

**Wednesday, 12<sup>th</sup> March 2014**

**COUNTY GOVERNMENT OF NYANDARUA**

**NYANDARUA COUNTY ASSEMBLY (First Assembly, Third Session)**

**OFFICIAL REPORT**

**The House met at 9.00 A.M**

**Hon. Speaker in the Chair**

**Prayers**

**Speaker:** next order

**Clerk:** Motion on the adoption of the report **on the Nyandarua county forest management by the committee of water, environment and natural resources**

**Speaker:** chairman

(REPORT ATTACHED)

**Honorable Monica (Nominated):** Thank you Mr. Speaker sir, I thank my able chairman for the compilation of this report on water, environment and natural resources. Mr. Speaker sir, I am a member of this committee and this is what we observed about the forests because our mandate is about the environment; that is what we gathered during our visits across the forests and it is well indicated that the revenue collections, deforestation and harvesting. We noted that through

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harvesting and the role of various stakeholders in this that is important to our forests; Geta and Mutarakwa in south Kinangop.

Mr. Speaker sir, through our recommendations, we noted from the conservator who escorted us to the various forests that he was concerned about our intentions and Honorable members are well aware that we should be actively involved. The communities should also be involved in tree nursery planting and even the harvesting of trees. Mr. Speaker sir, I understand that the Jubilee government manifesto indicated that 30% of all tenders should be reserved for the youth, a directive that has not been observed in regard to Nyandarua county forests. We noted that the community and the youth should be more involved. 70 % of the tenders should be reserved for residents of Nyandarua County in accordance to the county governments Act. We also recommend the establishment of bee keeping. This will create a much needed source of income for the community. Tourist attraction sites should also be well established for the creation of revenue; such sites include Geta and white case as a tourist hotel and a tourist attraction for bird watching among others also, Mr. Speaker sir, the county executive of water, environment and natural resources should come up with modalities and a process of establishing a factory for tree products such as pencils, toilet paper and other products in order to create more revenue for Nyandarua.

Thank you Mr. Speaker sir and I rise to support and second this report. Thank you Mr. Speaker sir.

**Speaker:** Honorable Mwachigi

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**Honorable mwichigi ( Nominated ) :** Thank you Mr. Speaker sir, I rise to support the report tabled on this House and as the report clearly says that most of the benefits that come with the natural resources we are entitled to go the national government and in the wake of this, what we are left with as a county is a problem on damaged roads and we feel as a committee that the executive members and the county in general should come up with ways of benefitting from the harvesting of these trees because as it stands now, and as it is clearly written in this report that the county is the one suffering a lot of losses once maybe the Kenya forest tender for harvesting of these trees, the trees are harvested, and you find that in some cases these trees are harvested by members of other counties, damaging our roads further yet ours is the only county that is left to repair them. This is and I say as a member of this House that we should come up with a way of ensuring that we benefit from this harvesting through the introduction of cess for instance, where we get to charge the lorries entering the forests. We can introduce cess collection points around the forests or near outside the forests and let's charge them so we can take care of these roads.

The other way is that our county government can enter into negotiations with the Kenya forest service and let them compensate for the damaged roads because, why should we allow them to harvest trees and pass through our roads if they cannot take care of those roads? If they are not ready to take care of the roads leading to the forest, let's then close our roads and not let the lorries coming to the forest pass through those roads and we shall see where they get their resources from. Another issue, Mr. Speaker sir, it is not clear where the natural forests lie; whether it lies with the national government or the county government, there is a lot of conflicting information. We would urge the CEC members of water, environment and natural

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resources to tell us clearly where these forests lie so that we are able to take charge and if it lies with the national government, they should come out clearly so we can know our mandate as far as the natural forest is concerned. The other issue as highlighted in this report is about tourism sites which need to be opened. They need to be advertised and familiarized to the people. The county government should disseminate this information to the members of the public and make sure they are aware that there are tourist sites in our county because some of these sites are unknown to the public. Even the people who come from those areas are not aware that they have a tourist site. These people should be made aware and the executive member maybe of tourism should also carry out a study to investigate the sites that could generate income for this county.

With those few remarks, I wish to second the report and urge the House to support adopt it for this House.

Thank you very much

**Speaker:** Honorable Dorcas

**Honorable Dorcas (Nominated):** Thank you Mr. Speaker, I rise to support the report by the committee of water, environment and natural resources. The report is well explained and well understood Mr. Speaker because all that is highlighted in that report is actually, what is affecting our county Mr. Speaker. Mr. Speaker, on the mature tree harvesting, it is very unfortunate that our local people who are usually involved in the planting of trees just see people come and harvest those trees without their knowledge. All that we see as people of Nyandarua is exploitation of labor, Mr. Speaker as the loading of logs is done by our youths this in turn

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reduces their life expectancy, Mr. Speaker, as these logs are very heavy. This really is total exploitation to our people. Mr., Speaker, also, our people in Nyandarua are used in conservation of these forests when they are encouraged to plant trees and when there is a forest fire, it is our youth that are involved in the risky process of putting it off. Mr. Speaker it is very unfortunate and we feel that our people are only used to do the hard jobs but when it comes to the reaping, Mr. Speaker, other people come to enjoy the sweat of our people. Mr. Speaker, as a county and through the CEC members of the committee on water, environment and natural resources Mr. Speaker there has to be a legislation on how our people can be involved in the right manner Mr. Speaker the natural resources are under the national government but Mr. Speaker, it is very unfair for the national government to take advantage of our people because it is under their mandate Mr. Speaker. If the natural resources fall under the national government Mr. Speaker, when there is a forest fire Mr. Speaker, the national government should look for ways to put off the fire not having our youth get involved in that risky process Mr. Speaker. Also, if the youth of Nyandarua will not benefit from the harvesting of mature trees Mr. Speaker, then the national government should look for ways to do the logging and not our youth. Mr. Speaker, when our youth are involved in the logging, they are not able to do the extra duties they are expected to do in their Houses .and you get our young women will go out and look for other men to give them children Mr. Speaker. Those homes then turn out to be another Rwanda of Hutu and Tutsi Mr. Speaker am sorry to mention but we need to safeguard our youth to do the right job and benefit in the right manner and the correct manner so that it will be a joy to conserve the forest Mr. Speaker I support the report and say that something has to be done on how our county will

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benefit from the forest and not be disadvantaged by what they conserve. Thank you Mr. Speaker, I beg to support the report.

**Speaker:** Honorable Kamau

**Honorable Kamau (Leshao Pondo) :** thank you Mr. Speaker I rise to support the report but with an amendment Mr. Speaker. The amendment is on the recommendation pg 15, the topmost paragraph because it is not clear on whatever is supposed to be done. The recommendation reads like this the county government to negotiate with the national government on the issue of title deeds and the land demarcated for Ndaragwa town and any grabbed forest land to be repossessed by the county government. It is not clear what the committee really meant by this but I propose that from my experience because I hail from Ndaragwa that Ndaragwa town is within gazetted land. My amendment Mr. Speaker, I am proposing that the paragraph should read that the county government should negotiate with the national government about hyping Ndaragwa town from forest land consequently to allow expansion of Ndaragwa town owing in mind that it is our sub county headquarters and I call Honorable Gachari to second my amendment Mr. Speaker.

**Speaker:** before I call Gachari to second the amendment. Let me pose the question of amendment on pg 15 on this report, the first paragraph

Hon members I propose the question that page 15 of this report of water, environment and natural resources be amended as proposed by Hon. Kamau.

**Hon Gachari (Shamata):** Hon Thank you very much Mr. Speaker sir, I stand...

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**Speaker:** Hon members I made a mistake and I stand to be corrected. The amendment, Hon Kamau can you move a bill of amendment please.

**Hon Kamau (Leshao Pondo):** Thank you Mr. Speaker am proposing an amendment on the uppermost paragraph on page 15 to read the county government to negotiate with the national government on hiving of Ndaragwa town from forest land and consequently issuing lease title deeds to allow expansion of Ndaragwa town

**Speaker:** Honorable Gachari now you can second

**Hon Gachari (Shamata):** Thank you very much Mr. Speaker sir, I rise to second the motion that Ndaragwa to be expanded and the town is just a small town in a forest Mr. Speaker and we have been trying ever since Moi's era and we were given about 3000 acres for the expansion of the town and in the case of gazetment we waited for it to be gazzeted. We also tried with the former president Honorable Kibaki and we failed. I therefore support and recommend the expansion and hiving of the town. There was a time we wanted and there was a contractor Mr. Speaker sir who was doing the business of construction in the office and was arrested by the forest officers and he was said to be taken to court by the former president Honorable Kibaki. I therefore support and recommend and second that the town be extended and hived and our people to have title deeds so the town can grow. Thank you Mr. Speaker sir.

**Speaker:** Honorable members I conclude that the amendment be done and I propose the question that amendment be done on page 15 of the report on water, environment and natural resources as proposed by Honorable Kamau

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**Hon Gachomba (Njabini/Kiburu):** Thank you Mr. Speaker I wish to support the report on water, environment

I support the amendment on the gazetment of Ndaragwa township as said by Hon Gachari Mr. Speaker.

**Speaker:** Hon. Members, now I put the question that the amendment on pg 15 paragraph one on the report on the Nyandarua county forest management by the committee of water, environment and natural resources be amended.

May as many as of the same opinion say “aye” as many as of the contrary opinion say “nay”.

The “aye”s have it. Proceed Hon. Kamau

**Hon Kamau (Kalou):** Thank you Mr. Speaker, let me start by congratulating the very able chairman of this docket who has brought this well versed report. And I support it with the amendment. Let me start by saying that our youth just as indicated by Hon. Dorcas, they are never awarded tenders but are used as source of labour and it is worse that they are not paid in cash but in kind, what do I mean by this Mr. Speaker? They never get money but they get the awkwardly brewed beer which kills them instantly. Mr. Speaker, it is also wise to note that these saw millers raise money for road conservation but only on the roads inside the forest yet the damage is also on roads outside the forest and especially now that we are murraming our roads, those areas neighboring the forest. Logging is becoming very common, go to Oljororok just next to the former post office, there is a sawmill a few km from there, am not sure about the name of that small town, there is also another sawmill. In the next two, three months, if logging

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continues, the roads will go back to their former conditions. The trucks are going to deteriorate the same roads that we have prepared. I suggest that we erect barriers so that these trucks can bring revenue that can maintain the roads. The other issue, the saw millers recommended that for one to be a member, they have to have the machinery. Mr. Speaker I want to make it very clear that our youth are financially crippled. For our youth, let it be subsidized and with those few remarks Mr. Speaker, I want to urge this Honorable House that we agree unanimously agree that road barriers be put so that those harvesting mature trees pay enough to maintain those roads. I stand to support the report.

**Hon Gachari (Shamata):** I stand to support this report because I like forests. It's my interest. Mr. Speaker sir, the natural resources mean wealth; trees and even stones are natural resources. We are very fortunate in Nyandarua Mr. Speaker because we have forests; we have natural resources unlike other counties that have no forests. Mr. Speaker, we are supposed to benefit from these forests. We are supposed to increase the forests because the reason as to why we have a lot of rain is the trees and forests and mountains. I therefore come to support the planting of trees not only in the forest but also in our homes and I also encourage the youth to register companies especially I have seen somewhere that it is only one person who was registered in Kinangop. I was very sorry about it because it is their right to register. We have the power to tell the government that our people in Nyandarua should benefit from our natural resources. There is no where else one can get enough money. Even in the construction of the roads and saw milling. I was one of them and I know there is a lost resource and because the trees are now growing there was a time where there were no trees and many sawmills were banned now let our people

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benefit, let them register, we come and fight it politically. We cannot let our people not benefit from our county. It is our county and we should be proud of it they should no be considered as planters for other people and in case of the barrier, people long time ago, they started sawmilling without sheds. This cannot be a condition because a shed cannot be anything for the benefit of the saw miller. I therefore Mr. Speaker as a businessman, as somebody who can do something in saw milling urge the county government to help our people and in case of devolvement as our Honorable member has said we must come out and know, let the county forests be devolved and in case we are paying them we should have a say and in case they are under the government they should tell us why our people are not benefiting and with these remarks I stand to support. Thank you.

**Speaker:** Hon Gachomba

**Hon Gachomba (Njabini Kiburu):** Thank you Mr. Speaker. I support the report by water, environment and natural resources committee for their well done research on our county research on environment and water. They have captured the mandate of the report Mr. Speaker which was harvesting mature trees from the forests, forest conservation, benefit of trees to local communities and the status of saw millers in the county, I think and actually Mr. Speaker I stand to support the chair and his team for their well done job. Mr. Speaker as the document is telling us Nyandarua County has been rated as number 7 in the country in terms of forest cover and this is because of the communities living around. Community participation of our people surrounding the forest cover is supposed in order to achieve the 10% forest cover, this cannot happen overnight it is done by and I believe that those who do that for example those people have never

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benefited from those crucial resources. To be rated no. 7 shows that the communities have been involved in the conservation. Those resources must go to our youth. They are bringing a lot of unnecessary issues in terms of acquiring the tenders and they are supposed to benefit from 30%. I highly doubt if that is the case on the ground they are putting a lot of unnecessary barriers. If I can highlight the document, the chairman has done so well, sometimes you are a very serious person Mr. chairman. I am talking about the fact that you have captured what was on my mind that we conserve the forest cover in our county and Mr. Speaker, I will be saying this now and then that those people who actually conserve the catchment should be given something in return in terms of compensation. And I think that intergovernmental relations should be involved. The chairman the county of Nairobi, Mombasa, Muranga and Nakuru have integrated relationships among themselves and if we are taking our water to Nairobi and we are there is no benefit out of this work and we are not what we shall do if they will not reciprocate and Nakuru county blocked the transport of hardware by our people and they were arrested and jailed for about 3 hrs. That is why I am saying since we want to have good relations between the adjacent counties, I am appealing to the chair to bring those people on board so that our people who are not benefiting can also benefit. I congratulate the forest officers who allow us to have forests in our private lands you should focus on marketing our county so that they can come and give us money. 70% of those resources must be given to our people who reside in the county. We are not supposed to have people from other counties coming to benefit from the resources in our catchment. We should have road barriers. If you look at the document pg 12, in Kiburu forest, July they had about 2.5 million, we will not allow all that money to go elsewhere. Let us be like the Maasai

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who charge. We must erect electric fences to protect our people. Even the beekeeping; one kg of Hone costs 1000 shillings and fish keeping business is very lucrative and they should be encouraged. They could form groups. In Malaysia, we saw they have manmade forests, but here we have natural ones. We need a marketing docket in our county. I appeal to those living in Sasumua dam because of the pollution of water and those people adjacent to the dam are suffering from hypertension. So that Mr. Speaker they can be able to do their daily lives and they can pay because I believe we should benefit from the catchment. I stand to support the report and I congratulate the team on a job well done.

**Hon Kieru (Gatimu):** Mheshimiwa Kiruka is complaining that I don't support his reports. So if I don't contribute, I rise to support the motion of adoption of this report as proposed the member for Charagita they didn't contain the motion of water but mainly concerned the issues of forest and wildlife. Maybe what this committee in future needs to do Mr. Speaker and I was able to as Mheshimiwa for Shamata has raised an issue regarding the issues of sawmilling. There is a sawmill at Ol Jororok which has been there for one month at the eyes of the DC, Dos, Chiefs and even the governor's and my own eyes and even as I went to find more about the sawmill they even don't have a certificate know what they are doing there I don't know if it is this committee because what they have is a private logging of blue gums from a certain place so that those logs can be taken to a certain places but they have converted logging to sawmilling so and when they are sawmilling, what revenue are they paying to us and they do not have a license. Finally the issue brought out by Mheshimiwa Gachomba, the issues inter government relations of these forests, natural resources that cross cut from one county to another. Mr. Speaker this committee

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of inter governmental relations will be coming with a very good report for this House that will address the fears of Gachomba and very soon we are going to write our report in Uganda and once we table this report here, I believe that most of the issues that have been raised concerning natural resources that go to other counties, especially Nairobi, Nakuru and Laikipia we shall address them in that report. Thank you very much Hon. Kiruka and your team for the good work done and I support your report. And I call him to respond

**Hon Kiruka( Charagita) :** Thank you Hon. Kieru, first all I want to thank Honorable members for supporting this motion on adoption of the report and also Mr. Speaker sir I cannot forget to donate one minute to my acting vice chairman Hon. Paul Mr. Speaker you are allow me.

**Hon Maina (Central):** Thank you Mr. Speaker sir, I stand to support the adoption of this motion and also let me thank all the Honorable members for supporting the document although there are challenges I would like the Honorable Gachomba, I think this is the docket that was given little money and I think when Honorable how we can support our youth and there is no way we can support our youth without the funds so I urge the House that for the next year, next budget lets allocate more money. About deforestation, we should have a legislation that if you cut four trees, lets plant ten. And if you go to talk about tourist attractions, I thank the Honorable members although when we went to Malaysia some thought we were loitering and they were saying they are wasting the resources of our county we can see that the tour we went to Malaysia members were trying to see what we can learn from Malaysia. There they have manmade forests but here we have natural forests, and if we clearly we can have more resources coming from forests, tourists also we have other challenges Mr. Speaker; if you go to Sasumua dam we see that our *Disclaimer: The Electronic Version of the Hansard Report is for information purposes only. A certified copy of the Hansard Report can be obtained from the Hansard Editor.*

people are not benefiting at all from it. They are diverted to other counties and I think that if we join our hands we can make more effort in this docket really we can collect more revenue for this docket. Thank you Mr. Speaker sir.

**Speaker:** Hon. Kiruka

**Hon. Kiruka (Charagita):** Thank you Mr. Speaker sir, I think now I will not spend a lot of time, first of all is to thank my Honorable members because as you know the areas we were visiting were dangerous places and we did not have security although we had a sergeant at arms although we did not have arms and when we are going to those forests we need the members to be protected with probably three policemen, G3. Mr. Speaker sir, we also want to thank our clerk for supporting us when we were writing this report it is very serious to have mature trees where the people of Nyandarua are not benefiting. Those people who are harvesting the trees, I found them that they were having heavy vehicles called 'Kirumia thi' and the people there only benefit from grass . Also the committee of implementation please make sure that this report is adopted or applied where necessary. It is very serious to hear from the Honorable member for Gatimu that there are some people milling there without licenses I think my committee we have a job to do we need to go there so we see what is going on because I cannot allow the people from this docket to see people benefiting from our resources. It is also good Mr. Speaker sir, that when the rain starts that all these people that are logging in our county we are going to stop them until the rain stops because we cannot maintain the roads and then we allow them to destroy them again. The roads committee its up to you to make sure you stop those business when the rain starts and it is very serious because the rain is almost starting and if you go to the Gathanji ward where I

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am farmer as you know I like farming, you will see the people of Nakuru using an destroying those roads. So am sorry, am worried Honorable for Honorable Thuita because you are going to have the same problem if the road committee is not going to act so I urge the Honorable Mr. Speaker sir now to adopt this report so that it can help our county. Thank you Mr. Speaker sir.

**Speaker:** Now I put the question that the report by the committee on water, environment and natural resources be adopted.

As many as are of the same opinion say “aye” as many as are of the contrary opinion say “nay”.

The ayes have it. And now the report on Nyandarua County Forest Management by the Committee of water, environment and natural resources is a report of this Honorable House

**Hon Maina (Central):** (Point of order) there will be a Kamukunji in the afternoon and we therefore cannot proceed with the afternoon orders so I request the Hon. Speaker for the adjournment to resume tomorrow Thursday at 2.30 P.M

I request Mheshimiwa Thuita to second

**Speaker:** Honorable Thuita

**Hon Thuita (Gathanji):** thank you Mr. Speaker, I support the adjournment of this House until tomorrow 2.30 as today we have other informal business for the welfare of this assembly. I second the motion

**Speaker:** Hon members I propose the question that this House adjourn until tomorrow as proposed by Hon. Maina

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**Speaker:** Hon. Mwichigi

**Hon Mwichigi (nominated):** I stand to support the adjournment of this House so we can discuss how the committees are formed and these are very serious matters so I support.

**Speaker:** Hon. Members I now put the question that this county assembly be adjourned till tomorrow Thursday. As many as are of the same opinion say “aye”, as many as are of the contrary opinion say “nay”.

The “ayes” have it

Now this House stands adjourned till tomorrow 13<sup>th</sup> March at 2.30 pm

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