

## **MANAGEMENT OF RIVERBANKS AND LAKE SHORES**

### **1.0 Introduction**

The Government or local government holds in trust for the people and protect river banks and lake shores for the common good of the citizens of Uganda.

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

### **2.0 Purpose**

- a) to facilitate the sustainable utilization and conservation of resources on river banks and lake shores by and for the benefit of the people and community living in the area;
- (b) to promote the integration of wise use of resources on rivers and lakes into the local and national management of natural resources for socio-economic development.
- (c) to provide for the regulated public use and enjoyment of river banks and lake shores;
- (d) prevent siltation of rivers and lakes and control polluting or degrading activities.

### **3.0 Principles to be observed**

The following principles set out shall be observed in the management and conservation of river banks and lake shores -

- (a) resources on the river banks and lake shores shall be utilised in a sustainable manner;
- (b) environmental impact assessment is mandatory for all major activities in 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, siltation and water pollution.

### **3.0 Duty and functions of Local Councils**

Each Local Government shall after the recommendation of the appropriate local environmental committee make bye-laws:

- (a) identifying river banks and lake shores within their jurisdiction which are at risk  
6  
from environmental degradation;
- (b) promoting soil conservation measures along river banks and lake shores including the following:
  - (i) bunding,
  - (ii) terracing
  - (iii) mulching,
  - (iv) tree planting/agroforestry,
  - (v) grassing,
  - (vi) soil engineering, compaction and placement of fills,
  - (vii) zoning and planning,
  - (viii) baggions; and,
  - (viii) control of livestock grazing.

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

- (i) inform the District Environment Officer in writing for appropriate action,
- (ii) ensure protection of all the banks and shores,
- (iii) assist local communities to conserve wetlands.

### **4.0 Duty of Environment officers**

An environment officer within whose jurisdiction activities likely to degrade the environment, river banks or lake shores are taking place, shall-

- (a) Ensure that the communities living near a wetland participate in its conservation,
- (b) assist environment committees in implementing these regulations and any other

law that protects wetlands.

An environment officer within whose jurisdiction activities likely to degrade the environment, river banks or lake shores are taking place, shall-

- (a) Ensure that the communities living near a wetland participate in its conservation,
- (b) assist environment committees in implementing these regulations and any other law that protects wetlands.

### **5.0 Use of River banks and lake shores**

7

Any person who desires to carry out any of the following activities shall make an application-

- (a) use, erect, reconstruct, place, alter, extend, remove or demolish any structure or part of any structure in, on, under, or over the riverbank or lake shore.
- (b) excavate, drill, tunnel or disturb the riverbank or lakeshore otherwise.
- (c) introduce or plant any part of a plant whether alien or indigenous on a river bank or lake shores.
- (d) introduce any animal or micro-organism, whether alien or indigenous in any riverbank or lake shore.
- (e) deposit any substance on a riverbank or lakeshore if that substance would or is likely to have adverse effects on the environment.

A permit may, at any time, be revoked 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.

### **6.0 Duty of Land owners**

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) agroforestry
- (c) mulching
- (d) bunding
- (e) grassing
- (f) control of livestock grazing
- (g) terracing

It shall be an offence for a landowner or user to fail or refuse to carry out the measures mentioned above.

### **7.0 Protection zones for river banks**

The following rivers shall have a protection zone of one hundred metres from the highest water

8

mark of the river.

1. R. Nile from Lake Victoria to Lake Albert.
2. R. Aswa.
3. R. Katonga.
4. R. Nkusi.
- 5 R. Kafu.
6. R. Rwizi.
7. R. Kagera.
8. R. Mpanga.

9. R. Manafwa.
10. R. Mpologoma.
11. R. Semliki.
12. R. Mubuku.
13. R. Mayanja.
14. R. Sezibwa.
15. R. Malaba.
16. R. Sipi.
17. R. Namatala.
18. R. Sironko.
19. R. Muzizi.
20. R. Nabuyonga.

All other rivers shall have a protected zone of thirty metres from the highest water mark of the river.

No activities shall be permitted within these protected zones without the written authority of NEMA.

#### **8.0 Protection zones for lake shores**

All shores of lakes specified hereunder shall have a protected zone of two hundred metres measured from the low water mark.

1. L. Victoria.
2. L. Kyoga.
3. L. Albert.
4. L. Edward.
5. L. George.
6. L. Bisina.
7. L. Mburo.
8. L. Bunyonyi.
9. L. Kijanibarora.
- 9
10. L. Kwania.
11. L. Wamala.
12. L. Mutanda.
13. L. Marebe.
14. L. Opeti.
15. L. Nabugabo.
16. L. Nkugute.
17. L. Katunga.
18. L. Nyabihoko.
19. L. Nakivale.

All other lakes not included above shall have a protected zone of one hundred metres from the low water mark.

No activities shall be permitted within these protected zones without the written authority of the NEMA.

Each Local Environment Committee shall determine watering points and routes for animals to have access to the water in each lake.

#### **9.0 Protection of lake shores and river banks used for purposes of tourism (beaches)**

Where any lake shore or river bank has been developed for the purposes of promoting tourism or

for other aesthetic uses, the developer shall ensure that:

- (a) pretreatment and/or full treatment of effluent or waste from the facility is carried out to prevent contamination the water;
- (b) litter is cleared and disposed of in a manner in conformity with best environmental practices;
- (c) the river banks, lake shores or beaches are not degraded.

#### **Access to natural beaches or rivers and lakes**

Subject to the existing property rights under existing law, 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 Minister allowing him to exclude the public

from such natural beach.

10

### **10.0 Sanitation**

Each Local government shall, on the advice of the District Environment Committee, make byelaws

governing sanitation in lake shores and river bank areas in accordance with the Public Health Act.

Where two or more districts share a river bank or lake shore, minimum sanitation standards shall

be set by the district councils after due consultation.

### **11.0 Environmental Impact Assessment**

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 20, 21, and 22 of the Statute;

A Developer of a wetland, river bank and lake shore shall be required to carry out annual environmental audits and monitor his/her activities and, shall such submit reports to NEMA every one year.

### **12.0 Enforcement of the Law**

#### *Environmental restoration order*

The Executive Director of NEMA may require that wetlands, river banks and lake shores which

have already been degraded be allowed to regenerate by issuing a restoration order in accordance

with the National Environment Statute.

#### *Improvement notice*

Where an Environmental Inspector has reasonable cause to believe that any person is degrading a

wetland, river bank or lake shore, he/she may:

- (a) issue against such a person an improvement notice in accordance with the Statute;
- (b) take any other measures provided for under Section 81 of the Statute.

#### *Offences*

Any person who-

- (a) reclaims or drains a wetland;

11

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

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

- (d) deposits in, on, or under any wetland any 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 wetland;
- (g) removes soil from or burns any wetland resource in a wetland; or
- (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 lake shore or river bank from environmental degradation in accordance with these regulations;

shall be guilty of an offence and shall be liable upon conviction to imprisonment for a term of not less than three months or to a fine of not less than thirty thousand shillings and not more than three million or both.

In addition to the sentence, a person found guilty may be required to carry out community work that promotes the conservation of wetlands.