

**Republic of Liberia**

**Chain Saw Milling Regulation # 115-11**



**Forestry Development Authority**

**P.O Box 10-3010  
Whein Town, Montserrado County  
1000 Monrovia 10, Liberia  
West Africa**

**March 20, 2012**

**Forestry Development Authority**  
**Regulation No. 115-11**  
**Regulation on Chain Saw Milling in Liberia**

**WHEREAS**, the National Forestry Reform Law of 2006 (NFRL) establishes a transparent framework for the sustainable use, management, and protection of forest resources that balances the commercial, community, and conservation priorities of the Republic.

**WHEREAS**, the NFRL establishes four (4) non exclusive licenses pursuant to which a person may extract forest resources in Liberia, and also authorizes the Forestry Development Authority (FDA) to issue regulations and other rules necessary to implement the law, including specifically regulations that (a) govern contracting and permitting; (b) establish standard qualifications for commercial forest operation, and (c) control any activity involving Forest Land, Forest Resources, or Forest Products;

**WHEREAS**, the National Forest Policy and Strategy promotes sustainable management and use of forest resources in a manner that advances the availability of these resources for future generations while at the same ensuring that said forest resources do contribute to livelihood and economic development now and onwards;

**WHEREAS**, chain sawing activities have significant social contributions and also constitute some critical source of livelihood for many persons, especially vulnerable, unemployed individuals and poor communities;

**WHEREAS**, Government of Liberia recognizes the need to formally recognize and regulate chain sawing in Liberia as a means of maximizing the socio-economic benefits of chain sawing while addressing/mitigating its negative ecological and environmental impacts;

**NOW, THEREFORE**, the Forestry Development Authority does hereby rule and regulate as follows:

## **PART ONE: DEFINITIONS**

### **Section 1. Definitions**

**Authority:** Forestry Development Authority.

**Board-** The Board of Directors of the Forestry Development Authority

**Chain Saw Milling:** on-site conversion of logs into boards/lumber using chainsaws

**Chain Saw:** any portable power saw or similar cutting device, rendered operative by an electric or internal combustion engine or similar means that can be used for the felling of trees or the cutting of timber.

**Chain Sawyers:** Persons engaged in chain saw milling.

**Commercial Use:** Any use of Forest Products or Forest Land, other than direct use for personal purposes, subsistence, or infrastructure development. Commercial Use includes uses involving Trade or any other disposition of Forest Products or Forest Land for direct or indirect financial benefits.

**Community Forest:** is the natural forest and/or forest plantation where rights are granted by the Authority to a community living in or near it to access, use, and manage in a sustainable manner in compliance with a Community Forest Agreement.

**Community Forestry Agreement:** An agreement between the FDA and a forest community established and or recognized in keeping with provisions of the Community Rights Law or the regulations promulgated there under.

**Community Permit:** A permit for chain sawing issued by the FDA to a designated community authorizing the community to undertake chainsaw operations in keeping with the provisions of Part IV of this Regulation.

**Community Use:** Means any use of wood products for purpose other than (i) a use for community and or governmental purpose or (ii) a use that is procured permitted without any pecuniary gain.

**Diameter:** the over-bark measurement of a standing tree at 1.3 meters above the floor in a relatively flat terrain or 1.3 meters on the uphill side of the standing tree on a sloping terrain.

**Importer:** Means any natural or legal person who brings in wood and other forest product into Liberia from whatever country or location.

**List:** Means the list of estimated domestic market prices for chain saw lumber as provided for under Section 7 of this Regulation.

**Private land**: Land owned by private individuals through a valid deed or title traceable to a public land sale by the Republic of Liberia. Private land is the same as deeded land

**Proposed Protected Area**: An area that the Authority has identified as suitable for designation as a Protected Area under Chapter 4 of the National Forestry Reform Law of 2006.

**Protected Areas Ordinarily Closed to Commercial Use**: Nature Reserves, National Parks, Strict Nature Reserves, and other special areas set aside for non-extractive uses under Chapter 9 of the National Forestry Reform Law of 2006.

**Stumpage fees**: are fees associated with the commercial harvest of Forest Resources, including fees based on the type and volume of Forest Resources harvested.

**Trade**: To sell, buy, barter, exchange, offer, or expose for sale Forest Products.

**Vendor**: Any natural or legal person who sells wood and all forest products.

Other terms used in this Regulation have the meaning established in the National Forestry Reform Law of 2006, as amended.

## **PART TWO: PURPOSE**

The purpose of this Regulation is to recognize and regulate chain saw milling in order to optimize its positive benefits and also mitigate its negative effects.

The Regulation therefore establishes a structured process by which authorization for chain saw milling is requested, reviewed, and granted or denied.

The object is to ensure that chain saw milling is carried out in an environmentally appropriate manner and through procedures and practices that promote the mutual interests of chain sawyers, communities and sustainable forest management in the Republic of Liberia.

## **PART THREE: PRELIMINARY MATTERS**

### **Section 2. Land Areas to Offer for Chain Saw Milling Permits**

- (a) **Specification of land area for chain saw milling**: Chain saw milling permits shall be issued for operations only in the following areas: (i) Community forests and (ii) private or deeded forest land.
- (b) **Procedural prerequisites**. The Authority shall offer Chain Saw Milling Permits for the two (2) areas specified in Section 2 (a) only upon compliance with all three of the following criteria:

(1) The area has been identified by the FDA as suitable for Commercial Use in keeping with Section 4.4(d)(i) of the National Forestry Reform Law of 2006 (even if not specifically designated for chain saw milling operations);

(2) The FDA has validated the area locally pursuant to Section 4.5 of the National Forestry Reform Law of 2006 and any applicable regulations; and

(3) The permit holder has received BOTH (1) a written permission from the Authority and (2) the Free Prior Informed Consent of the community in community forest areas or the private land owner.

(c): The Authority shall not offer permits for areas covering more than 1,000 hectares at a time for an individual Chain Sawyer or a group of Chain Sawyers; provided, however, that a community having a community forest larger than 1,000 hectares may, in keeping with the provisions of this Regulation, apply for, obtain, and be granted multiple individual licenses each of which shall comply with the 1,000 hectare limit established herein.

d) The area excludes lands in Protected Areas Ordinarily Closed to Commercial Use or Proposed Protected Areas, unless the Authority makes a written finding explaining why the Commercial Use of such areas would be compatible with their protection status.

(e) The Authority shall only offer Chain Saw Milling Permits on Forest Lands whose prior use, present condition, or planned future use makes them unsuitable for management under sustainable forest management principles by the Authority.

## **Section 3 to 5 Reserved**

## **PART FOUR: REGISTRATION**

### **Section 6. Registration**

(a) Registration of Chain Saws: All Persons who own or are in possession of and/or own chainsaw(s) shall register each chainsaw with the Authority, indicating the serial number(s) and area(s) of their intended use. All commercial Chain Sawyers shall promptly notify the Authority prior to change(s) in their areas of operation through the Authorities regional office. Those who are presently in possession of and/or own chainsaw(s) **acquired prior to the effective date of this Regulation** shall register it/them not later than ninety (90) days as of the effective date of this Regulation, while those who acquire a chain saw **after the effective period** of this Regulation shall register the chain saw within thirty (30) working days as of the date of purchase. Without prejudice to the provision of the preceding two sentences, all importers and sellers of chainsaw(s) shall keep records of the quantity and specifications of the chainsaws(s) imported; the date of sale as well as the identity of the buyer of each chain saw. In conjunction with all buyer(s) of chainsaws, all chainsaw vendors shall complete chainsaw registration forms

provided by the Authority at the time of sale and forward them to the Authority together with the records on chainsaw(s) imported within one month of the completion of such records.

(b) Anyone not an importer who fails to register a chainsaw or inform the Authority about any change(s) in the area of operation(s) or provide the Authority with the necessary importation and registration records shall be fined US\$300.00 or its Liberian Dollar Equivalent or revocation of the chain saw permit issued to the chain sawyer, depending on the actual circumstances of the case.

© Any importer or seller who fails to keep or disclose records of chain saw imported and or sold shall be fined US\$1,000.00 (One Thousand United States Dollars) or its Liberian Dollar equivalent plus revocation of its permit or authorization to import or sell chain saws in Liberia.

(d) **Registration of land Eligible for Chainsaw Milling:** Any person and community having/owning land that is eligible for and or desires it to be used for chainsaw milling shall register the land area with the Authority. No chainsaw milling shall be permitted or license issued in respect of a land area that has no prior registration with the Authority.

## **Section 7 to 9 Reserved**

### **PART FIVE: PERMITTING**

#### **Section 10. Chain Saw Permits**

(a) **Only Liberian Eligible to Hold Permit:** Chain saw permits shall be issued to only Liberians.

(b) **Application for Permit:** Prior to commencing any chain sawing operation in Liberia, each Chain Sawyer whether individual, business entity, cooperative of Chain Sawyers/Chain-sawn Lumber Traders or community, shall apply to the Authority for a permit. Each application must include the following information:

(1) Name of individual and his or her nationality;

(2) Name of business entity, cooperative of Chain Sawyers/ Chain-saw Lumber Traders or community.

(3) Business Registration/proof of membership of cooperative of Chain Sawyers/Chain-saw Lumber Traders or other recognition by a public authority.

(4) Serial number(s) of all chainsaw(s) owned.

(5) Proof of title to (or authorization to use) the land where commercial chainsaw milling is intended to take place or proof of ownership of trees to be converted to lumber;

(6) A non-refundable application fee of US\$50.00 or its Liberian Dollar equivalent; and

(7) Adequate description with appropriate maps or coordinates of intended area of operation

(c) **Categories of Chain saw Permits:** Chainsaw Permits shall fall under one of the following categories:

(A) **Individual Permit**, which the Authority issues to an individual, business entity, or cooperative of Chain Sawyers/Chain-sawn Lumber Traders upon application that meets the requirements of this Regulation cooperative and which is limited in duration to no more than one **(1) year** and only in respect of private land that the owner has consented to be used for chainsaw milling.

(B) **Community permit**, which the Authority issues to a community that has a community forest and only in respect of/to such community forest upon application by a registered community, and which are limited in duration to no more than **one (1) year**.

(C) An otherwise eligible community may have more than one Community Chain saw permit.

(d) **Transfer of Chain saw milling permit:** A community may assign or transfer its chain saw permit to an individual or business Chain Sawyer, and such assignment and transfer shall become effective and binding upon being attested to by the Authority. Where a Community chainsaw milling permit is transferred to a Chain Sawyer who works the permit, the obligation to comply with environmental and sustainable management requirements, including the Code of Harvesting Practices specifically designed for Chain saw milling, existing now or to be developed hereafter, shall be on the transferee.

(e) **Requirements of Chain saw milling permit:** Each chainsaw milling permit, whether Individual or Community Permit, shall meet the following requirements:

(1) The basic term of the permit shall not be more than two (2) years; and.

(2) The land area subject to the permit shall be no more than 1,000 hectares.

(f) Chain sawing permit holders shall pay an annually renewable permit fee of US\$250.00 (Two Hundred and fifty US dollars) to the Government or such amount as shall be set by the Authority and published.

(g) Fees for registration and renewal of registration, as set forth under this Section, are due on the date that the permit is issued and on each anniversary of that date. The Authority shall require proof of payment of the fee and confirmation of no infringements on the Code of harvesting as well as confinement of operations in Authority-permitted areas before issuing or renewing a permit under this Section.

## Section 11. Individual and Community Permits

Prior to the Authority's issuance of a Individual and or Community Permit in a Community Forest, the applicant shall:

- (a) Prepare a Tree Registration Scheme whereby the location is registered for all trees that may be logged.
- (b) Apply to the Authority for a permit stipulating the location, ownership, number of trees, **species** and diameter.
- (c) Conduct a field investigation to verify that the community trees to be harvested are eligible for felling in accordance with felling rules and other procedures contained in the Code of Forest Harvesting Practices for Chain Saw milling, existing now or to be developed hereafter.

## Section 12. Sustainable Chain Saw milling

(a) No Person shall conduct chain sawing operations in violation of the Code of Forest Harvesting Practices for Chain Sawing Operations, existing now or to be adopted hereafter.

(b) Without prejudice to the generality of the provisions of Subsection (a) above, every permit holder, whether individual or community shall (1)not Fell trees towards a water course; (2) maintain a buffer of 30 meters between a harvested and a water course, or such distance as shall be set forth in the Code of Harvesting Practices for Chain Sawing.

(c) The Authority, within two years of enactment of this Regulation, shall in cooperation with **the EPA and other stakeholders, including communities and chain sawyers**, undertake comparative studies of appropriate technologies to improve the quality and reduce waste from chain-sawing. The Authority, upon the recommendations made from the study, shall facilitate the acquisition and training of the recommended technologies by chainsaw operators.

## Section13. Estimation of Domestic Market Prices

(a) The Authority shall develop a list of estimated domestic market prices of chain-sawn lumber/lumber derived from the tree species listed in Schedule I of Authority Regulation 107-07, to reflect the various grades of chain-sawn lumber as compiled under section d(2) above for the domestic market. The Authority shall review and revise the list where necessary at the start of each logging season and may revise the list more frequently in response to market trends.

(b) The Authority shall base the estimates on the average FOB prices for export and domestic prices for timber utilized for domestic markets.

(c) In developing the list, the Authority shall consult with the Forest Management Advisory Committee established under the National Forestry Reform Law of 2006, as amended.

(d) The Authority shall submit the list to the Board for approval.

(e) Upon approval by the Board, the list becomes the basis for calculation of stumpage fees and establishes the minimum price guidelines for the assessment of timber sourced from chain saw milling. The list shall remain in force until the Board approves a replacement list following the procedure required by this Section.

(f) The Authority shall make copies of the list in force readily accessible to the public in the same manner that it makes regulations, codes, and manuals available to the public under Section 41 of Authority Regulation No. 101-07, concerning public participation.

## **Section 14. Classification of Timber Trees by Species**

For the purposes of Section 10 of this Regulation:

(a) The tree species listed in Schedule I of Authority Regulation 107-07 are each classed into the category (A, B, or C) indicated in the column labeled "Class (stumpage fee)" of Schedule I.

(b) Tree species not listed in Schedule I are classed into category C.

## **Section 15. Stumpage Fees**

Any person felling a tree under a chainsaw milling permit, whether an individual or community permit, shall pay to the Government a log stumpage fee, based on the harvested tree's diameter (D.B.H), species and quality, according to the following formulae:

(1) There should be No EXPORT of any of the chain saw milling timber produced regardless of quality and quantity.

(2) For all category of species classes (A, B, & C) to be harvested, the producer shall pay US\$8.00 per cubic meter as stumpage fee determined in the list approved under Section 8 of this Regulation.

(3) The Authority, within three years of enactment of this Regulation, shall in cooperation with the relevant stakeholders including communities and chain sawyers, undertake feasibility study on the impacts of allowing chain sawn timber to be exported out of Liberia. The Authority, upon the recommendations made from the feasibility study, shall establish export fees and charges to be paid for chain sawn timber exportation.

## **Section 16. Benefits Sharing**

In coordination with the Central Bank and the Ministry of Finance, the Authority shall ensure that a sum equal to 30 percent of all stumpage fees collected is distributed to Affected Communities through the National Community Benefit Sharing Trust mechanism established by Authority Regulation 106-07.

## **Section 17. Chain of Custody**

(a) Within one year of the effective date of this Regulation, the Authority shall design a chain of custody system for chain-sawn lumber.

(b) Where the Chain of Custody System for chain saw milling is established, no chain saw operator shall harvest Timber for Commercial Use without entering the Timber in the Chain of Custody System designed specifically for chain-sawn timber using forms and means established under this Part.

(c) The Authority shall establish, and from time to time revise, standard methods for assigning identification to chain-sawn Logs, and lumber, and for properly marking the Logs and lumber with this identification.

(d) The Authority shall publish a document listing the current standard methods for assigning identification and for marking Logs, and lumber with this identification.

(e) For Logs, the Chain of Custody System must assign a unique identification to each Log, and the stump must be marked with the assigned tree number.

(f) For Lumber, the Chain of Custody System must assign unique identification that links them explicitly to the log(s) from which they were produced in groups bundled together for sale or transport. Where a single identification is assigned to a group of items, the Chain of Custody System must include safeguards allowing persons to determine easily whether any items have been added to or removed from the group.

### **Section 18 to 20 Reserved**

## **PART SIX: REPEALS, AMENDMENT AND EFFECTIVE DATE**

### **Section 21. Repeals**

This Regulation repeals Authority Regulation 26.

### **Section 22. Review and Amendment**

This Regulation may be reviewed and amended from time to time as warranted by circumstances/development and at a time whereby the Authority deems it necessary, provided that every amendment shall be adopted in consultation with relevant stakeholders.

### **Section 23. Effective Date**

(a) This regulation is effective on March 31, 2011.

(b) The Authority shall announce this regulation and make it available to the public and the media.

**SIGNED:**



Moses D. Wogben, Sr.

Managing Director

Forest Development Authority

**Forestry Development Authority**  
**Regulation #115-11**  
**Resolutions of Chain Saw Milling Regulation**

In order to regulate Chain Saw milling activities in Liberia so as to optimize its positive benefits and also mitigates its negative effects, the National Workshop for the Validation of the Chain Saw Milling Regulations #115-11, held at the Samuel Kanyan Doe Sports Complex from September 6-7, 2011, we the stakeholders (GOL, CBOs, NGOs and INGOs, Private sectors, Academic Institutions, Donor Partners) have resolved to establish a Chain Saw Milling Regulation in Liberia.

Whereas, Chain Sawing activities have significant social contributions and also constitute some critical source of livelihood for many persons, especially vulnerable, unemployed individuals and poor communities;

Whereas, the Regulations is structured to ensure that Chain Saw Milling is carried out in an environmentally friendly manner and through procedures and practices that promote the mutual interest of Chain Sawyers, communities and sustainable forest management in Liberia;

Whereas, the Government of Liberia recognizes the need to formally recognize and regulate Chain Saw Milling activities as a means of maximizing the socio-economic benefits of chain saw milling while addressing and mitigating its negative ecological and environmental impacts;

Whereas, we the stakeholders (GOL, CBOs, NGOs and INGOs, Private sectors, Academic Institutions, Donor Partners) have made some changes/amendments that are to be enshrined in the Chain Saw Milling Regulation;

Now, therefore, we the stakeholders (GOL, CBOs, NGOs and INGOs, Private sectors, Academic Institutions, Donor Partners) have resolved to establish a Chain Saw Milling Regulation in Liberia to wit:

- **Preamble**

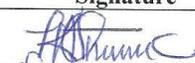
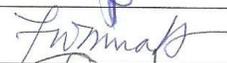
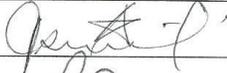
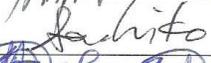
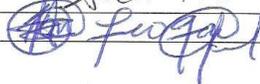
1. Definition

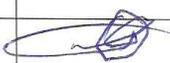
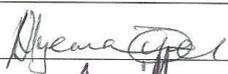
2. Purpose

3. Land Area and Procedures
4. Registration
5. Permitting
6. Individual and Community Permits
7. Sustainable Chain Saw Milling
8. Estimation of Domestic Market Prices
9. Classification of Timber Trees by Species
10. Stumpage Fees

Done this 7<sup>th</sup> day of September 2011, at the SKD Sports Complex, in the City of Paynesville Montserrado County, Republic of Liberia, we therefore affix our signatures to this document.

Chain Saw Milling Resolution Committee Members

	Name	Organization	Signature
1	Arthur T, Karngbeae	LICSATDUN	
2	Nouhou Ndam	FFI	
3	Francis W. Mwah	MOA	
4	T. Sloh Wesseh	MOCI	
5	Mulbah B, Sumo, Sr.	MPEA	
6	Joseph S. Woah	CBO	
7	Julius M Kamara	LICSATDUN	
8	Sachiko Kondo	World Bank	
9	Titus Zeogar	SDI	

10	George W. J. Golegio	MIA/NTCL	
11	Garsaweh B. Harris	CFDC	Hroob.
12	David Q Beae	CFDC	
13	Dorothy Nyema Oye	CFF	
14	S. Molubah L. Woi	UL	
15	Paul F. Duo	FDA	
16	Sam Koffa	ARD / USAID	
17	William B. Pewu	FDA	

REPUBLIC OF LIBERIA)  
MONTERRADO COUNTY)

**BOARD RESOLUTION #50 PASSING ON  
CHAIN-SAW MILLING REGULATION**

**WHEREAS**, the National Forest Policy and Strategy promotes sustainable management and use of forest resources in a manner that advances the availability of these resources for future generations while at the same time ensuring that said forest resources do contribute to the improvement of livelihood and economic development;

**WHEREAS**, Section 5.1(d) the National Forestry Reform Law (NFRL) of 2006 stipulates: the Authority may by **Regulation** control any activity involving Forest Land, Forest Resources, or Forest Products;

**WHEREAS**, by the mandate stated above, the Authority, from 2006 up to the present, has promulgated thirteen (13) additional **Regulations** including but not limited to: Public Participation, Forest Land Use Planning, Pre-qualification, Tender, Award and Administration, Pre-felling Operations, Benefit Sharing, Forest Fees, Chain of Custody, Penalties, Rights of Private Land Holders, Non-Timber Forest Products, Forest Product Processing, Marketing and Environmental Impact Assessment and Benefit Sharing Mechanism;

**WHEREAS**, the Authority has further promulgated a regulation with specificity on controlling the operations of chain saw milling in Liberia;

**WHEREAS**, chain sawing activities have significant social contributions and also constitute some critical source of livelihood for many persons, especially vulnerable, unemployed individuals and poor communities;

**WHEREAS**, the attending **Regulation** controlling the said chain saw activities upon completion and validation by cross section of the Citizens of Liberia must be approved by the Board of Directors before taking effect;

**WHEREAS**, copy of the said validated Chain Saw Regulation has since been distributed to each member of the Board of Directors for review and comments; based upon which the Board resolved during its Regular Sitting on January 25, 2012 that if no comment(s) is/are received from the Board, then the subject Regulation shall be deemed/considered approved;

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

1. That the validated Chain Saw Regulation having been received and reviewed by members of the Board from January 25, 2012 up to and including the present; followed by no written comments is hereby considered adopted and approved; thereby taking effect for full implementation of said regulation;
2. That this Resolution takes effect immediately upon signing by the authorized signatories of the Board of Directors.
3. That upon taking effect, this Regulation is to be published once every week for the duration of one month in two (2) news papers of wide circulation.

**IN WITNESS WHEREOF**, we have hereunto subscribed our names and affixed the seal of the Forestry Development Authority on this 22 day of March A.D.2012 in the City of Monrovia, Montserrado County, Republic of Liberia.

**SEAL**

  
\_\_\_\_\_  
**S E C R E T A R Y**

**Approved:**

  
\_\_\_\_\_  
**C H A I R M A N**

