

# ADVISORY REPORT ON POST MINING LAND USE (PMLU) FOR THE KWALE MINERAL SANDS PROJECT.

## POPULAR VERSION



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# ACKNOWLEDGEMENT

**W**e extend our heartfelt gratitude to the dedicated staff and volunteers of *Grassroots Voices* for their unwavering commitment in shaping and developing this document. We also wish to acknowledge the invaluable contributions of the diverse stakeholders who enriched the preparation of this popular version of the advisory report on post-mining land use in the Kwale Heavy Mineral Sands Project.

Special recognition is reserved for *Global Greengrants*, whose support was instrumental in making this initiative a reality. Finally, we sincerely appreciate the *Kwale Mining Alliance* for their meaningful contribution and partnership in this endeavor.



## FOREWORD



Grassroots' Voices is a community-based organization operating in Kwale County, comprised of dedicated staff and volunteers united by a shared mission to address the social, environmental, and economic challenges facing marginalized communities. The organization focuses on advancing good governance, promoting environmental justice, and safeguarding sustainable livelihoods. Guided by a human rights-based approach, Grassroots' Voices works closely with communities through mobilizing, organizing and advocating to drive meaningful and lasting social, environmental, and economic change.

We are currently implementing a project on participatory and inclusive post-mining land use within the Kwale Mineral Sands Project. Mining in Kwale, which spanned more than a decade, ended in 2024 following the depletion of mineral deposits by Base Titanium Limited. Supported by the Global Greengrants Fund (GGF), this initiative seeks to ensure that affected communities remain central to land rehabilitation processes and decision-making on issues that directly impact their livelihoods. Through stakeholder engagement, we aim to ensure that communities are informed, actively involved, and able to raise and address their concerns effectively.

This popular version of the Government Advisory Report on Post-Mining Land Use is designed to simplify the report, helping communities and stakeholders understand the proposed land use plans and the process that led to its development. The report was launched in January 2026 by the Cabinet Secretary for Mining, Hassan Joho, at the Kenya School of Government, Matuga Campus in Kwale County.

We hope this publication will enhance understanding, promote informed participation, and strengthen accountability.

George Jaramba  
Team Leader

## 1.0. EXECUTIVE SUMMARY

The establishment of the Post-Mining Land Use (PMLU) Committee marked a turning point in shaping the future of Kwale County after the closure of the Base Titanium Limited (BTL) mining operations. Recognizing the need for a structured, inclusive, and sustainable transition, the Committee was constituted with diverse representation from government agencies—including NEMA, KFS, KWS, and the Ministry of Water and Irrigation—alongside the County Government of Kwale, civil society organizations, Kaya Elders, and Kwale professionals. This broad composition ensured that ecological, cultural, social, and economic perspectives were integrated into the planning process.

The Committee embarked on a comprehensive journey that included public participation forums, mine site inspections, stakeholder consultations, and technical assessments. These activities were designed to amplify community voices, incorporate expert input, and align with national and international best practices. Over 800 stakeholders participated in barazas and consultations, contributing proposals that reflected the aspirations of mining-affected communities. The process culminated in the development of an advisory report, which was formally launched in January 2026 by the Cabinet Secretary for Mining, Maritime Affairs, and the Blue Economy at the Kenya School of Government, Matuga Campus, Kwale County.

The advisory report consolidates proposals sourced directly from communities and stakeholders, enriched by the Committee's technical and legal expertise. Key themes include environmental rehabilitation, climate-smart agriculture, conservation and eco-tourism, industrial diversification, social infrastructure development, and cultural preservation. The report emphasizes a 15-year “curing period” for land rehabilitation, during which conservation-compatible uses will be prioritized before agriculture and industrial activities are introduced. It also recommends repurposing BTL's infrastructure for community benefit, strengthening governance frameworks, and aligning post-mining land use with national development strategies.

This popular version of the report simplifies the technical content without altering its wording or spirit. Its purpose is to help communities and stakeholders understand both the process and the aspirations guiding post-mining land use, ensuring that the land continues to benefit the people of Kwale long after mining has ceased. By embedding inclusivity, sustainability, and cultural respect at its core, the PMLU journey offers a blueprint for transforming mined land into a foundation for long-term prosperity and resilience.

## 2.0 METHODOLOGY

The PMLU Committee's methodology for the BTL mining site in Kwale County ensured post-mining land use was sustainable, inclusive, viable, and legally compliant. Guided by international best practices, national policies, and stakeholder input, the participatory, evidence-based, site-specific approach recognized ecological sensitivity and community aspirations. It combined literature review, stakeholder engagement, site inspections, consultations, and structured evaluation tools to support informed, equitable decisions.

### 2.1 Literature review

#### Evolution of Mine Closure and Reclamation Practices

Mine closure has evolved from abandonment to responsible practices driven by environmental awareness, regulation, and public pressure. Modern approaches focus on remediation, restoration, and repurposing to ensure sustainability. Reclamation now goes beyond compliance, embracing ecosystem restoration, alternative land uses, and socio-economic regeneration. Depending on site conditions, strategies may include agriculture, conservation, tourism, renewable energy, or industrial redevelopment. This shift reflects recognition that mine closure should enhance postmining livelihoods and regional development.

#### Legal and Regulatory Frameworks

Post-mining legal frameworks now emphasize environmental protection and social accountability. Laws mandate closure plans, impact assessments, financial assurance, and monitoring. International best practices, including U.S. and EU directives and ICMM/World Bank guidelines, stress stakeholder engagement, ecological rehabilitation, and sustainable land repurposing. Strong governance enables productive reuse of former mining areas for agriculture, conservation, recreation, industry, and community development.

#### Global Post-Mining Land Use Strategies

Mining is finite, making post-closure planning vital. Global PMLU strategies restore ecosystems, drive economic growth, and support communities. Approaches include ecological restoration (e.g., Haller Park, Kenya), renewable energy projects (Kidston Hub, Australia), tourism and recreation, agricultural and industrial reuse, and strong community engagement. These adaptable models can guide sustainable land use at the BTL site.

#### Multi-Criteria Evaluation Framework

The Committee used a Multi-Criteria Evaluation Framework to assess PMLU options across environmental, economic, social, legal, and technical dimensions. This ensured sustainability, community alignment, and policy compliance. Land use options identified included agriculture, forestry, water bodies, tourism and sports, conservation, and industrial redevelopment.

#### Global Case Studies

Case studies from Australia, South Africa, Canada, Indonesia, Nigeria, and Ghana demonstrate successful post-mining transformations. These examples highlight the importance of early planning, ecological rehabilitation, community inclusion, and adaptive land use design. They provide valuable lessons for Kenya, particularly in balancing environmental restoration with socio-economic development.



## 2.2. Stakeholder Mapping

Stakeholder mapping was undertaken to ensure inclusive representation of all groups affected by or interested in post-mining land use. Key stakeholders included local communities, cultural and religious leaders, women, youth, persons with disabilities, government agencies, constitutional commissions, civil society organizations, academic institutions, professionals, and the media.

This process aimed to promote equitable access to decision-making, amplify the voices of project-affected persons, and integrate expert input into evidence-based planning.

## 2.3. Public Participation and Call for Comments

The Committee issued a formal call for comments using multiple communication channels, including public notices, social media, community meetings (barazas), and religious forums. Stakeholders were invited to submit written and oral proposals within a defined period.

Through this process, the Committee received submissions from institutions and engaged hundreds of community members across multiple public forums. This broad engagement ensured that diverse perspectives, concerns, and proposals informed the PMLU evaluation.



## 2.4. BTL Site Inspection

An extensive site inspection was conducted to assess rehabilitation progress, evaluate infrastructure, and determine the feasibility of proposed land uses. Key assets assessed included power infrastructure, water resources, roads, buildings, rehabilitated land, nurseries, tailings storage facilities, and buffer zones.

The inspection revealed varying land suitability across mined areas. Some sites were more suitable for conservation due to shallow topsoil, while others demonstrated strong potential for agriculture based on soil depth and water retention. Ongoing rehabilitation efforts were also observed.



## 2.5. Internal Consultations

Internal consultations among Committee members were conducted to integrate expert opinions, stakeholder input, technical assessments, and legal considerations. These consultations facilitated consensus-building, alignment with policy frameworks, and identification of opportunities and constraints in post-mining land use planning.

## 2.6. Report Writing, Validation, and Adoption

The advisory report was developed through a structured, consultative process involving drafting, internal reviews, validation workshops, and formal adoption. This process ensured accuracy, transparency, stakeholder ownership, and alignment with government planning frameworks before submission to the relevant Cabinet Secretary.

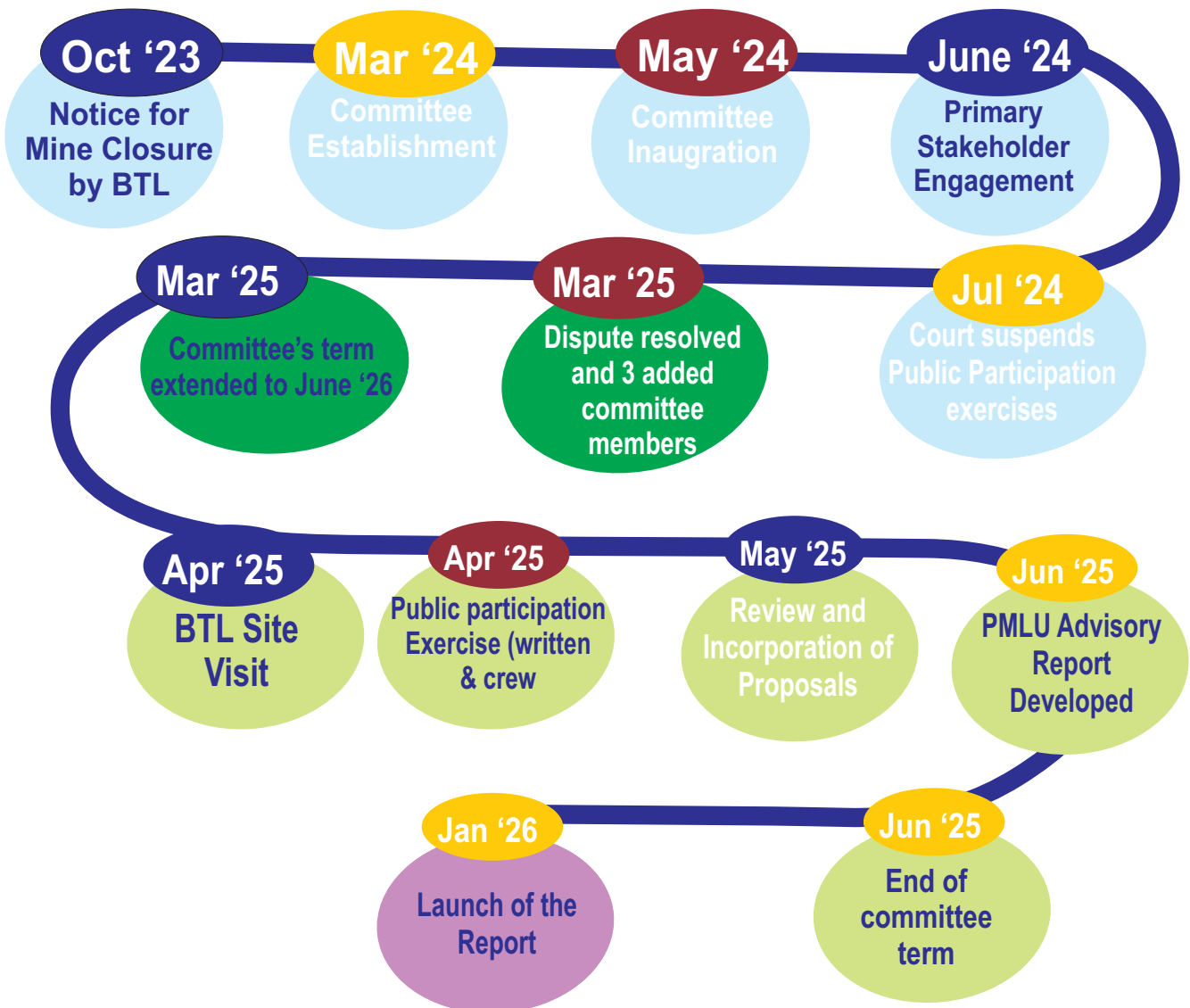


## 2.7. Key Milestones

The Committee's work progressed through key milestones, beginning with the mine closure notice, establishment and inauguration of the Committee, development of work plans, stakeholder engagements, public participation exercises, compilation of stakeholder proposals, and final adoption of the advisory report.

# KEY TIMELINES

## PMLU COMMITTEE



## 2.8 Stakeholder Engagement Outcomes

Public participation was conducted in line with constitutional requirements, emphasizing inclusivity and transparency. Engagements reached over 800 stakeholders, including men, women, youth, and persons with disabilities. These engagements generated valuable insights that informed evaluation and decision-making.

Baraza	Meeting Venue	Time & Date	No. of Attendees
Baraza 1	Nyumba mbovu social hall	9am – 4pm, 25th April 2025, Friday	Total – 101 Men - 80, Women - 21 PWD - 1, Youth-22
Baraza 2	Nyumba mbovu social hall	9am – 4pm 28th April 2025, Monday	Total – 178 Men - 106, Women - 72 PWD - 3, Youth- 34
Baraza 3	Bwiti social hall	9am – 4pm 28th April 2025, Monday	Total – 138 Men - 95, Women - 43 PWD - 3, Youth- 26
Baraza 4	Mafisini social hall	9am – 4pm, 29th April 2025, Tuesday	Total – 153 Men - 91, Women - 62 PWD - 4, Youth - 22
Baraza 5	Maji kuko	9am – 4pm, 29th April 2025, Tuesday	Total - 195 Men - 116, Women - 79 PWD - 1, Youth - 42



# 3.0. PROPOSALS

<b>Training and Research Hub</b>	<ul style="list-style-type: none"> <li>- Existing facilities should be converted into a skills training and research centre</li> <li>- Youth, women, and persons with disabilities should benefit</li> </ul>
<b>Agriculture and Agribusiness (After Recovery)</b>	<p>Inclusive livelihood schemes targeting youth, women, and cooperatives, with support from institutional partnerships and public-private arrangements. A wide range of food and cash crops were proposed</p> <ul style="list-style-type: none"> <li>- Climate-smart crops such as cashew nuts, mangoes, cotton, and citrus</li> <li>- Support value addition and agro-processing.</li> </ul>
<b>Community Development, Culture, and Conservation</b>  <b>Conservation and Eco-Tourism</b>	<ul style="list-style-type: none"> <li>- Protection of forests, wetlands, and sensitive ecosystems.</li> <li>- Support community livelihoods like eco-tourism, butterfly farming, and beekeeping</li> </ul> <p>The Committee endorsed the conservation proposals and competitiveness as key motivators. recommended establishing protected ecological zones and community-friendly conservations. This includes mapping ecologically sensitive zones for formal designation, including gazettement in accordance with Article 69 of the Constitution</p>
<b>Social Infrastructure and Culture</b>	<p>Preservation of cultural identity, support youth development, and improve access to essential public infrastructure. Key proposals included:</p> <ul style="list-style-type: none"> <li>- Allocate land for schools, health centres, and public facilities</li> <li>- Establish a cultural centre to preserve Mijikenda/Digo heritage</li> <li>- Protect sacred Kaya sites</li> </ul>
<b>Infrastructure Transfer for Public Use</b>	<p>The Committee supported the transfer of assets to responsible agencies and recommended clarifying the roles and timelines, and infrastructure re-use must align with the PMLU themes and integrate community priorities;</p> <ul style="list-style-type: none"> <li>- Power lines and substations to be integrated into the national grid.</li> <li>- Water systems to support domestic use and irrigation.</li> <li>- Roads to improve community access and transport.</li> </ul>



## 4.0. RECOMMENDATIONS

Based on the detailed analysis and conclusions, the Committee presents the following comprehensive recommendations, structured into interrelated pillars, to guide the sustainable post-mining transition of the Kwale Mineral Sands Project:

### 4.1 A Curing Period Is The Cornerstone Of Post-mining

**Prioritize Conservation. Environmental Rehabilitation.**

The Committee recommends implementing a **minimum of 15 year land rehabilitation, restoration, and stabilization period on the SML land, starting post SML expiry date, as guided by NEMA.** This period will prioritize interim nature-based, conservation-compatible land uses, such as beekeeping, wetlands development, and afforestation. Other land uses such as agriculture and agribusiness will be delayed for 15 years and thereafter, shall be subjected to Environmental Impact Assessments (EIA) and NEMA approvals. Throughout this 15-year period, NEMA, in collaboration with other key stakeholders, including county governments and community members, shall closely monitor and supervise the progress of land rehabilitation.

4.2. Land Tenure Rights to Ensure Full Environmental Restoration

### 4.2.2 Land for Temporary Purpose:

The Committee recommends that a licence for temporary use be granted to BTL under Section 20 of the Land Act, to facilitate continued rehabilitation activities and environmental monitoring beyond the expiry of SML 23. This ensures continuity of crucial environmental efforts.



### 4.3. Existing Infrastructure Offers Utility value for Community-Driven Development

#### 4.3.1 Repurpose BTL Infrastructure for Community Centric Functions.

It is recommended that Base Titanium Limited's (BTL) existing facilities be converted into a multidisciplinary training and research center to foster local skills development, innovation, and inclusive employment. This will involve partnering with academic, technical, and industrial training institutions to deliver inclusive vocational programs to urgent legislative reforms. There is a critical need for a all, including special interest groups. This repurposing should include BTL's existing camps, training facilities, and administration blocks.

#### 4.3.2 Infrastructure Transfer and Utility Optimization.

The Committee recommends transferring power lines, sub-station, and transmission systems per the BTL–KPLC agreement; using Mukurumudzi dam for irrigation and domestic needs under legal frameworks; managing six boreholes by Kwale County for community services; and repurposing roads and buildings to enhance access and logistics in the post-mining landscape.

Note: This recommendation is not subject to the 15-year land rehabilitation and recovery period and can therefore be implemented in the short term.

### 4.4 Sustainable Economic Diversification is Critical for Long-Term Prosperity

#### 4.4.1. Industry Economic Diversification through Agriculture.

The Committee proposes that after full land recovery, subject to EIA and NEMA approval, designating specific portions of land, particularly in the Central and North Dune areas, for agricultural use. This should involve promoting climate smart value chains, such as cotton, mango, cashew, citrus, and herbal botanical gardens (indigenous herbs for learning and research), and aligning agro-processing investments with the National and County Planning Frameworks, including the Mwananyamala Industrial Park, to maximize economic impact.

## 4.5 Preservation of Cultural Identity and Promotion of Social Inclusion

### 4.5.1 Social Infrastructure and Cultural Preservation.

It is recommended that unmined land should be allocated for essential public amenities such as health, education, and correctional facilities to improve service delivery and promote inclusive development. Investment in social infrastructure must be balanced with safeguarding the cultural heritage of the Mijikenda/Digo communities, including protecting Kaya sacred sites through clear delineation. Establishing a Kwale County Talent Academy and a cultural pavilion will nurture youth talent, promote creativity, preserve indigenous knowledge, and strengthen cultural pride and continuity.

### 4.6 Urgent Policy Reforms and Governance Alignment

#### 4.6.1 Strengthening Policy Reforms and Governance

The existing national mining policy should be reviewed to explicitly incorporate provisions on Post-Mining Land Use (PMLU), mine decommissioning, rehabilitation, and land restoration. In parallel, the Mining Act should be amended to formally recognize post-mining licence for purposes of ecological rehabilitation as integral components of the mining life cycle. The revised legal and policy framework should institutionalize PMLU Committees with clear legal mandates, ensure alignment of land use planning with both National and County development frameworks, and strengthen inter-agency coordination to support effective implementation.



Personal Notes



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V O I C E S

“

Responsible mining does not end with extraction, it continues through restoration, where communities are not just beneficiaries, but decision-makers shaping the future of their land - Anonymous

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