

“Towards conservation of water bodies”

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Existing Laws and Policies for Conservation of Waterbodies

Prof. P. K. S. Mahanama

Dean Faculty of Architecture ,University of Moratuwa

Chairman, Institute of Town Planners Sri Lanka (ITPSL)

Context...

Waterbodies

“The part of the earth's surface covered with water”

Wetlands

” Areas of marsh, fen, Peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed the 6 meters” -The RAMSAR Convention

Importance.....

The importance of wetlands/waterbodies

- ❖ uses,
- ❖ functions and
- ❖ attributes

Uses

Uses/Products	Examples from Sri Lanka	Wetlands exploited
Water supply and transportation a) For Domestic supply b) For irrigation	Labugama, Kalatuwawa Minneriya tank, Mahaweli river	Rivers, streams, tanks, reservoirs
Agricultural products for human consumption	Rice, Leafy vegetables	Rice fields, marshes, tanks
Medicinal herbs	“Lunuwarana” herb	Marshes
Raw material for handicrafts and mats	“ Kaduru” wood for masks, Pandanus leaves	Marshes, Mangroves
Hydro-electricity	Victoria, Randenigala and Rantambe reservoirs	Waterfalls, Reservoirs
Fish and crustaceans for consumption	Edible Freshwater and brackish water fish and crustacean species	Rivers, tanks, reservoirs, lagoons, estuaries
Fish and plants of ornamental value	Black Ruby Barb, Cherry Barb, <i>Cryptocoryne</i> , <i>Aponogeton</i>	Streams, marshes,
Material for religious ceremonies/offerings	Nelum/Olu/Manel flowers	Marshes, Ponds
Salt	Hambanthota lagoon	Salterns
Recreation/tourism	Bundala wetlands	Tanks, Lagoons, waterfalls

Source: IUCN, IWMI, CEA (2006) National Wetland Directory of Sri Lanka p.11

Functions

Major Functions	Contributory Wetlands
Mitigation of floods	Marshes, Tanks, Rice fields
Protection from storms/prevention of coastal erosion	Mangroves, Coral reefs
Retention of sediments	Mangrove, Coastal marshes
Purification of water/removal of toxic compounds	Marshes
Act as a Carbon Sink	Marshes
Breeding habitats of edible fish	Mangroves, Marshes, Sea grass beds

Attributes

- Biodiversity
- Cultural Heritage

Source: IUCN, IWMI, CEA (2006) National Wetland Directory of Sri Lanka p.11

Threats to Wetlands/Waterbodies -

- ❖ Habitat deterioration/degradation
- ❖ Direct loss/exploitation of species
- ❖ Spread of invasive alien species (IAS)
- ❖ Natural Phenomena

Related Institutions, Policies & Legislations in Conservation of Waterbodies

Ministries, Institutions & Authorities

Ministry of Irrigation and Water Resources Management
Ministry of Water Supply & Drainage
Ministry of Agriculture
Ministry of Environment
Ministry of land & land development
Ministry of power & energy
Ministry of fisheries & aquatic resources development
Ministry of Disaster Management
Ministry of local government and provincial councils
Ministry of Defense and Urban Development
Ministry of Land & Land development
Ministry of Wildlife Resources Conservation

Mahaveli Authority
Forest Department
Central Environment Authority
Geological & Mines Bureau (GSMB)
Department of Land Commissioner
Department of Land Settlement

Department of meteorology
Disaster Management Center
Wildlife Conservation Department
Local Authorities
National Physical Planning Department
Urban Development Authority
National water supply and drainage board
Water resource board
Ceylon Electricity Board
Department of Fisheries and Aquatic Resources
Department of Coast Conservation (CCD)
Sri Lanka Land Reclamation & Development Corporation

Related Institutions, Policies & Legislations in Conservation of Waterbodies

Policies ,Laws & Regulation

Policies

- National Environment Policy - 2003
- National Policy on Drinking Water and Sanitation 2002
- National Watershed Management Policy – 2004
- National Policy on Wetlands – 2004
- National Agriculture Policy - 2003
- National Energy Policy of Sri Lanka 2006
- Rain Water Harvesting Policy

Ordinances

- Fauna and Flora Protection Ordinance 1937
- Land Development Ordinance 1935
- Irrigation Ordinance 1946
- Wells and pits ordinance No 27 of 1984
- Municipal council ordinance No.16 of 1947
- Urban council ordinance No.61 of 1939

Acts

- National Environmental Act No. 47 of 1980 (Amendment) Acts, No. 56 of 1988, No. 53 of 2000
- Land Reclamation Development Cooperation Act No:52 of 1982
- Urban Development Authority Law No: 41 of 1978
- Mahaweli Authority Act – Act No 23 of 1979
- Agrarian Service Act – Act No 46 of 2000
- Sri Lanka Disaster Management Act, No.13 of 2005
- Water resource board act No 29 of 1964
- Pradeshiya Saba act No.15 of 1987
- Fisheries and Aquatic Resource Act No 2 of 1996
- Coast Conservation Act No.57 of 1981
- Town & Country Planning Ordinance 1946 and (Amendment) Act, No. 49 of 2000
- Agrarian Service Act No: 58 of 1979

Related Institutions, Policies & Legislations in Conservation of Water Bodies

Main Actors

- **The Department of Irrigation**, established in 1900, is primarily responsible for water resources planning, project formulation, construction and maintenance. It is also informally responsible for daily and seasonal allocations of water for irrigation.
- **The Mahaweli Authority of Sri Lanka**, established in 1979, is responsible for water resources development in a large area of the country, not only in the Mahaweli project region, but also in many large river basins in the country
- **The Water Resources Board was established in 1968**. It coordinates governmental water resources functions and formulates national policies relating to the control and use of water resources.
- **The National Water Supply and Drainage Board** is the main agency for domestic and industrial water supply, sewage, and surface drainage.
- **Wildlife Conservation Department** : Establish under the Fauna & Flora protection Ordinance 1937 can be considered as a major step in conservation of wetland. Some of the wetland were declared by the Department as sanctuaries and other protected areas.

- **Urban Development Authority:** Established under the Urban Development Authority Law No: 41 of 1978, to carry out integrated planning and physical development of declared urban areas and develop environmental standards and preparing schemes for the environmental improvement of urban areas.
- **Agrarian Service Department:** Established under the Agrarian Service Act No: 58 of 1979. According to the Section 62 of the Act, no person can utilize any paddy land for other purposes unless the Commissioner has given prior approval.
- **Sri Lanka Land Reclamation & Development Corporation: (SLRDC)** - Established under the Act No:52 of 1982 the same. According to the above law, no person can reclaim any land identified as a low-lying area unless permission has been granted from the Corporation (SLRDC).
- **National Physical Planning Department:** Establish Under the Town & Country Planning (Amendment) Act, No. 49 of 2000, To authorize the formulation and implementation of a national physical plan with the object of promoting and regulating integrated planning of economic, social, physical and environmental aspects of land in Sri Lanka

“It was recognized that wetland were falling under numerous agencies and as such the need to introduce coordination was recognized.”

*Kotagama, S.W., and Bambaradeniya, C.N.B.,
(1989).....*

The National Wetland Policy which was approved by the Government of Sri Lanka in May 2004

Objectives

- to protect and conserve wetland ecosystems
- to prevent illegal utilization of wetlands
- to restore and maintain the biological diversity and productivity of wetlands
- to enhance ecosystem services from wetlands habitats
- to assure sustainable use of wetlands and traditional practices by local communities; and
- to meet national commitments as a signatory to the Ramsar Convention on Wetlands

Policy Direction

- wetland management
- institutional arrangements
- intersectoral linkages
- research & development and education.

Case 1.

Colombo Flood Detention Area – 400 ha (Kollonnawa Marsh, Kotte Marsh and Heen Ela Marsh)

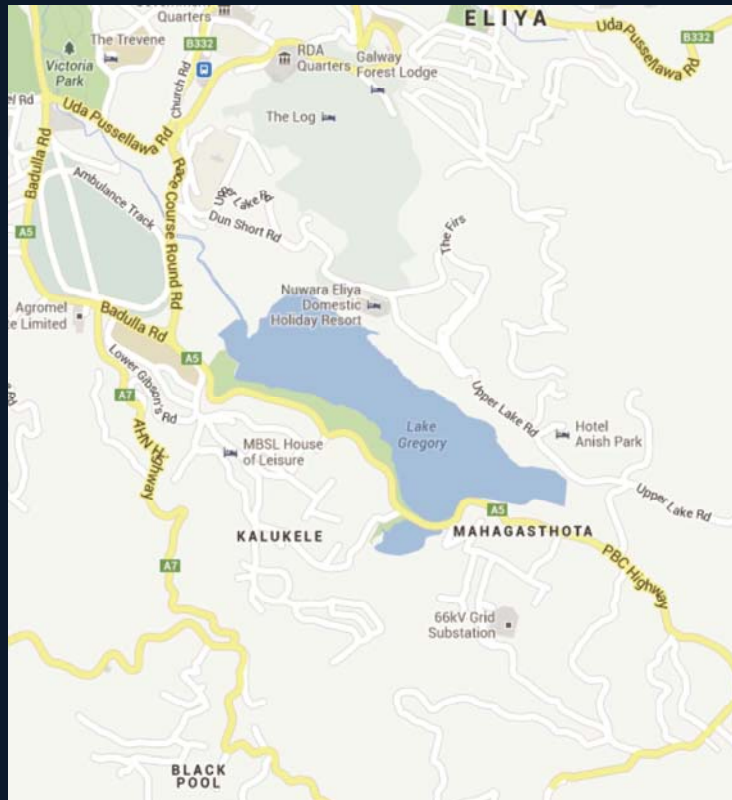
Managed by SLLRDC as flood detention area for Colombo.



Case 2.

Gregory's Lake – 0.4 km (Nuwara Eliya MC area)

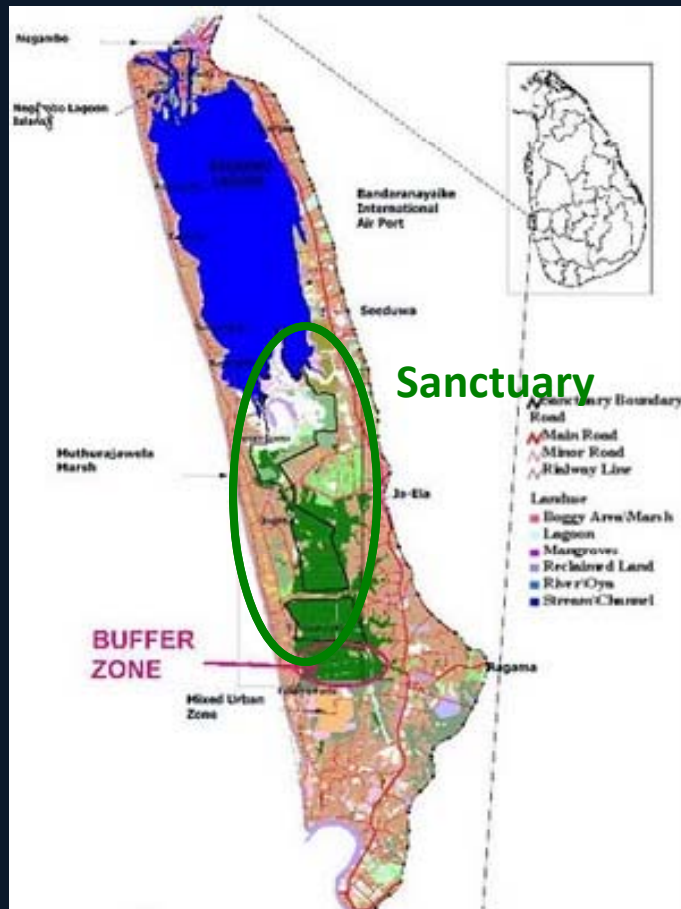
Managed by UDA, DWLC and MC as Recreation and Tourism development area for Nuwara Eliya.



Case 3.

Muthurajawela Marsh Area – 2569 ha (Ja Ela and Negombo)

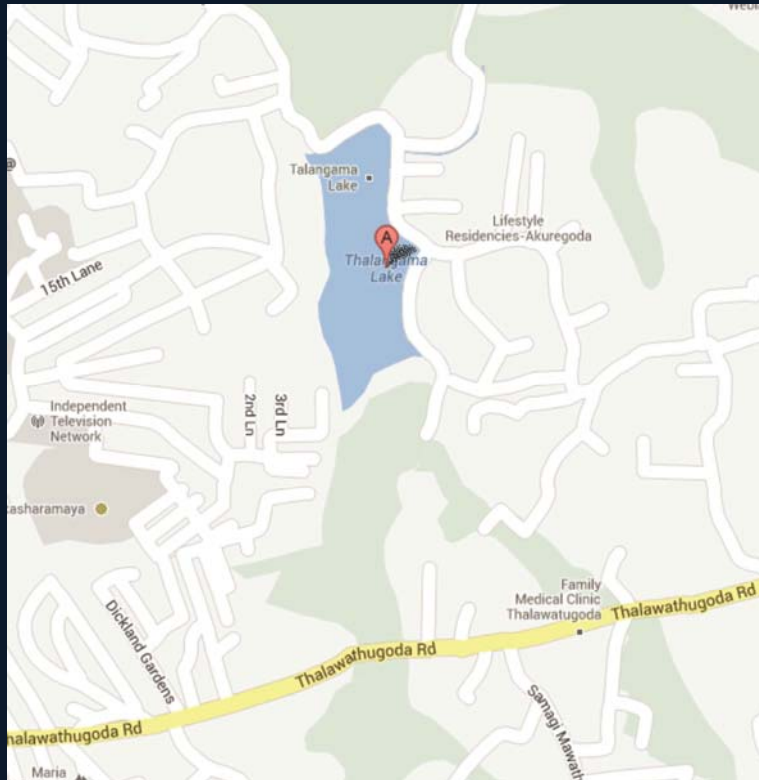
Managed by DWLC as a Sanctuary.



Case 4.

Thalangama Tank :- 95 ha (Colombo)

Managed by Irrigation Department, UDA and CEA as “Thalangama Environmental Protection Area”.



Conservation of Water Bodies – for Future...

Issues and Conclusions

- Absence of central water law and legal body to legally protect the waterbodies. Multiple stakeholder involvement causes stresses on water bodies
- No extract authority to take decision related to regulate uses and users of waterbodies and Lack of coordination between authorities.
- Conflict of Interest among institutions.
- Overlapping responsibilities of authorities related to water management and protection
- Poorly defined and overlapping responsibilities
- The real value of waterbodies are not identified yet.

Thank You