Forestry Development Authority Guidelines No.2-2022

Guidelines for Gazetting Proposed Protected Areas in Liberia by the Forestry Development Authority

WHEREAS, the National Forestry Reform Law of 2006 establishes a transparent framework for the use, management, and protection of forest resources that balances the commercial, community, and conservation priorities of the Republic;

WHEREAS, Section 9.1 of the National Forestry Reform Law of 2006 and Section 5.2.1 of the National Wildlife Conservation and Protected Areas Management Law, 2012 (National Wildlife Law of 2012) authorize the Forestry Development Authority (FDA) to establish a Protected Forests Network to cover at least 30 percent of the existing forested areas of Liberia;

WHEREAS, Section 9.3 of the National Forestry Reform Law of 2006 and Section 5.4.1 of the National Wildlife Conservation and Protected Areas Management Law, 2012 layout the broad framework for the establishment and gazettement of a Protected Area, thus creating the need for establishing detailed steps for establishing protected areas; and

WHEREAS, Section 19.1 of the National Forestry Reform Law of 2006 provides that the Authority may issue from time-to-time Regulations as well as standard agreements and procedural manuals, including guidelines and codes for the efficient implementation of this Law.

NOW, THEREFORE, the Forestry Development Authority does hereby issue these Guidelines as follows:

Section I: Background

Consistent with the statutory mandates given to the Forestry Development Authority (FDA) under the National Forestry Reform Law(NFRL) 9.1(a) and National Wildlife Law of 2012, it is required to include Proposed Protected Areas as part of the Protected Area Network. Since the passage of the NFRL, the FDA has gazetted three (3) of the Proposed Protected Areas. Experience from prior gazettement has informed the need to establish a uniform process for gazetting other proposed protected areas. These Guidelines focus on the procedures for gazetting proposed protected areas.

Section II: Purpose

These Guidelines outline the steps[1] to be followed in gazetting Proposed Protected Areas as envisioned in the National Forestry Reform Law of 2006 and the National Wildlife Law of 2012.

Section III: Steps for Gazzetting Proposed Protected Areas in Liberia

The following steps shall be followed in order as presented during the gazettement of identified proposed protected areas:

1. Selection of site or proposed protected area for gazettement
2. Reconnaissance mission to the selected site or proposed protected area
3. **A.**
   Conduct feasibility study(ies), i.e., biophysical and socio-economic surveys to gather information on the identified area, including assessing biodiversity and forest resources, vegetation types, critical biodiversity areas and habitats, threats, environmental degradation, pollutants, cultural, and other resources on-site, human use of resources, as well as human settlements, population size, agricultural activities, and infrastructures.
   B.
   Compile and analyze feasibility study(ies), i.e., biophysical and socio-economic surveys, and decide the site's appropriateness for gazettement. Clarify land tenure consistent with the Land Rights Act (LRA) of 2018 and identify/clarify concessions (or proposed concessions) overlaps.

[1] Generally, the steps are to be followed sequentially, however, where activities may be implemented simultaneously as the steps require.

Based on clarifications of tenure and concession overlaps, provide suggestions for the protected area category consistent with the National Wildlife Law of 2012.

4. Application to conduct Environmental and Social Impact Assessment (ESIA)[2].
5. Meetings, awareness, training, and consultations (further consultations as necessary) with all stakeholders, including but not limited to consultations at the community, regional and national levels integrating the principles of Free, Prior, Informed Consent (FPIC)[3].
6. Participatory land-use mapping of the site covering the complete proposed boundary to identify land-use and potential conflicts along the proposed boundary line (it may lead to the adjustment of suggested boundaries).
7. Community consultations for final approval of boundary and signed consent (consent about the creation of the protected area and the final boundary), demonstrating that the principles of Free, Prior, and Informed Consent (FPIC) have been integrated[4].
8. Develop a Protected Area Management Infrastructure(s), staffing, and financing plan; ensure the existence of provisional ranger's outposts and protected area headquarter.
9. Participatory flagging and harmonization of the final approved boundary.
10. Preparation of gazettement package (incorporating information from feasibility study(ies), documentation of all consultations and meetings at community, regional and national levels, and reports from the participatory mapping and flagging) and a draft bill.
11. Environmental and Social Impact Assessment (ESIA), approval and permitting by Environmental Protection Agency.
12. National Consultation of the Gazettement Package[5].
13. Public notice and 60 days for comments on the proposed gazettement of the protected area (information on the type and size of the protected area must be included).
14. FDA's Board of Directors' approval of the gazettement package.
15. Submission of the gazettement package to the President's office.
16. Approval by the President's office and submission of gazettement package to the Legislature (along with a Bill for enacting the site as a Protected Area).
17. Enactment by the Legislature and approval by the President.
18. Printing into handbill.

Section IV: Effective Date

These Guidelines are effective upon signature by the Managing Director.

Issued on the 28th day of July A.D. 2022.

C Mike Doryen
Managing Director

[2] ESIA activities continue with other activities until approval

[3] Consultations are not limited to those mentioned herein. Consultation may occur at every stage to ensure adequate consent and community buy-in.

[4] Consistent with the National FPIC Guidelines

[5] May take place during or after the sixty-day notice period.

FDA BOARD RESOLUTION # 05/2022
APPROVING THE GUIDELINES FOR GAZETTING PROPOSED PROTECTED AREAS BY THE FORESTRY DEVELOPMENT AUTHORITY

WHEREAS, Chapter 19 of the National Forestry Reform Law of Liberia authorizes the Forestry Development Authority (FDA) to issue regulations, manuals, and codes for the efficient management of Liberia forest resources;

WHEREAS the FDA management has developed consistent with FDA Regulation 101-07, Guidelines for Gazetting Proposed Protected Areas called the **Forestry Development Authority Guidelines No.2-2022** for approval by the Board of Directors of the Forestry Development Authority; and

WHEREAS, the FDA Board of Directors reviewed and deliberated on the Guidelines for Gazzetting Proposed Protected Areas on July 28, 2022.

NOW, THEREFORE, for the foregoing reasons above stated, it is hereby resolved by the Board of Directors:

1. That the Proposed Guidelines for Gazzetting Proposed Protected Areas **(Forestry Development Authority Guidelines No.2-2022)** attached as Annex 1 to this board resolution is hereby approved, and the Management of the Forestry Development Authority is hereby authorized to take all actions to ensure its effectiveness and operability;

IN WITNESS WHEREOF, we have hereunto subscribed our names and affixed the Forestry Development Authority's seal on this 28th day of July AD 2022 in the City of Monrovia, Montserrado County, Republic of Liberia.

SEAL

C. Mike Doryen
Secretary

Approved:

Harrison S. Karnwea Sr.
Chairman