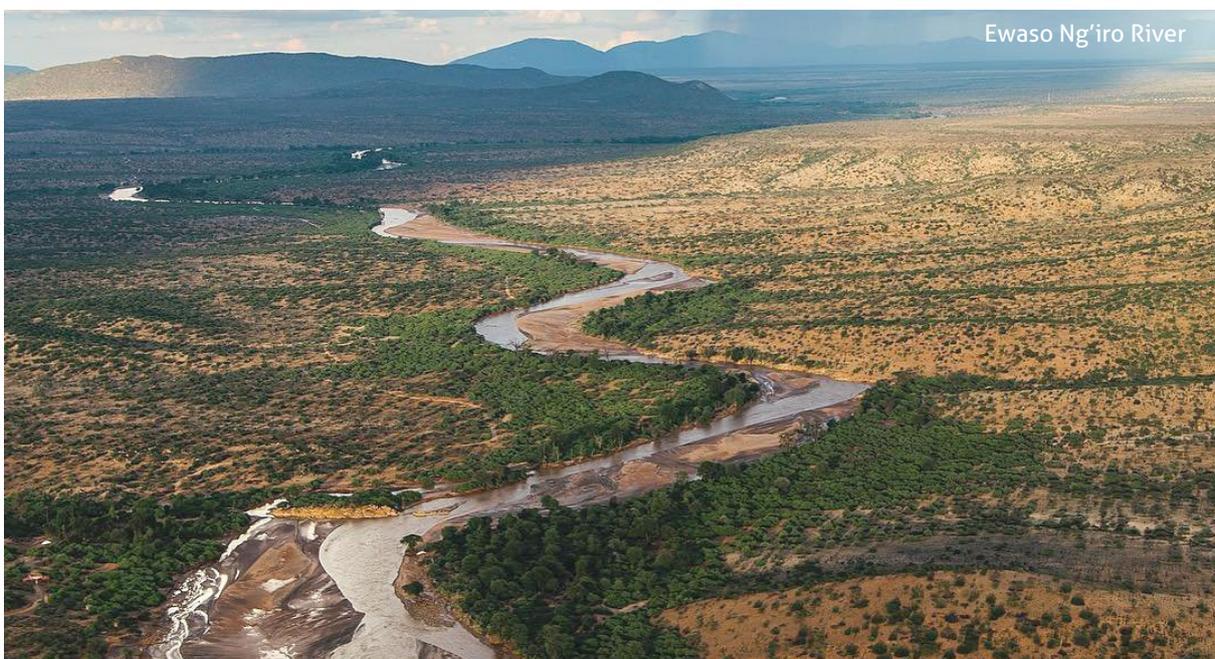
IMPACT has therefore been involved in boosting the WRUAs capacity through training on leadership, financial management and awareness about their roles and responsibilities under the Water Act," says IMPACT acting Deputy CEO, Elizabeth Nassy.



**Elizabeth Nassy, Acting Deputy CEO, IMPACT**

IMPACT views economic empowerment as a driver to help communities in understand the critical role that water plays in enhancing livelihoods. Embedding livelihoods projects under WRUAs is, therefore, a selling point for WRM particularly for pastoralist communities grappling with climate change. Some of the women empowerment projects that IMPACT has initiated include kitchen and sack gardens, chicken farming and beekeeping.

Registration of pastoralists under community group ranches would improve their sense of ownership over land. Permanent human settlements would strengthen WRUAs and in turn make them more effective custodians of the water resource.



Ewaso Ng'iro River

## Leave No One Behind

### A Helping Hand for Women with Disabilities



Valentine Keraita, Chairlady, LAWADAV advocates for holistic social inclusion on water issues

Access to water is a challenge for women living with disabilities. In urban areas, they not only have to buy water but also pay someone to carry it for them. In semi-arid areas, boreholes are often way out of reach for these women.

However, these issues do not come to the fore because these women are marginalised not just by society, but by men living with disabilities within groups for special needs persons. Hence, the United Disabled Persons of Kenya (UDPK) and Watershed helped the women of Laikipia to establish LAWADAV – Laikipia Women with Disability Amplified Voices. Through Kenya Water for Health Organisation (KWAHO), peer advisors were trained in lobbying and advocacy and gaps in information access identified.

From Watershed's support, LAWADAV lobbied the County Government to ensure venues for public participation are disability friendly, that their representatives must be facilitated to

attend these forums and that a sign interpreter must be present. These issues are captured in the County Public Participation Bill.

Today, women with disabilities are represented on the Laikipia County Water and NAWASCO boards and almost every other government board in the County.

Other than lobbying and advocacy, the Watershed-UDPK partnership trained their leaders to train and encourage others. As a result, they have formed three women groups for persons living with disabilities. One group does table banking to access infrastructure. Four women have so far bought water tanks.

**Participation of women with disabilities in water management is bearing fruit here. A case in point is Matanya centre in Nanyuki where a water kiosk was placed next to the home of a woman living with disability - Valentine Keraita**

## Water, Marginalisation, Women and Children

One More Day for Children Foundation in Kenya is a child protection Community Based Organisation that was formed by legal, medical and social work professionals. It is based in Laikipia, Meru, Isiolo and Samburu counties.

One of their focus areas is poverty and illiteracy of girls in Isiolo and Laikipia North. These are semi-arid areas where poor access to water affects girls significantly.

Travelling long distances in search of water causes absenteeism in school and exposes them to sexual abuse and teenage pregnancy. Lack of water also impacts their menstrual hygiene. Women, girls and children also suffer most when water-related conflicts and human-wildlife conflicts arise.

The organisation views community water sources and points as enablers of development and WASH. Poverty, illiteracy, abuse of rights and many health issues affecting girls are linked to inaccessibility to clean water.



**Helen Gathogo - Executive Director,  
One More Day for Children Foundation**

Women and girls are therefore key stakeholders in WRM and WASH. Sadly, geographical challenges limit public participation of downstream communities, more so for women who are further bogged down by illiteracy and cultural norms.

Challenges facing women should be tackled using water because effective WRM has an impact on WASH, personal hygiene, availability of food and quality of livelihoods.

## Double Tragedy for Mothers

I am a nurse by profession. I started Sangida Foundation in honour of my firstborn son who was born with a severe cognitive disability. In my Maasai community, disability is considered a curse or a bad omen.

We run a rescue home for children with special needs who require safety and protection. We have rescued 60 such children who had been secluded in their homes and placed them in schools. We also support women with disabilities and women with children with special needs.

Laikipia North is water insecure and this entrenches marginalisation for youth and persons with disabilities. The youth have to walk

for long distances to water cattle and goats at the expense of schooling. The girls can't clean up during menses while those with disabilities are exposed to more risks such as defilement when their mothers are away in search of water.



**Jacinta Silakan**

## Water Sector Governance

### From Source to Homes

Nanyuki Water and Sewerage Company (NAWASCO) is an autonomous company responsible for water and sewerage services in



**Frank Wandia in charge of Water Quality and M&E NAWASCO**

Nanyuki and parts of Nyeri and Meru counties. It caters for a population of 120,000 people spread over 286 Km<sup>2</sup> and manages 15,000 water connections and 5,000 sewer connections. Those who access Company water are required to have standard septic tanks for evacuation of waste. Unfortunately, some polluters discharge waste into rivers at night to avoid investing in sewerage facilities such as septic tanks. Runoff from farms and garages also contribute to river pollution.

NAWASCO's main source of water is River Likii from which over 14,000 cubic metres of water is pumped daily. During the January to March dry season when water volumes drop, abstraction is normally cut by half to enable the communities downstream to access water. A six-month bulk water storage facility has been planned to counter this challenge.

Payment tariffs are structured such that those who use a lot of water attract higher rates. This is aimed at discouraging wastage and protecting the poor and vulnerable.

The decline of water volumes in rivers upstream is attributed to global warming and destruction of the forests. In the dry seasons, pastoralists drive their cattle to the Company's water intake points, further compromising the integrity of the catchment. Forest fires up Mt Kenya also discolour the water and escalate treatment costs.

NAWASCO is a member of several WRUAs which it supports through subscriptions, technical advice, water abstraction fees and tree seedlings donations to protect river banks. The Company also works with the Laikipia County Health Office to ensure that untreated wastewater is not discharged into water resources.

The Company's ability to provide quality water for urban residents is hinged on the protection of the catchment.



## Rising Demand, Dwindling Resource

The Laikipia County Water Department's mandate is to bring clean water as close as possible to every community, which is five kilometres at the most from each home.



**Godfrey Mambo, Deputy Director Water, Laikipia**

This is crucial in the arid Laikipia North where there are neither permanent springs nor rivers. The only available water is groundwater, but abstraction is expensive as the water table is extremely low. Existing water projects have also been overtaken by time. More boreholes are needed.

In Laikipia West where there are some rivers, farmers have built intake points that are often destroyed by frustrated pastoralists and ranchers in the dry seasons so that the scarce resource can trickle downstream.

The reality, however, is that water is inadequate. The Water Department is planning to establish only one common intake for every community or group to ease regulation and minimise wastage. Additionally, anyone abstracting water from the river for irrigation will be required to have earth dams or pans that can hold water for at least 90 days to ease pressure on rivers when the

volumes decline. This is a 2007 WRA regulation. Field visits are necessary to enforce compliance. Storage dams are needed on River Likii to harvest water during the rainy season. The resource should also be supplemented with boreholes in the forest and the dams desilted to ensure availability of water throughout the year. To ensure proper sanitation and hygiene, water from streams and dams needs filtration and treatment.

NGOs have been instrumental in helping the County to bridge the budget gaps within the sector through capacity building and infrastructure development. Quarterly roundtable meetings between all the players would improve coordination and help avoid duplication of projects.

WRUA fees need to be regulated and the money put to good use. In addition, these associations need to be more proactive in the protection of riparian land in conjunction with county officials and the local administration.

Education, food security, health and industrialisation are the development pillars in our County. These cannot, however, be achieved without sufficient volumes of clean water for all, reinforcing the significance of WRM and WASH.



**Harvesting water through earth dams eases pressure on rivers during dry seasons**

## Lessons Learned

### Building Strong Partnerships for Change

The Centre for Social Planning and Administrative Development (CESPAD) is a non-governmental organisation that specialises in Integrated Water Resources Management (IWRM), Sanitation, Hygiene, Environmental Conservation, Agriculture and Poverty analysis.

CESPAD had been working on IWRM governance in Kajiado since 2012 and was an attractive partnering organisation for Watershed whose key objective was to empower citizens to improve WRM and WASH.

Under the Watershed Programme, CESPAD was the implementing partner that was tasked with building institutional capacity for water governance in Kajiado County on behalf of Wetlands International.

Their key role was, first, to train citizen groups about their rights and responsibilities and build their capacity to participate in decision making from an informed perspective. Implicit here was the need to enable WRUAs to know their rights and call the government to account in respect to access to sustainable environment services such as clean and adequate water.

Second, CESPAD focused on building institutional capacity within the then newly established Kajiado County Government to help them customise water-related laws and policies to the needs of urban and rural water users and livestock and wildlife in the vast, water-stressed county. This included providing technical support for policy implementation and helping the new county government to bridge gaps in the financing of WRM and WASH projects in collaboration with other stakeholders.

Among others, CESPAD counts the formation and capacity building of the Kajiado WRUA Council



Ashah Shaaban

as one of the best successes of the Watershed Programme. The Council has proven to be a strong force in lobbying, particularly in the area of budgets for WRM.

The Kajiado County Water Policy, now awaiting approval, is an offshoot of the Programme. This policy, once approved, will guide water resources governance and reinforce the integration of WRM and WASH.

The organisation also engaged media to create awareness within the community on the significance of participating in budget making at the County level to ensure that water projects are sustainable.

CESPAD team leader Ashah Shaaban, however, says the Programme should have had a longer time frame because it takes about ten years for such an undertaking to take root.

“Because of the short time frame, we were not able to bring in more stakeholders, especially the private sector who are heavy water users,

onboard and fully engage and involve the County Health Department in WASH activities," states Shaaban.

Shaaban also believes water governance programmes can be more effective through a coordinated platform that enables collaboration based on individual strengths for bigger impacts.

Going forward, one area that still requires focus is the policy and legal framework for water governance. "We need the rules refined better to make the linkages between the national government, counties and WRUAs seamless to avoid duplicating efforts. Counties, for instance, can allocate resources to WRUAs if the legal system is changed," says Shaaban.

**“Political will is also instrumental in creating sustainability in the water sector so that communities are not left with projects that they can't manage on their own. Better collaboration between CSOs and government agencies is also required - Ashah Shaaban.”**

Kajiado and Laikipia counties are dotted with seasonal rivers



## Devolution, Challenges and Opportunities for Water Governance

The five-year Watershed Programme was implemented in Laikipia and Kajiado Counties of Kenya starting 2016 in the backdrop of the Kenya Water Act of 2016.

This new legislation was aimed at aligning water governance from the previous Water Act of 2012 to a new national constitution devolving executive authority to county or regional governments (KEWASNET, 2018).

Programme inception coincided with confusion in the sector as newly formed county governments grappled with their new (or presumed) responsibilities. Notably, county governments like Kajiado wanted to own and sell the water within their jurisdiction to less resourced counties. But this was at variance with the new Act which explicitly defined water as a national resource to curb inter-county conflicts where the resource is both scarce and transboundary. Counties were instead only tasked with water service delivery.

A keen appraisal of the five-year Watershed Programme raises two key questions: One, is the policy and legal framework as provided in the Kenya Water Act (2016) sufficient to manage and navigate water governance under devolution? And two, do national government agencies, county entities and community organisations have the institutional capacity to execute their mandates with respect to water governance?

On policy and legal framework, field visits and interviews with stakeholders revealed several issues, among them policy gaps that create duplication, conflicts and confusion within stakeholder institutions which undermine enforcement of regulations and expose the water resource to degradation. A case in point is the Kimana Swamp in Kajiado, which is undergoing severe degradation despite five well-established government institutions having some form of responsibility or oversight

role over the resource. There was unanimity, therefore, that laws and policies governing water resources management and the institutions charged with this task need to be reviewed, strengthened and harmonised.

Poor enforcement of regulations was particularly attributed to weak institutional capacity within national agencies, county governments and local water user associations. Unfortunately, the nascent county governments had and still have limited resources and a multiplicity of needs. Equally, political (and other) considerations rarely prioritise water issues, even in water-stressed counties like Kajiado and Laikipia. Nonetheless, there exist legal opportunities for enforcement of regulations within county government structures and the provincial administration that have not been tapped.

While the water users associations are, on the other hand, closest to the resource and mandated by law to protect catchments and water sources, they are voluntary, undersubscribed, under-resourced and lack the capacity to carry out stipulated functions. Downstream WRUAs, in the case of Kajiado and Laikipia, are the most affected because of marginalisation and geographical challenges.

Watershed helped bridge these gaps through capacity strengthening interventions including training and mentorship. The more resourceful and better resourced WRUAs have, as a result, used lobbying and advocacy to their advantage, seeking out donors to implement their activities and challenging county governments to budget for water governance projects and activities.

To this end, County budgets for water-related issues have improved considerably and several County Bills related to the environment, climate change and water governance have been discussed and await passage into law.

Lobbying and advocacy are, unfortunately, built around relationships and can be disrupted by frequent transfers of key county government staff. The feeling among stakeholders, therefore, was that WRUAs would be more efficient and better resourced if they were anchored within county governments as a matter of policy so that their planned activities are reflected within County Integrated Development Plans.

This is critical because it would assure sustainability for water projects and avail resources, particularly for the poorly resourced downstream communities of Laikipia and Kajiado where water is scarcest yet their WRUAs appear to be the weakest. To mitigate this weakness, the volunteer role of WRUAs and their officials needs to be re-examined and resources availed to them by the government because of the critical roles they play in WRM. For accountability, these funds should be tied to performance contracts by respective WRUAs.

Ironically, stakeholders and public-private partnerships appeared to congregate upstream where water users are better resourced, and not downstream where their leverage is needed most. This calls for stronger multi-stakeholder platforms that can view the water basin as one entity to help marginalised WRUAs identify and cultivate funding sources. It is, however, worth noting that whereas Basin Water Resources Committees are anchored in law, not once were they mentioned during the field visits, suggesting poor awareness, inefficacy or weak linkages with WRUAs. The WRUA Council appears to step into the void but lacks the political credibility and power associated with legally recognised institutions.

Lack of awareness was also recognised as a hindrance toward effective water governance. For instance, most water users neither subscribe membership to WRUAs local associations nor pay fees as they are not aware of their rights and responsibilities.



Fetching water from Olchoro Springs in Nalepo, Kajiado County



Upstream water users are also not fully aware of the impact of their activities on the lives and livelihoods of downstream communities. This is one area that Watershed should have invested more time and resources in liaison with local media and stakeholder government institutions, in particular the provincial administration and county departments of public health.

Innovation came across as a powerful tool in IWRM, with the Programme and its partners providing several remarkable illustrations: a County Water Council that gives WRUAs stronger political and lobbying leverage on a wider ecosystem basis; a water Sacco that enables families to harvest rainwater and brave out the impacts of climate change; livelihood projects

It is exciting to note that social inclusion under Watershed has not only given women living with disabilities the capacity to have their voices heard but also to lobby for representation in water and other county government committees. They have formed self-help groups for saving, set up small income-generating projects and purchased water harvesting and storage equipment for members. These are novelties that must be strengthened and replicated in other areas.

Equally, while Watershed was well received, the thinking among both collaborating partners and water user associations was that the Programme was too short to create the desired impact. A ten-year cycle was deemed more ideal to



**Women at a community borehole**

such as kitchen gardens and bee farming as a fulcrum for WRM and WASH, and social inclusion interventions to avail the resource to the marginalised and the very poor.

entrench institutional capacity, establish sound policy and legal frameworks at the county level, build stronger public-private partnerships, and assure sustainability of water projects.

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