

**The Cabinet of Ministers of the Azerbaijan Republic**

**Resolution No. 56**

**On Determination of Water Protection Zones, Sizes of Shore Protection Lines, Boundaries and Use of Water Protection Zones**

**Baku, March 24, 2000**

Further to the Decree of the President of the Azerbaijan Republic No. 685 of March 13, 1998 On Application of the Water Code of the Azerbaijan Republic Approved by the Law of the Azerbaijan Republic of December 26, 1997, the Cabinet of Ministers of the Azerbaijan Republic hereby resolves as follows:

1. To approve Rules On Determination of Water Protection Zones, Sizes of Shore Protection Lines, Boundaries and Use of Water Protection Zones (appended hereto).
2. To repeal the Resolution of Cabinet of Ministers of the Azerbaijan SSR No. 22 of January 17, 1983 On Approval of Regulations On Water Protection Lines (Zones) of Small Rivers of the Azerbaijan SSR.
3. This Resolution shall come into force from the date of signing.

Prime Minister of the Azerbaijan Republic

A. RASI-ZADE

**Rules On Determination of Water Protection Zones, Sizes of Shore Protection Lines, Boundaries and Use of Water Protection Zones**

1. These Rules have been prepared in accordance with the Decree of the President of the Azerbaijan Republic No. 685 of March 13, 1998 On Application of the Water Code of the Azerbaijan Republic Approved by the Law of the Azerbaijan Republic of December 26, 1997.

2. Water protection zone shall be a territory adjacent to the water section of a water object, with special regime designated for the purpose of use and protection of natural resources and performance of other economic activities.

3. Shore protection lines shall be designated within water protection zones and additional limitations upon use of nature shall be established within such water protection zones.

4. Compliance with special regime within territory of water protection zone, improvement of hydrological, hydro-chemical, hydro-biological, sanitary ecological conditions of water objects and maintenance of shore areas of such objects shall constitute integral parts of complex of measures for the protection of environment.

5. Dimensions and use of water protection zones and shore protection lines shall, subject to physical-geographic, land, hydrological and other conditions thereof, be established by the Melioration and Water Economy Committee with the agreement of the State Committee for Ecology and Control Over Use of Nature with consideration of the forecast of change of shore line of water objects and shall be approved by the Cabinet of Ministers of the Azerbaijan Republic.

6. Dimensions, boundaries and regime of use of water protection zones and shore protection lines for the Azerbaijan Republic section of Caspian Sea (lake) shall be established by the State Committee for Ecology and Control Over Use of Nature and shall be approved by the Cabinet of Ministers of the Azerbaijan Republic.

7. Sizes of water protection zones and shore protection lines shall be determined as follows:

for rivers and lakes – during summer period, from average annual water level;

for water reservoirs – from the normal water collection level;

from the Azerbaijan Republic section of the Caspian Sea (lake) – from the maximum water level;

for marshes – from boundaries thereof.

For marshes located in places of commencement of rivers, as well as marshes in water collection basins, water protection zones shall be established in territories adjacent thereto.

8. Minimum width of water protection zones along the full length of rivers shall be determined as follows:

length up to 10 km – 50 m;

length from 10 km to 50 km – 100 m;

length from 50 km to 100 km – 200 m;

length from 100 km to 200 km – 300 m;

length from 200 km to 500 km – 400 m;  
length over 500 km – 500 m.

9. In the place of commencement of rivers the radius of water protection zone shall not be less than 50 m.

10. Minimum width of water protection zones for lakes and water reservoirs shall be determined as follows:

with water zone area up to 2 square kilometres – 300 m;  
with water zone area above 2 square kilometres – 500 m.

11. Dimensions of water protection zones for marshes located in places of commencement of rivers, as well as marshes in water collection basins shall be taken according to measurements applicable to lakes and water reservoirs.

12. Minimum width of water protection zones along main and inter-sectoral channels and collectors shall, subject to water transit capacity, be determined as follows:

up to 3 cubic meters per second - 5 m;  
3—10 cubic meters per second - 10 m;  
10—30 cubic meters per second - 25 m;  
30—50 cubic meters per second - 60 m;  
50 cubic meters per second - 100 m.

13. Dimensions and boundaries of water protection zones on the territory of cities and other residential settlement shall be established in accordance with approved main plans subject to specific planing and construction conditions.

14. There shall be no establishment of water protection zones for river sections streamed through closed collectors.

15. Minimum width of water protection lines for rivers, lakes, water reservoirs and other water objects shall be determined as per following measurements:

Categories of agricultural lands adjacent to water objects	Width of shore protection lines subject to slope of territories adjacent to water objects (in meters)		
	Counter-slope or no slope	Slope up to 3 degrees	Slope above 3 degrees
Planting	25	50	80
Pastures, hays	25	35	50
Forests, bushes	35	40	80

16. In water collectors section with special significance for fishing economy, width of shore protection lines shall be determined at not less than 100 m irrespective of slope and other characteristics of the land.

17. Boundaries of water protection zones and shore protection lines shall be verified in designs for water protection zones.

18. Duties of the client for preparation of designs of water protection zones and shore protection lines of water objects, approval of such designs in accordance with stipulated procedures, marking of boundaries of water protection zones and shore protection lines with appropriate water protection signs shall be carried out by the Committee for Melioration and Water Economy.

19. Designs of water protection zones shall be prepared in accordance with normative-methodological documents approved by the Committee for Melioration and Water Economy upon agreement of the State Committee for Ecology and Control Over Use of Nature.

20. Prior to preparation and approval of designs of water protection zones, the Committee for Melioration and Water Economy shall establish minimum dimensions of water protection zones and shore protection lines, which information shall be transferred to main construction plans for cities and other residential settlements, land use plans and other plan-cartography materials.

21. Public shall be appropriately informed on determination of boundaries of water protection zones, shore protection lines and establishment of regime of use within limits thereof.

22. The following shall be prohibited in water protection zones:

- spraying of plants by pesticides from aviation devices, use of chemical substances for combating plant parasites, diseases and , use of dung flows for fertilisation of soil, location of cattle farms, cemeteries and waste fields;
- location of warehouses for storage of fertilisers and pesticides and areas for filling pesticides apparatus;
- construction and location of oil products warehouses, mechanical workshops, technical maintenance stations for vehicles and equipment, facilities for collection of wastewater, including facilities for collection of wastewater from car washing;
- location of garden and garden-plantation sections where width of water protection zones is less than 100 m and slope of territories adjacent to water objects is over 3 degrees;
- extraction of mineral resources, installation of pipes, cables and other communications, location of public and other service enterprise, carrying out construction, explosion, land excavation, drilling and other works without possession of design documents agreed with authorities exercising control over use and protection of water objects;

It shall be permitted to carry out intermediate use cuttings and other forest economy activities ensuring protection of water objects in forests located within territory of water protection zones.

23. In addition to limitation imposed by section 22 of these Rules, the following shall be prohibited with respect to shore protection lines:

- ploughing and planting works on lands, cutting of forests, complete removal of trees and bushes;
- use of fertilisers;
- construction of seasonal tent camps, location of garden and garden- plantation sections, as well as allocation of lands for special construction;
- movement of vehicles and tractors (except for vehicles of special designation);
- other types of activities, except for cases stipulated by the Water Code of the Azerbaijan Republic.

It shall be permitted to locate water supply, leisure, sport, fishing and hunting, as well as port and hydro-technical facilities in shore protection lines in accordance with the existing legislation.

24. Water protection zones of water objects being sources of drinking water and places of spawning of fishes shall in accordance with the legislation of the Azerbaijan Republic be declared as specially protected territories.

25. Duty to maintain water protection zones, shore protection lines and water protection signs in due conditions shall be assigned upon water users. Owners, users and lessees of lands shall comply with regime of use stipulated with respect to water protection zones and shore protection lines located within their plots of land.

26. Determination of water protection zones for lands being in ownership, use and lease shall not cause termination of right of ownership, use and lease over such plot of land and shall not prohibit entering into transactions with respect to such lands.

27. Persons guilty of breach of regime of use in water protection zones and shore protection lines shall bear liability specified by the existing legislation.

28. These Rules shall not substitute normative acts related to sanitary protection zones of sources of drinking water.

29. In course of determination of sanitary protection zones of sources of drinking water in water objects, minimum dimensions of water protection zones and regime of economic activities therein shall be determined through sanitary rules and norms.