



REPUBLIC OF LIBERIA
ENVIRONMENT PROTECTION AGENCY

SINKOR 4TH STREET, MONROVIA LIBERIA



REGULATORY INSTRUMENT

WETLAND REGULATIONS OF LIBERIA

REGULATORY INSTRUMENT No. RI/C&E/NNN/MM-19

INTRODUCTION AND RATIONALE:

The Environment Protection Agency (EPA) was created by an Act of Legislation in 2003 with mandate to ensure the protection, conservation, monitoring and sustainable use of the environment and its natural resources. The Agency ensures the enforcement of environmental regulations, standards and guidelines in collaboration with relevant institutions as required by the Environmental Protection and Management Law (EPML) of the Republic of Liberia. The Agency has the mandate to coordinate, monitor and regulate all environmental related activities with the intent of safeguarding and preserving the environment for present and future generations. In lieu of this mandate, the Agency deems it necessary to prepare this instrument to serve as a tool for the regulation, management and protection of wetlands and wetland resources in Liberia.

Section 74 (sub-section 1) of the EPML mandates the EPA to prescribe, by published notice, general or specific guidelines or standards for the management of rivers, lakes, and wetlands which shall include the following:

- a) Measures for the prevention or control of soil erosion;
- b) The conservation of any vegetation growing in and around a river, lake or wetlands;
- c) The contingency plan for the prevention and control of any deliberate or accidental discharge which is likely to pollute the river, wetland or lake;
- d) The control measures to be taken in harvesting of minerals including strategies for the restoration of mining sites;
- e) The control measures to be taken in harvesting aquatic living and non-living resources to ensure optimum sustainable yield; and
- f) Promotion of environmental friendly tourism.

Section 75 (subsection 1) of the EPML also grants the Agency the right to issue, in consultation with the relevant Line Ministry, guidelines and prescribe measures for protection of rivers, lakes, and wetlands.

These Regulations are promulgated, therefore, under the authority granted to the Agency by the EPML to manage and protect all wetlands within the territorial boundaries of Liberia. They have the force of law as authorized by EPML and shall take effect immediately on publication.

Part I: Preliminary.

1. Citation.

These Regulations may be cited as the Wetland Regulations of Liberia

2. Interpretation.

In these regulations, unless the context otherwise requires -

"Agriculture" means all farming activities including cultivation, agro-forestry, livestock management and aquaculture;

"alien or invasive species" means any species of a plant or animal whose natural range does not or did not in the past exist in a specific part of Liberia or the of the country;

"Agency" means the Environmental Protection Agency of Liberia established by an act of the Legislature November 26, 2002 and published into hand bill on April 30, 2003;

"beach" means an accumulation of sand or gravel found at the land ward margin of a lake; the lower limits approximating to the position of the highest and lowest tidal water levels;

"biological diversity" means the variability among living organisms from all sources including, *interlay*, terrestrial ecosystems and aquatic ecosystems and the ecological complexes of which they are part; including diversity within species, between species and of ecosystems;

"community" means an assemblage of human beings living in a defined geographical area and identified by common history, common culture or common residence in an area;

“conservation” means looking after and managing a resource so that the resource maintains its ability to fulfill its functions and provide goods and services for present and future generation;

"drainage of wetlands" means the removal or exclusion of water from a wetland by pumping, excavation of channels, planting in a wetland fast growing non wetland trees or plants, abstraction of water from a river entering a wetland, channeling, reclamation and drainage itself;

"Executive Director" means the Executive Director or Chief Executive Officer (C.E.O) of the Agency; for the purposes of these Regulations, a person authorized by the Executive Director to act on his or her behalf;

"hunting" includes an act immediately directed at killing, wounding, injuring or capturing of any animal and the taking or willful molestation of any nest, lair or any other place where a dependant young animal is born, hatched, or reared;

"Inspector" means an inspector designated as an environmental inspector under section 95 of the EPML;

"lake" means a body of fresh or salt water of considerable size, completely surrounded by land, or a natural body or pool of water;

"lake shore" means the land not more than 100 metres adjacent to or bordering a lake;

"lead agency" means any ministry, department, parastatal agency, local government system, or public officer in which or upon whom any law vests functions of control or management of any segment of the environment;

"livestock" includes cattle, horses, donkeys, mules, pigs, sheep, goats, camels and all other domesticated animals;

"low water mark" means the historical point at which the lowest level of contact between the water and the shore or the bank as the case may be was recorded;

"modification" means any man-made change in the natural state of a wetland, riverbank or lake shore and may include drainage;

"natural resource" means land, air, water vegetation, fish, wildlife, rivers and streams, wilderness, natural beauty, scenery and open space;

"occupier" means, for the purposes of these Regulations, a person in occupation of any land on which there is a wetland, riverbank or lake shore;

"palustine" means a wetlands ecosystem, including all non-tidal wetlands dominated by emergent mosses or lichens, persistent emergents, shrubs or trees; the area is less than 8 hectares, there is no wave action and the maximum depth at low water is less than 2 meters; they are bounded by either dry land or other wetland system type;

"Technical Committee" means the Committee on Conservation

"protected species" means any plant or animal declared as a protected species under these Regulations;

"protected wetlands" means an area declared as a protected wetland under these Regulations;

"restoration" means regeneration or putting back a wetland, riverbank or lake shore to the state it was in or near to what it was before it was modified;

"river bank" means the rising ground, not more than 100m long, bordering or adjacent to a river in the form of rock, mud gravel or sand and in cases of flood plains includes the point where the water surface touches the land, that land not being the bed of the river;

"river" means a body of natural surface stream of water of considerable volume permanently or seasonally flowing in a defined channel;

"riverine" includes wetlands along rivers and streams;

"soil" means earth, sand, rock, shells, minerals vegetation and the flora and fauna in the soil and the deviates thereof such as dust;

"soil erosion" means, a general process whereby soil particles are worn away or removed by natural agencies, including weathering, solution, corrosion and transportation;

"sustainable use" means the practice of human utilization which ensures the greatest benefit to present generations while maintaining its potential to meet the needs and aspirations of future generations;

"water" includes river, stream water course, reservoir, well, dam, canal, channel, lake, swamp, open drain or underground water;

"wetlands" means areas permanently or seasonally flooded by water where plants and animals have become adapted; and include swamps, mangrove habitats, areas of march, banks of rivers, vegetation or areas of impeded drainage;

"wetland resource use permit" means a permit granted to a person, community or organization to make extractive utilization of wetlands and other non extractive uses such as tourism and cultural activities in accordance with the grant under these Regulations;

"wise use" means sustainable utilization of wetlands in a way compatible with the maintenance of the natural properties of the ecosystem

Part II: Management of Wetlands and Wetland Resources.

3. Application of this Part of Regulations.

(1) This Part applies to all wetlands in Liberia.

(2) The Government or a local government shall hold in trust for the people and protect wetlands for the common good of the citizens of Liberia.

(3) Government or a local government shall not lease out or otherwise alienate any wetland.

4. Objective.

The objective of this Part of the Regulations is to -

- (a) provide for the conservation and wise use of wetlands and their resources in Liberia;
- (b) ensure water catchment conservation and flood control;
- (c) ensure the sustainable use of wetlands for ecological and tourist purposes for the common good of all citizens;
- (d) ensure that wetlands are protected as habitats for species of fauna and flora;
- (e) provide for the regulated public use and enjoyment of wetlands;

(f) enhance research and research related activities; and

(g) minimize and control pollution.

5. Principles.

The principles set out in this Part shall be observed in the management of all wetlands as follows:

(a) wetland resources shall be utilized in a sustainable manner compatible with the continued presence of wetlands and their hydrological functions and services;

(b) environmental impact assessment as required under the statute is mandatory for all activities in wetlands likely to have an adverse impact on the wetland;

(c) special measures are essential for the protection of wetlands of international (RAMSAR site), national and local importance as ecological systems and habitat for fauna and flora species, and for cultural and aesthetic purposes, as well as for their hydrological functions; and

(d) wise use of wetlands shall be interpreted into the national and local approaches to the management of their resources through awareness campaigns and dissemination of information across Liberia.

6. Technical Committee on Biodiversity Conservation.

(1) A technical committee on Biodiversity Conservation shall be constituted by the Executive Director to steer this section of the Regulations. The committee shall be chaired by the focal point for the Convention on

Biological Diversity (CBD) and shall include membership from the Conservation Unit, Inter-sectoral, Environmental Research and Standards (ERS), Inspectorate and the Environmental and Social Impact assessment Unit. When established, the committee shall be responsible for advising the Executive Director on the wise use, management and conservation of wetland resources.

(2) The specific functions of the Technical Committee in relation to wetlands includes -

(a) reviewing the implementation procedures for wetlands management and making the necessary recommendations to the Board and the Executive Director;

(b) reviewing and recommending regulations or guidelines to be issued by the Agency to project developers;

(c) reviewing and advising on the environmental impact assessments, audit and monitoring;

(d) advising on solutions to potential conflicts that might arise through competing requirements for wise use of wetland resources;

(e) recommending activities that may be regulated in the utilization of wetland resources;

(f) advising on reconciling wetland use rights by local communities with the impact such activities may have on other natural resources;

(g) advising and recommending mechanisms for ensuring public awareness and participation in the protection of wetlands; and

(h) advising the Agency on any other issues relating to conservation and management of wetland resources.

(3) The technical committee may co-opt any member of staff of the Agency or any person whom the technical committee deems necessary for its proper functioning.

(4) The Technical Committee shall prepare and submit to the Executive Director annual reports on its activities.

(5) The meetings of the Technical Committee, shall be held whenever necessary, but in any case not less than four times a year, and shall be arranged in consultation with and facilitated by the Executive Director.

7. Functions of the County Environment Committee.

Section 74 (sub-section 2) of the EPML calls for the formation of a County Environment Committee to help identify the rivers, lakes and wetlands within its jurisdiction which have value to the local communities or which are at risk from environmental degradation and take all appropriate measures to minimize the risk or recommend to the Agency the need for the protection of those areas.

(1) The County Environment Committees shall be responsible for coordinating, monitoring, and advising the Agency (through its county inspectorate) on all aspects of wetland resource management.

(2) The county environment committee shall be a collaborating partner in conserving and managing wetland resources in its area of jurisdiction.

(3) The specific functions of County Committee includes -

- (a) ensuring that any activity undertaken within the catchment area of a wetland does not affect the water level of the wetland;
- (b) regulating activities which may include supply of water for domestic purposes, fishing, swamp adage gardens, grazing, papyrus harvesting to ensure sustainable use of wetlands;
- (c) advising the Agency, after the prior approval of the Technical Committee, to declare an area a "protected wetland" in accordance with these Regulations;
- (d) advising the Agency to authorize research activities in a protected wetland;
- (e) advising the Agency to declare that a particular wetland be closed from some or all activities for purposes of regeneration;
- (f) performing any other duty assigned to it by the Executive Director under the Statute.

8. Protected wetland.

(1) The Executive Director may, by statutory instrument, and after consultation with the relevant line ministries and agencies, declare a wetland which is a subject of the process provided for under this regulation to be a specially protected wetland of national or international importance.

(2) A declaration made under sub-regulation (1) shall state whether -

- (a) a wetland is a fully protected wetland;

- (b) a wetland is a partially protected wetland;
- (c) a wetland is subject to conservation by the local community.

(3) A wetland declared under sub-regulation (2) (a) shall be any area of international and national importance because of its biological diversity, ecological importance, landscape, natural heritage or tourist purposes in which the following activities may be permitted -

- (a) research;
- (b) tourism; and
- (c) restoration or enhancement of the wetland.

(4) A wetland declared under sub-regulation (2)(b) shall be any area in which regulated activities specified in the Second Schedule to these Regulations may be permitted.

(5) A wetland declared under sub-regulation (2) (c) shall be an area in which a person who has property rights in the land may carry out traditional activities provided for under these regulations subject to such restrictions as may be imposed by the county environment committee.

(6) The wetland specified in the Third schedule to these Regulations are declared to be wetlands of international and national importance.

9. Procedure for declaration of a specially protected area.

(1) The declaration of a protected wetland may be initiated by the Conservation Unit on the recommendation of the Technical Committee, County Environment Committee or the Executive Director;

(2) Where the Conservation Unit initiates the process of declaring a wetland as a protected wetland under sub-regulation (1), the Unit shall;

(a) inform the Executive Director in writing of its intention;

(b) cause an environmental impact assessment to be carried out in accordance with section 13 of the EPML

(c) ensure that the view of the people inhabiting the areas contiguous to the wetland are taken into account by convening the meeting of the local community leadership and District representation; and

(d) prepare and submit a report containing findings in paragraphs (a), (b) and (c) of this sub-regulation to the Executive Director.

(3) Where the Executive Director initiates the process referred to in sub-regulation (1), the Executive Director shall inform the Technical Committee and require the committee to carry out the activities provided for in sub regulation (2) (b), (c) and (d); except that in such case the Executive Director shall provide the appropriate financial support to the Committee for carrying out these tasks.

(4) The Executive Director shall consider the reports submitted under sub-regulation (2) and (3), and may make recommendations to the board.

(5) In declaring a river, lake, or wetland a protected area, the Agency shall take into consideration the following factors: a) The geographical size of the river, lake or wetland; and b) Specific features and nature of biological communities and their endemic nature; c) The interests of the community's residents around the river, lake or wetland.

10. Inventory wetlands.

(1) The Technical Committee shall, in consultation with the Executive Director, make an inventory of all wetlands.

(2) The inventory in sub-regulation (1) shall show for each wetland -

(a) location of the wetland;

(b) type of fauna and flora;

(c) the soil and hydrological characteristics;

(d) the discharge and composition of water;

(e) the volume, flow and quality of water where possible;

(f) the existing uses;

(g) the density of population in the wetland catchment drawing attention especially those most dependant on the wetland;

(h) conservation status;

(i) the area of the wetland, and

(j) any other factor relevant to the wetland.

(3) The boundaries of such wetlands shall be shown on suitable boundary maps.

(4) The Technical Committee shall periodically inspect the wetlands to determine the necessity for revision or correction of the inventory on wetlands.

(5) The Technical Committee may, in consultation with the Executive Director, register changes in the boundaries of wetlands on maps in the inventory referred to in sub-regulation (3) and make any other necessary changes in the inventory to reflect the actual situation on the ground.

(6) In making an inventory on wetlands, the committee shall consult with the relevant stakeholders with a view to involving the public in determining whether a wetland should be included in the list of wetlands of local or national or international importance.

(7) Without prejudice to the generality of sub-regulation (6), the committee shall cause to be convened, meetings of relevant stakeholders and communities within the vicinity of the wetland prior to making any decision affecting the wetland.

(8) The Technical Committee shall, in consultation with the Executive Director, publish (on the Agency's website) the inventory of wetlands every five years reflecting the current state of wetlands included in the inventory.

(9) The Executive Director, in consultation with the Technical Committee, shall carry out a review of the conservation status of wetlands every two years to determine whether the wetlands have been degraded and shall institute measures to ensure their protection.

11. Uses of wetlands.

(1) A person desiring to carry out any of the regulated activities listed in the Second schedule or extract any wetland produce in a wetland shall make an application in Form A set out in the First Schedule to these Regulations.

(2) Notwithstanding the provisions of sub-regulation (1), the following traditional uses of wetland resources shall not be subject to the application of these Regulations -

(a) harvesting of papyrus, medicinal plants and reeds;

(b) any cultivation where the cultivated area is not more than 10% of the total area of the wetland;

(c) fishing using traps, spears and baskets or other method other than weirs or application of chemicals;

(d) collection of water for domestic use; and

(3) The Executive Director may at any time by order published on the Agency website or in the print media -

(a) restrict to prohibit; or

(b) declare open and closed seasons in relation to any traditional activity provided for in sub-regulation (2) where such activity endangers the wise use of the wetland resources.

(4) Any person who contravenes an order made by the Executive Director under sub-regulation (3) commits an offence.

12. Wetland resource use permit.

(1) Subject to the provisions of these Regulations, a person shall not carry out any activity in a wetland without a permit issued by the Agency.

(2) Any person intending to carry out an activity listed in the Second schedule to these Regulations shall apply to the Executive Director for a permit in Form A of the First Schedule.

(3) The application in sub-regulation (2) shall be accompanied by the fee specified in the Fourth schedule.

(4) The Executive Director may issue a permit in Form B specified in the First Schedule permitting the use of wetland resources.

13. Rejection of permit.

(1) Where the Executive Director rejects an application made under sub-regulation (2) of regulation 11, the Executive Director shall -

(a) state reasons, in writing, to the applicant; and

(b) give the applicant the right to be heard either orally, or in writing, or both.

14. Revocation of permit.

The Executive Director may, at any time, after consultation with the Technical Committee, revoke a permit granted under these Regulations if he or she is satisfied that the conditions of the grant of the permit have not been complied with or that the continued use of the wetland is likely to be injurious to the community and the environment.

15. Temporary permits.

The Agency may grant temporary permits for the use of a wetland where -

- (a) there is need to irrigate an area pending a construction;
- (b) there is need to use water for emergency situations pending the availability of alternative sources of supply;
- (c) the wetland is needed for construction of a road, bridge, building or other infrastructure;
- (d) a special research project requires the use of the wetland for a certain period of time;
- (e) there is an unforeseen delay in the use of the wetland pending the issuance of a permit.

16. Implied covenant.

It is implied in any permit issued under these Regulations that the holder of the permit shall -

- (a) not substantially affect hydrological and ecological characteristics of the wetland beyond the terms and conditions contained in the permit;
- (b) keep and maintain the margins of the wetland for purposes of bilharzia and malaria control;
- (c) not assign the permit to any other person without the consent of the Agency;

(d) not use, erect, construct, place, alter, extend, remove or demolish any structure in, on, under, or over the bed;

(e) not excavate, drill, tunnel or disturb the bed otherwise;

(f) not introduce or plant any part of a plant, plant specimen or organism whether alien or indigenous, dead or alive in a river, lake or wetland;

(g) not introduce any animal or micro-organism whether alien or indigenous, dead or alive in a river, lake or wetland;

(h) not deposit any substance in a river, lake, or wetland or in or under its bed, which is likely to have adverse environmental effects on the river, lake or wetland;

(i) not direct or block a river, lake or wetland from its natural and normal course;

(j) not drain any river, lake or wetland and

(k) within a period of one year after the expiration or revocation of the permit, remove or restore the wetland to as near the state it was as possible immediately before the commencement of the permitted activities.

17. Duty of land owners and users.

(1) Every landowner, occupier or user who is adjacent or contiguous with a wetland shall have a duty to prevent the degradation or destruction of the wetland and shall maintain the ecological and other functions of the wetland.

(2) Any person who fails, neglects or refuses to protect a wetland under sub-regulation (1) commits an offence.

Part III: Management of River Banks and Lake Shores.

18. Application of this Part of regulations.

(1) This Part shall apply to all river banks and lake shores in Liberia.

(2) The Government or a local government shall hold in trust for the people and protect river banks and lake shore for the common good of the citizens and inhabitants of Liberia.

(3) Government or a local government shall not lease out or otherwise alienate any river bank and lake shore.

19. Objective.

The objective of this Part of the Regulations is to -

(a) facilitate the sustainable utilization and conservation of resources on river banks and lake shore by and for the benefit of the people and community living in the area;

(b) promote the integration of wise use of resources in river and lakes into the local and national management of natural resources for socioeconomic development;

(c) provide for the regulated public use and enjoyment of river banks and lake shores;

(d) enhance research and research related activities; and

(e) prevent salutation of rivers and lakes and control pollution or degrading activities.

20. Principles.

(1) The following principles shall be observed in the management and conservation of river banks and shores -

(a) resources on the river banks and lake shores shall be utilized in a sustainable manner;

(b) environmental impact assessment as required under the statute is mandatory for all major activities on river banks and lake shores; and

(c) special measures are essential for the protection of river banks and lake shores such as preventing soil erosion. Salutation and water pollution.

21. Identified action of river banks and lake shores.

(1) Each County Environment Committee shall assist the Agency in:

(a) identifying river banks and lake shores within their jurisdiction which are at risk from environmental degradation;

(b) promoting soil conservation measures along river banks and lake shores including the following -

(i) bundling;

(ii) terracing;

(iii) mulching;

(iv) tree planting or agro-forestry;

(v) grassing;

(vi) soil engineering, compaction and placement of fills;

(vii) zoning and planning;

(viii) baggions; and

(ix) control of livestock grazing.

22. Register degraded river banks and lake shores.

(1) The Agency shall, in consultation with the Technical Committee on Conservation, carry out an inventory and identify and monitor lake shores and river banks which are under threat from environmental degradation.

(2) The inventory provided for in sub-regulation (1) shall be made in consultation with the local authorities and shall include maps which specifically set out in the areas identified.

(3) The Agency shall maintain a register of the river banks and lake shore which has been identified under these Regulations as specified in the Fifth Schedule.

23. Application for a person to use a river banks or lake shore.

(1) A person who intends to carry out any of the following activities shall make an application to the Agency in Form A set out in the First Schedule to these Regulations -

(a) use, erect, reconstruct, place, alter, extend, remove or demolish any structure or part of any structure in, under, or over the river banks or lake shore;

(b) excavate, drill, tunnel or otherwise disturb the river bank or lake shore;

(c) introduce or plant any of a plant whether alien or indigenous on a river bank or lake shore;

(d) introduce any animal or micro-organism, whether alien or indigenous in any river bank or lake shore; or

(e) deposit any substance on a riverbank or lakeshore if that substance would or is likely to have adverse effects on the environment.

(2) The Executive Director may, after considering the application submitted under sub-regulation (1) and after consultations with the Technical Committee, grant a permit in "Form B" set out in the First Schedule to these Regulations on such conditions as he or she may deem fit.

24. Rejection of application.

(1) Where the Executive Director rejects an application made under sub-regulation

(1) of regulation 23, he or she shall -

(a) state reasons, in writing, to the application; and

(b) give the applicant the right to be heard either orally or in writing, or both.

25. Revocation of permit.

The Executive Director may, at any time after consultation with the Technical Committee, revoke a permit granted under these Regulations if he or she is satisfied that the conditions of the grant of the permit have not been complied with or that the continued use of the river bank or lake shore is likely to be injurious to the community and the environment.

26. Duty of local councils.

A local environment committee within whose jurisdiction an activity likely to degrade the environment, river banks or lake shores is taking place, shall -

- (i) inform the county inspectorate and county environment committee in writing for appropriate action;
- (ii) ensure protection of all the banks and shores;

27. Duty of County environment officer.

A county environment officer within whose jurisdiction activities likely to degrade the environment, river banks or lake shores are taking place, shall ensure that the communities living near a wetland participate in its conservation and assist environment committees in implementing these Regulations and any other law that protects wetlands.

28. Duty of private owner users.

(1) Every land owner or user in whose land a river bank or lake shore is situated shall have a duty to prevent and repair degraded river banks and lake shores through the following or any other measures -

- (a) soil engineering;
- (b) agro-forestry;
- (c) mulching;
- (d) bundling;
- (e) grassing;
- (f) control of livestock grazing; or
- (g) terracing.

(2) A landowner or user who fails or refuses to carry out the measures provided under sub-regulation (1) commits an offence.

29. Protection zones for river banks.

(1) The rivers specified in the sixth Schedule to these Regulations shall have a protection zone of one hundred meters from the highest watermark of the river.

(2) River not specified in the Sixth Schedule shall have a protected zone of thirty meters from highest watermark of the river.

(3) No activity shall permitted within protected zones without the written authority of the Executive Director.

(4) Each county environment committee shall determine watering points and routes for animals to have access to the water in each river.

30. Protection zones for lake shores.

(1) All shores of lakes specified in the Seventh Schedule to these Regulations shall have a protected zone of two hundred meters measured from the low water mark.

(2) All shores of lakes not specified in the Seventh Schedule shall have a protected zone of one hundred meters from the low water mark.

(3) No activity shall be permitted within protected zones without the written authority of the Executive Director.

(4) Where a natural beach exists on a lake shore the protected zone shall be measured from the point where the beach merges with the vegetation and sub-regulations (1), (2) and (3) shall apply.

(5) Each county environment committee shall determine watering point and routes for animals to have access to the water in each lake.

31. Protection of lake shores and river banks used for purposes of tourism.

(1) Where a lake shore or bank is developed in accordance with regulation 23 for the purposes of promoting tourism or for other aesthetic uses, the developer shall ensure that -

(a) pre-treatment or full treatment of effluent or waste from the facility is carried out to prevent contamination of the water;

(b) litter is cleared and disposed of in a manner in conformity with best environmental practices; and

(c) the river banks, lake shores or beaches are not degraded.

32. Access to natural beaches or rivers and lakes.

Subject to existing property rights under the existing law of Liberia, all natural beaches of rivers and lakes either alienated or not alienated are reserved for public recreation and open access; unless a developer has obtained special permission from the Liberia Land Authority allowing him or her to exclude the public from such natural beach.

33. Sanitation.

(1) Each local government shall, on the advice of the County Environment Committee, help promote sanitation in lake shores and river bank areas in accordance with the Act creating the National Public Health Institute of Liberia.

(2) Where two or more districts share a river bank or lake shore, minimum sanitation standards shall be set by the County Environment Committee in consultation with relevant stakeholders.

Part IV—Miscellaneous Provisions.

34. Environmental impact assessment.

(1) A developer desiring to conduct a project which may have a significant impact on a wetland, river bank or lake shore, shall be required to carry out an environmental impact assessment in accordance with sections 13 of the EPML.

(2) The developer mentioned in sub-regulation (1) shall carry out annual audits and monitoring on such activities, and shall submit report to the Agency.

35. Environmental restoration order.

The Executive Director may require that a wetland, river bank and lake shore which has been degraded be allowed to regenerate, or issue a restoration order in accordance with sections 90 and 91 of the EPML.

36. Improvement notice.

(1) Where an Inspector has reasonable cause to believe that any person is violating these Regulations, he or she may -

(a) issue against such a person an environment notice in accordance with sections 93 and 95 of the EPML; or

(b) take any other measures provided for under section 95 of the EPML.

(2) An improvement notice issued under sub-regulation (1) shall not prejudice criminal proceedings which may be taken under any of the provisions of the EPML.

37. Offences.

A person who -

(a) reclaims or drains a wetland;

(b) erects, constructs, places, alters, extends, removes or demolishes any tractor that is fixed in, or under, or over a wetland;

(c) disturbs a wetland by drilling or tunneling in a manner that has is likely to have an adverse effect on a wetland;

(d) deposits in, on, or under any wetland a substance in a manner that has or is likely to have an adverse effect on a wetland;

(e) destroys, damages or disturbs any wetland in a manner that has or is likely to have an adverse effect on any plant or animal or its habitat;

- (f) introduces or plants any exotic or introduced plant or animal in a wetland;
- (g) removes soil from or burns any wetland resource in a wetland;
- (h) carries out any unauthorized activity in a protected wetland;
- (i) carries out activities provided for in regulation 24 without a permit;
- (j) fails, neglects or refuses to protect a lake shore or accordance with these Regulations;
- (k) contravenes any of the provisions of these commits an offence; commits an offence.

38. Penalties.

(1) Consistent with section 75 (sub-section 3) of the EPML, any person found guilty of an offence under these Regulations is liable on conviction to imprisonment of not exceeding two (2) years or to a fine not exceeding 5,000 US DOLLARS or to both.

(2) In addition to the sentence provided for in sub-regulation (1), a person found guilty may be required to carry out community work that promotes the conservation of wetlands.

39. Appeals.

(1) A person aggrieved by a decision of the Executive Director under these Regulations may appeal to the Board.

(2) The decision of the Board on appeal shall be final.

40. Delegation of power and functions.

The Executive Director may, where necessary, delegate any of the functions and powers under these Regulations to any officer of the Agency or to another line ministry of agency.

SCHEDULES.

FIRST SCHEDULE
(To be completed in Triplicate) FORM A

REPUBLIC OF Liberia

WETLAND REGULATIONS OF LIBERIA

APPLICATION FOR A PERMIT TO CARRY OUT A REGULATED
ACTIVITY IN A WETLAND, RIVER BANK OR LAKE SHORE

I hereby apply for a permit to carry out the activity in a wetland/river bank/lake shore of which particulars are given below.

Name and address of applicant:
(City, District, County, Town where necessary mention more than one)

.....

Type of activity to be carried out

.....

.....

Estimated period for which the activity will take

Proposed hectarage/area on which the above activity is to be carried out

.....

.....

Executive Summary of environmental impact statement (please attach where necessary)

.....

.....

(Attach a map and detailed information showing area directly or indirectly affected by proposed activity.)

Any other information.....
.....
.....

Approval/disapproval of the Technical Committee
.....
.....

Signature of the Applicant

Full names

Designation/Title

FOR OFFICIAL USE ONLY

Application received by date:

.....
Seal and Signature of the Executive Director
Environmental Protection Agency

**FIRST SCHEDULE
(To be completed in Triplicate) FORM B**

REPUBLIC OF Liberia

WETLAND REGULATIONS OF LIBERIA

APPLICATION FOR A PERMIT TO CARRY OUT A REGULATED
ACTIVITY IN A WETLAND, RIVER BANK OR LAKE SHORE

PERMIT TO CARRY OUT A REGULATED ACTIVITY IN A WETLAND/RIVER BANK/LAKE
SHORE

Permit No.:

Name:

Address.....

.....

You are hereby granted/denied a permit to carry out the activity (s) in a
wetland/river bank/lake shore of

.....

.....

Location of the wetland/river bank/lake shore:

.....

(City, District, County, Town where necessary mention more than one)

This permit is granted valid from20.....to.....20.....

The Permit is subject to the following conditions

.....

.....

(Please attach on separate sheet where necessary)

Date:

Seal and Signature of the Executive Director
Environmental Protection Agency

SECOND SCHEDULE

REPUBLIC OF LIBERIA

REGULATED ACTIVITIES IN A WETLAND

1. Brick making/Welding shop
2. Filling Station
3. Recreational activities such as sport fishing, maintenance of green spaces.
4. Cultivation.
5. Drainage.
6. Commercial exploitation of wetland resources.
7. Sewerage filtration.
8. Fishing using fish gear and weirs, fish farming and other aquaculture.
9. Construction of transport and communication facilities such as roads, railways, bridges telephone lines.
10. Burning.
11. Any exploitative activity which is of a commercial or trade nature, such as harvesting of mangroves for commercial purposes.

THIRD SCHEDULE

REPUBLIC OF LIBERIA

WETLAND OF INTERNATIONAL IMPORTANCE

1. Wetlands on the list of RAMSAR approved sites.

FOURTH SCHEDULE

REPUBLIC OF LIBERIA

FEES

1. Application for wetlands use permit = amount to be decided.
2. Application for a permit to carry out any regulated activity on river banks and lake shores = amount to be decided
3. Grant of a permit for use of wetland, river bank or lake shore = amount to be decided.

FIFTH SCHEDULE
(To be completed in Triplicate)

REPUBLIC OF LIBERIA

REGISTER OF RIVER BANKS AND LAKE SHORES

Registration No.

Name of river bank/lake shore

Location
(Town, City, county, district)

Extent of river bank/lake shore
(in kilometers)

Activities being carried out on the river bank/lake shore

.....

Nature of environmental degradation occurring/likely to occur

.....

Remarks

.....

Date Signature

**SIXTH SCHEDULE
LIST OF PROTECTED WETLANDS IN LIBERIA**

RIVERS

1. Lofa River
2. St. Paul River
3. St. John River
4. Mano River
5. Cestos River
6. Cavalla River
7. All major tributaries of the above mentioned Rivers

SEVENTH SCHEDULE

LAKES

1. Lake Piso
2. Lake Tilleh
3. Lake Shepherd

This schedule needs to be updated with the full list of protected wetlands in Liberia. (Info can be filled in by GIS, RAMSAR Focal Point, CBD Focal Point the Conservation Unit)

Implementing Unit/Department

The Conservation Unit of the Department of Compliance & Enforcement is responsible for the full implementation of these Regulations. The Unit is also responsible to communicate the contents of these Regulations to all stakeholders to ensure compliance and implementation.

Amendment

Any provision of these Regulations may be amended or altered upon the Executive Director's approval of suggestion from the Technical Team on Conservation for such amendment accompanied by the rationale behind said revision.

Effective Date

These Regulations shall become effective upon approval by the Executive Director/CEO of the EPA and publication of same in any major national daily newspaper for at least three consecutive days.

Binding Force

These Regulations shall be binding in its entirety and directly applicable to all aspects of wetland resources in Liberia.

Done on this ____ of February, A.D. 2019, in the city of Monrovia, County of Montserrado, Republic of Liberia

Approved: _____

Nathaniel T. Blama Sr.
Executor Director/CEO
ENVIRONMENT PROTECTION AGENCY

9.