

(Legislative Supplement No. 97)

LEGAL NOTICE NO. 220

THE WATER ACT, 2016

(No. 43 of 2016)

IN EXERCISE of the powers conferred by Section 22 of the Water Act, 2016, the Water Resources Authority hereby makes the following Order —

THE MARURA (EWASO NAROK) SWAMP CATCHMENT PROTECTION AREA ORDER, 2022

1. This Order may be cited as the Marura (Ewaso Narok) Swamp Catchment Protection Area Order, 2022.

Citation.

2. In this Order, unless the context otherwise requires—

Interpretation.

“Act” means the Water Act, 2016;

No. 43 of 2016.

“association” means a water resources users association registered by the Authority in accordance with the Act;

“authority” means the Water Resources Authority established under section 11 of the Act;

“basin area” means the area designated by the Authority as a basin area under section 24 of the Act;

“protected area” means the area declared to be a protected area under paragraph 4 of this Order and is demarcated for protection and conservation within the Marura (Ewaso Narok) Swamp Catchment Management Plan;

LN. 170 of 2021.

“Marura (Ewaso Narok) Swamp Catchment Management Plan” means the management and conservation plan developed by the Authority in respect of the protected area;

“riparian reserve” means land in respect of which management obligations are imposed on users or owners by the Authority due to its proximity to the protected area;

"soil and water conservation plan" means soil and water Conservation Plan as defined in the Water Resources Regulations, 2021;

“sub-basin Area” means the area designated by the Authority as a basin area under section 24(2) of the Act.

3. This Order and the Marura (Ewaso Narok) Swamp Catchment Management Plan shall apply to the National Government, national government entities, County Governments, county government entities and any other person being a user of water resources and the riparian reserve of the protected area.

Application of this Order.

4. The Marura (Ewaso Narok) Swamp Catchment Protection Area comprised in the First Schedule and demarcated for protection and conservation within the Marura (Ewaso Narok) Swamp Catchment Management Plan is declared to be a protected area for the purposes of the Act.

Declaration of protected area.

5. (1) The Marura (Ewaso Narok) Swamp Catchment Management Plan shall come into effect immediately upon publication of this Order and shall, without prejudice to the provisions of the Regulations developed under the Act, be the basis for protection, conservation and use of the water resources within the protected area.

Marura (Ewaso Narok) Swamp Conservation Plan.

(2) The Authority shall place signboards and beacons in or near the protected area or in appropriate public places frequented by land and water users and at the Authority's offices; displaying up-to-date information about the condition of the water resources of the protected area.

(3) The public notices shall contain information regarding the action required of water and land users to conserve and protect the water resources of the Protected Area.

6. Any person who:

Penalty.

(a) contravenes this Order; or

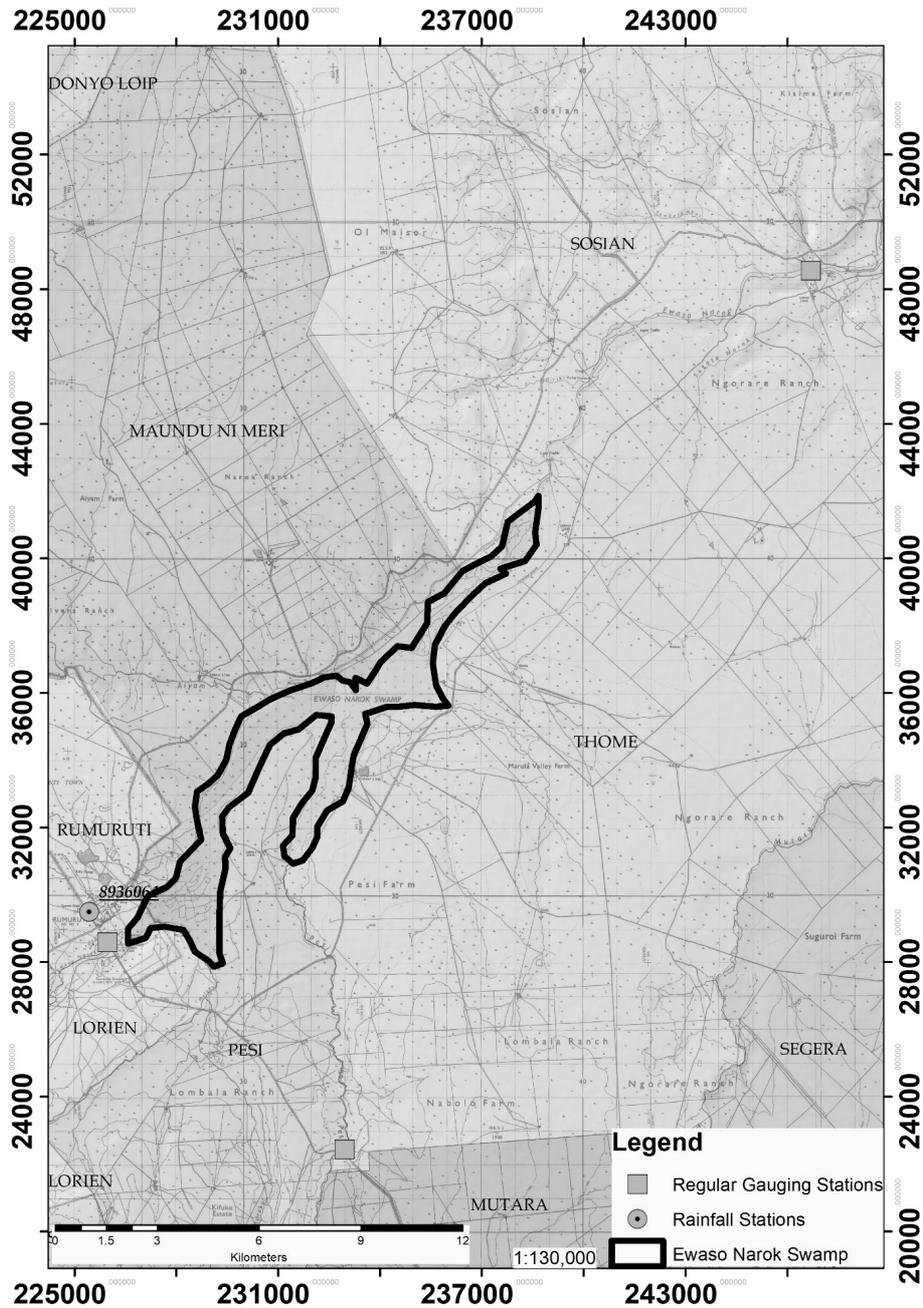
(b) fails to comply with the provisions of the Marura (Ewaso Narok) Swamp Catchment Management Plan,

commits an offence and shall, upon conviction, be liable to a fine of twenty thousand shillings or imprisonment for a term not exceeding six months, or to both.

FIRST SCHEDULE

THE MARURA (EWASO NAROK) SWAMP CATCHMENT PROTECTED AREA

(r. 2, 4)



NOTE:

1. The Protected Area is commonly known as Ewaso Narok (Marura) swamp and is partly located in Thome sub location of Mutara location, Maundu Ni Meri and Sosian sub locations of Sosian location all within Rumuruti Division of Laikipia West Sub County, Laikipia County. The swamp is formed at the confluence of Ewaso Narok, Pesi and Aiyim rivers and is partly within the 5AA and 5AC sub basin of Ewaso Ngiro North Basin Area (Rumuruti Sub Basin Area Office). The land area protected is approximately 24 km² (2,400 Hectares).

2. The area that contributes surface run-off into the wetlands has been delineated through the use of Arc SWAT software. The drainage area upstream of the swamp measures 1,717.7 square kilometres and which contributes surface water flows into the swamp. The map shows the area of the swamp and the upstream catchment area that contributes flows into the swamp.

Made on the 17th November, 2022

MOHAMED M. SHURIE,
Chief *Executive Officer*
Water Resources Authority.