

**DRAFT**

**REPUBLIC OF ARMENIA GOVERNMENT  
DECREE**

No \_\_\_\_\_ N, dated \_\_\_\_\_, 2018

**“ON ESTABLISHING THE REQUIREMENTS FOR PROTECTION OF WATER  
RESOURCES IN RECREATION ZONES OF THE REPUBLIC OF ARMENIA”**

In accordance with Article 121 of the Water Code of the Republic of Armenia, the Government of Armenia decides to:

1. Establish the requirements for protection of water resources in recreation zones, as provided by the appendix.
2. This decree shall enter into force on the day following its official publication.

Prime Minister  
of the Republic of Armenia

## **REQUIREMENTS FOR PROTECTION OF WATER RESOURCES IN RECREATION ZONES OF THE REPUBLIC OF ARMENIA**

1. The requirements for protection of water resources in recreation zones of the Republic of Armenia are established for the purpose of maintaining and restoring the ecological balance of water resources; ensuring normal and harmonious development and sustainable use of ecosystems; reducing negative anthropogenic impacts (including the pollution) and preventing their further degradation; enabling effective development of recreation (leisure and tourism) as a field of economy; ensuring conservation, restoration, reproduction of landscape and biological diversity, rare, endemic, scientifically and economically valuable species, including the preservation of integrity and improvement of aquatic ecosystems in recreation zones of the Republic of Armenia.
2. Recreation zones are the outdoor (overland or aquatic) areas designated for tourism, rest, any kind of entertainment, fishing, hunting, picnics, swimming, sunbathing, walking, sport games and tournaments boosting a healthy lifestyle, rowing boat tours, birdwatching, rafting, climbing, camping, eco-tourism, as well as other forms of organizing leisure and tourism.
3. The requirements for protection of water resources in recreation zones of the Republic of Armenia shall be established based on the requirements for protection of the quantity and quality of water resources.
4. The following are the hydrological and hydromorphological requirements for protection of the quantity of water resources in recreation zones of the Republic of Armenia:
  - 1) It shall be prohibited to build an immovable property in the floodplain zone of a river, for the purpose of engaging in recreation activities;
  - 2) It shall be prohibited to carry out recreational activities in the floodplain, on the bank or bed of a river, when such activities will change hydromorphological parameters of a river (waterfalls, rapids, meanderings, longitudinal section, cross section, ruggedness of floodplain and riverbed surfaces), as well as disturb the natural conditions of riverbed processes (abrasion, deepening of the riverbed, or sedimentation), resulting in exacerbation of erosion processes.
  - 3) Where the zone of influence of the water abstraction point provided under the water use permit has recreational significance (waterfalls, rapids, chutes, etc.), the water use permit shall be issued taking into consideration the recreational significance of water resources;
  - 4) It shall be prohibited to carry out activities in lakes located in recreational zones and used for recreational purposes, when such activities interfere with natural

hydromorphological conditions of a lake (alterations in lake shores and/or bottom), resulting in disturbance of the balance of a lake ecosystem (water balance, thermal balance, sedimentation, chemical composition, faunal and floral subsystems).

5. The following are the requirements for protection of the quality of water resources in recreation zones of the Republic of Armenia:
  - 1) Maintain the quality of water resources available at the start of recreational activities, except where the change in the quality of water resources is conditioned by natural factors;
  - 2) Maintain the quality of water resources available at the time of engaging in recreational activities, even if the given water quality class exceeds the requirements for reproduction of fish species, shellfish, crayfish, and wildlife, as well as organization of aquatic leisure and tourism (in/over water and in areas with water resources), except where the Water Resources Management Body justifies that the water quality degradation or low water quality is due to important economic or social development of the subject region;
  - 3) Do not create a new point source pollution, or increase the volumes of water discharge or quota (individual norms) provided under water use permits;
  - 4) Recreational activities shall not cause harm to aquatic ecosystems or disturb their integrity;
  - 5) Recreational activities in aquatic ecosystem protection zones - sanitary protection zones, water protection zones, ecotone, flow formation zones shall not result in generation of solid domestic waste, industrial waste and any other type of waste, which accumulate at the bottom, or on the bank, or in riparian areas of water resources, resulting in dissolvable, invisible or other anthropogenic sedimentation;
  - 6) Recreational activities in aquatic ecosystem protection zones - sanitary protection zones, water protection zones, ecotone, flow formation zones, groundwater protection zones shall not result in toxic, corrosive, acidic and caustic compound discharges into water resources from domestic, industrial and/or point pollution sources, where the quantity or concentration of these compounds in discharges pose a threat to human health and life, flora and fauna or aquatic ecosystem;
  - 7) Recreational activities in aquatic ecosystem protection zones - sanitary protection zones, water protection zones, and ecotone shall not result in formation of oil product traces, surface-active substances or floating compounds (including the floating trash) over the surface of water resources;
  - 8) Water resources shall not be exposed to infectious bacteria, animal faecal, remains of dead animals, animal food residues and other similar substances as a result of recreational activities in aquatic ecosystem protection zones - sanitary protection zones, water protection zones, ecotone, flow formation zones, and groundwater protection zones;

- 9) In case of recreational water use in aquatic ecosystem protection zones - sanitary protection zones, ecotone, flow formation zones, water protection zones, and groundwater protection zones, wastewater discharge shall be in compliance with individual water use and wastewater discharge norms provided under water use permits, excluding any possibility of exceeding these norms;
- 10) The following are the requirements for some hydrochemical parameters of water resources in recreation zones:
  - a) The maximum allowable quantity (norm) of dissolved oxygen in water resources of recreational zones, which is provided based on the characteristics of water resources and defined through conducting field work as part of the water monitoring program, shall be applied at a depth of up to 1 (one) meter from the water surface. Where the depth of water resources is less than 2 (two) meters, the norm of dissolved oxygen shall be applied up to the mean depth.
  - b) The hydrogen index (pH) of water resources in recreation zones shall be in the range of 6.0 - 8.5.
  - c) The temperature of water resources in recreation zones shall not exceed 32°C. Meanwhile, the temperature of water resources shall not rise above 5 °C after wastewater discharge.
  - d) The value of turbidity shall be the same along the water resources (river, lake, and reservoir) in recreation zones, starting from the point of recreational activities to sections lying 500m below and 500m above.

## **RATIONALE**

### **BEHIND**

#### **THE REPUBLIC OF ARMENIA DRAFT GOVERNMENT DECREE**

#### **“ON ESTABLISHING THE REQUIREMENTS FOR PROTECTION OF WATER RESOURCES IN RECREATION ZONES OF THE REPUBLIC OF ARMENIA”**

**1. The necessity of the legal act:**

Article 121 of the Republic of Armenia Water Code stipulates that the Government of Armenia shall provide the definition of recreation zones and establish the requirements for protection of water resources therein. The necessity of adopting a normative legal act (regulatory act) stems from the fulfillment of these requirements and the particular need of protection of water resources in recreation zones.

**2. Current situation, issues and the policy implemented in the subject sector:**

No requirements are established to protect the quality and quantity of water resources in recreation zones of the Republic of Armenia.

Management and protection of water resources in recreation zones serve various purposes, such as recreational, agricultural, industrial, conservation of biodiversity, water supply, disaster prevention, development of fish-farming, and protection of aquatic ecosystems.

Due to the existing gaps in the legal framework and the lack of scientific basis, recreational water use has basically been uncontrollable. The lack of consistent scientific research and legal regulation may endanger the ecological balance of water resources in recreation zones and result in negative processes, which is the rationale behind the adoption of requirements for protection of water resources in recreation zones.

The study of international experience is important in establishment of requirements for protection of water resources in recreation zones.

Based on international experience, different approaches are applied to protect water resources as a result of recreational activities. They are mainly referred to as recreational use of water or viewed from the perspectives of protecting human health, aquatic environment and ecosystems. International community commonly uses an integrated approach to protection of water resources in recreation zones, encompassing the protection of human health and aquatic ecosystems. The necessity of adopting a legal act arises from the importance of these issues.

**3. The purpose and nature of regulation:**

The principal purpose of establishing requirements for protection of water resources in recreation zones is to maintain and restore the ecological balance of water resources; ensure normal and harmonious development and sustainable use of ecosystems; reduce negative anthropogenic impacts (including the pollution) and prevent their further degradation; enable effective development of recreation (leisure and tourism) as a field of economy; ensure conservation, restoration, reproduction of landscape and biological diversity, rare, endemic, scientifically and economically valuable species, including the preservation of integrity and improvement of aquatic ecosystems; establish an effective water use system; develop water quality standards, which will contribute to improvement of water quality and prevention of pollution; protect public health and life, based on public interest and demand in drinking water supply; as well as arrange effective and non-competitive use of water among different economic fields: agricultural, industrial, recreational, etc.

**4. Agencies and people involved in development of the draft decree:**

The draft Government Decree was developed by the RA Ministry of Nature Protection and the Ministry of Agriculture.

The experts from the US Agency for International Development provided consultations to the ministries in preparation of the draft decree.

**5. Expected Result:**

Establishment of requirements for protection of the quality and quantity of water resources in recreation zones of the Republic of Armenia, which will ensure proper protection of resources.

## **REFERENCE**

**ON**

### **THE NECESSITY OF ADOPTING OTHER LEGAL ACTS IN RELATION TO ADOPTION OF THE**

#### **REPUBLIC OF ARMENIA DRAFT GOVERNMENT DECREE**

##### **“ON ESTABLISHING THE REQUIRMENTS FOR PROTECTION OF WATER RESOURCES IN RECREATION ZONES OF THE ARARAT BASIN MANAGEMENT AREA”**

**1. The necessity of amendments and/or additions to other legal acts:**

The adoption of the draft Government Decree creates the necessity of making amendments to other legal acts.

Particularly, it is necessary to make amendments to Article 121 of the Water Code of Armenia, which will stipulate that the Government of Armenia will define the concept of recreation zones and establish requirements for protection of the quality of recreational water resources.

**2. Compliance with the obligations undertaken under international treaties:**

The draft Government Decree does not conflict with the obligations undertaken by the Republic of Armenia under international treaties.

## **REFERENCE**

**ON**

### **INCREASE OR REDUCTION OF REVENUES AND EXPENDITURES IN THE STATE OR LOCAL GOVERNMENT BUDGET, IN RELATION TO ADOPTION OF THE DRAFT GOVERNMENT DECREE**

The adoption of the draft Government Decree will not require additional funds from the state budget of the Republic of Armenia.