

RUSSIAN FEDERATION  
FEDERAL LAW

## WATER CODE OF THE RUSSIAN FEDERATION

Adopted by the State Duma  
on April 12<sup>th</sup>, 2006Approved by the Federation Council  
on May 26<sup>th</sup>, 2006

## CHAPTER 1. GENERAL PROVISIONS

## Article 1. Basic terminology used in this Code

The following basic terms are used for the purpose of this Code:

- 1) **water area** means a body of water confined within natural, artificial or nominal boundaries;
- 2) **water management** means activities conducted to study, use and protect water bodies as well as prevent and eliminate adverse impacts of water;
- 3) **water resources** means surface and groundwater contained in water bodies which are used or can be used;
- 4) **water body** means a natural or artificial body of water, watercourse or any other similar object in which the water is accumulated temporarily or permanently in a manner characteristic of a water regime;
- 5) **water regime** means the variation of water level, flow rate and volume in a water body over time;
- 6) **water resource inventory** means all water bodies of the Russian Federation;
- 7) **water disposal** means any discharge of water, including wastewater and/or drainage water, into water bodies;
- 8) **water user** means a natural person or legal entity entitled to use a water body;
- 9) **water consumption** means the consumption of water from water supply systems;
- 10) **water supply** means the supply of surface or groundwater to water consumers in adequate quantities and in accordance with target water quality indicators for water bodies;
- 11) **water utility system** means a complex of water bodies and waterworks designed to ensure efficient use and protection of water resources;
- 12) **water utility section** means a section of a river basin for which water intake (withdrawal) limits can be set as well as other parameters for the use of a water body (water use);
- 13) **drainage water** means water which is disposed of by drainage facilities designed to discharge water into water bodies;
- 14) **use of water bodies (water use)** means various uses of water bodies to meet the needs of the Russian Federation, the constituent territories of the Russian Federation, municipalities, natural persons, legal entities;
- 15) **water depletion** means a continuous reduction of water resources and deterioration of surface and groundwater quality;
- 16) **adverse impact of water** means flooding, water logging, bank erosion, bogging, and other adverse effects on the terrain or objects;
- 17) **protection of water bodies** means a set of measures and arrangements aimed at the conservation and replenishment of water resources;
- 18) **river basin** means an area from which the surface runoff flows to a sea or lake through associated water bodies and watercourses;
- 19) **wastewater** means the water which is discharged into water bodies after being used or which is drained from contaminated areas.

## Article 2. Water legislation

1. The water legislation consists of this Code, other federal laws and laws of the constituent territories of the Russian Federation adopted in accordance with this Code and applicable federal laws.

2. All provisions contained in other federal laws and laws of the constituent territories of the Russian Federation which govern the relationships pertaining to the use and protection of water bodies (water relations) shall be in compliance with this Code.
3. Water relationships may also be governed by decrees of the President of the Russian Federation which shall not be in conflict with this Code and other federal laws.
4. The Government of the Russian Federation adopts statutes governing water relations within the scope of its authority set out in this Code, other federal laws as well as in decrees of the President of the Russian Federation.
5. Federal executive bodies authorized by the Government of the Russian Federation adopt statutes governing water relations if and to the extent provided in this Code, other federal laws as well as decrees of the President of the Russian Federation and ordinances of the Government of the Russian Federation.
6. In pursuance of and in accordance with this Code, other federal laws and regulations of the Russian Federation and laws of the constituent territories of the Russian Federation, and within the scope of their authority, executive bodies of the constituent territories of the Russian Federation may adopt statutes governing water relations.
7. In pursuance of and in accordance with this Code, other federal laws and regulations of the Russian Federation, laws and regulations of the constituent territories of the Russian Federation, and within the scope of their authority, the bodies of local self-government may adopt statutes governing water relations.

### **Article 3. Basic principles of water legislation**

The water legislation and any regulations adopted in accordance therewith are based on the following principles:

- 1) significance of water bodies as the basis of human life and activities. Water relationships are governed based on the understanding of water bodies as an essential environmental component providing habitat for animals and plants, including aquatic biological resources, as a natural resource used by humans for their personal and domestic needs as well as for economic and other types of activity, and also as an object of property and other rights;
- 2) priority of the protection of water bodies over their use. The use of water bodies shall not have an adverse impact on the environment;
- 3) conservation of specially protected water bodies the use of which is restricted or prohibited by federal laws;
- 4) intended use of water bodies. Water bodies can be used for one or more purposes;
- 5) priority of the use of water bodies for drinking and domestic purposes over any other purposes of their use. Water bodies can be allocated for other purposes only if water resources are sufficient;
- 6) participation of public and social groups in resolving issues related to the rights in water bodies as well as to their duty to protect water bodies. Citizens and social groups have the right to participate in decision-making process where the implementation of such decisions may have an impact on the use and protection of water bodies. Government authorities, local self-government, parties involved in economic and other types of activity shall ensure such participation in a manner and in accordance with the procedures established by the laws of the Russian Federation;
- 7) equal access for natural persons and legal entities to the right to use water bodies except as provided by the water legislation;
- 8) equal opportunities for natural persons and legal entities to acquire ownership of water bodies which can be owned by natural persons or legal entities under this Code;
- 9) regulation of water relations within the boundaries of basin districts (a basin-based approach);
- 10) regulation of water relations with account taken of water regimes in water bodies, their physiography, morphometry and other features;
- 11) regulation of water relations based on the interrelationships between water bodies and waterworks which form a water utility system;
- 12) transparency of water-use issues. Decisions regarding the grant of water bodies for the use as well as water use agreements shall be made available to any person except for such information which is classified as restricted under the laws of the Russian Federation;
- 13) integrated use of water bodies. Water bodies can be used by one or multiple water users;
- 14) use of water bodies on a fee basis. Water bodies shall be used for a fee except as otherwise provided by the laws of the Russian Federation;
- 15) economic incentives to promote conservation of water bodies. A fee for the use of water bodies shall take into account water users' expenses related to the protection of water bodies;
- 16) use of water bodies in areas of traditional residence of small indigenous peoples of the North, Siberia and Far East of the Russian Federation for their traditional water uses.

#### **Article 4. Relationships governed by water legislation**

1. The water legislation governs water relations.
2. Property relationships existing with respect to water bodies shall be governed by the civil law insofar as they are not governed by this Code.

#### **Article 5. Surface and groundwater bodies**

1. All water bodies are classified as follows according to their water regimes, physiographic and morphometric features:
  - 1) surface water bodies;
  - 2) groundwater bodies.
2. Surface water bodies include:
  - 1) seas or any parts thereof (straits, gulfs including bays, lagoons, etc.);
  - 2) watercourses (rivers, streams, canals);
  - 3) bodies of water (lakes, ponds, flooded pits, water reservoirs);
  - 4) bogs;
  - 5) natural water outlets (springs, geysers);
  - 6) glaciers, snowfields.
3. Surface water bodies are composed of surface water and land covered by water within the shoreline.
4. The shoreline (the boundary of a water body) is defined as follows:
  - 1) seas: by the permanent water level or, in the event of a variable water level, by the lowest tide level;
  - 2) rivers, streams, canals, lakes, flooded pits: by the mean annual water level during the period when they are not covered with ice;
  - 3) ponds, water reservoirs: by the normal headwater level;
  - 4) bogs: by the peat boundary at the datum line.
5. Groundwater bodies include:
  - 1) groundwater basins;
  - 2) aquifers.
6. Boundaries of groundwater bodies are defined in accordance with the subsoil legislation.

#### **Article 6. Public water bodies**

1. State- or municipality-owned surface water bodies are public water bodies, i.e. publicly accessible water bodies, except as otherwise provided in this Code.
2. Every person has the right of access to public water bodies and can use them free of charge for personal and domestic needs, except as otherwise provided in this Code and other federal laws.
3. Public water bodies shall be used in compliance with life safety requirements for water bodies approved in accordance with the procedures established by the Government of the Russian Federation and based on the rules and regulations set forth by the local self-government regarding the use of water bodies for personal and domestic needs.
4. Where necessary, the laws of the Russian Federation and its constituent territories may prohibit taking (withdrawing) water from public water bodies for drinking and domestic water supply purposes, swimming or operating small size boats, jet skis and other water recreational equipment, using a water body as a cattle watering site or may impose other restrictions.
5. The bodies of local self-government shall inform the residents of the communities concerned about restrictions imposed on the use of public water bodies through mass media and by posting special information signs along the shoreline of water bodies. Other means of making such information available may also be used.
6. The strip of land along the shoreline of a public water body (shoreline strip) is for public use. The width of shoreline strips of public water bodies is twenty meters except for shoreline strips of canals as well as rivers and streams which are not longer than 10 kilometers measured from the outlet to the mouth. The width of shoreline strips of canals as well as rivers and streams which are not longer than 10 kilometers measured from the outlet to the mouth is five meters.
7. Shoreline strips of bogs, glaciers, snowfields, natural water outlets (springs, geysers) and other water bodies specified in federal laws are not defined.
8. Every person has the right to use (without any motor vehicles) the shoreline strip of public water bodies for moving along or staying at such water bodies, including for amateur or sport fishing and mooring watercraft.

## **Article 7. Parties to water relations**

1. Parties to water relations are the Russian Federation, the constituent territories of the Russian Federation, municipalities, natural persons, legal entities.
2. The Russian Federation, the constituent territories of the Russian Federation, municipalities are represented in water relations by respective government authorities of the Russian Federation, government authorities of the constituent territories of the Russian Federation, bodies of local self-government within the scope of their authority set out by applicable statutes.

## **CHAPTER 2. TITLE AND OTHER RIGHTS IN WATER BODIES**

### **Article 8. Title to water bodies**

1. Water bodies are owned by the Russian Federation (federal property) except as provided in Section 2 of this Article.
2. A pond or flooded pit located on the land owned by a constituent territory of the Russian Federation, municipality, natural person or legal entity is owned by such constituent territory of the Russian Federation, municipality, natural person or legal entity unless otherwise provided in federal laws.
3. The title to a pond or flooded pit held by a constituent territory of the Russian Federation, municipality, natural person or legal entity shall cease upon termination of the title to the respective plot of land on which such water bodies are located.
4. A pond or flooded pit referred to in Section 3 of this Article may be disposed of in accordance with the civil and land law. Such water bodies may not be disposed of without disposal of land plots on which they are located. Such land plots may not be divided if this requires the pond or flooded pit to be divided.
5. A natural avulsion of the river channel does not result in termination of the title to such water body held by the Russian Federation.
6. Types of ownership of groundwater bodies are established by the subsoil legislation.

### **Article 9. Right to use water bodies**

1. Natural persons, legal entities are granted the right to use surface water bodies on the grounds and in accordance with the procedures specified in Chapter 3 of this Code.
2. A natural avulsion of the river channel does not result in any change to or termination of the right to use such water body unless the existing legal relationships or this Code require otherwise.
3. Natural persons, legal entities are granted the right to use groundwater bodies on the grounds and in accordance with the procedures specified in the subsoil legislation.

### **Article 10. Termination of right to use water bodies**

1. The right to use surface water bodies is terminated on the grounds and in accordance with the procedures specified by the civil law and this Code.
2. The right to use groundwater bodies is terminated on the grounds and in accordance with the procedures specified in the subsoil legislation.
3. The right to use a water body can be terminated by court on the following grounds:
  - 1) unintended use of a water body;
  - 2) use of a water body in violation of the laws of the Russian Federation;
  - 3) failure to use a water body within time frames established by the water use agreement or decision to grant the water body for use.
4. Enforced termination of the right to use a water body which becomes necessary for federal or municipal needs is effected by government authorities or bodies of local self-government within the scope of their competence and in compliance with deferral laws.
5. A prior notice shall be given by a government authority or a body of local self-government in the event of termination of the right to use a water body on the grounds specified in Section 3 of this Article, as required by Section 4 of Article 11 of this Code. The form of such notice is established by the federal executive body authorized by the Government of the Russian Federation.
6. If the right to use a water body is terminated, the water user shall:
  - 1) cease to use the water body within a specified period of time;
  - 2) shut down or dismantle waterworks and other installations located at the water body and implement any environmental measures required in connection with the termination of the right to use the water body.

## **CHAPTER 3. WATER USE AGREEMENT. DECISION TO GRANT WATER BODIES FOR THE USE**

### **Article 11. Grant of water bodies for the use on the basis of a water use agreement or decision to grant a water body for the use**

1. Unless otherwise provided in Sections 2 and 3 of this Article, water bodies owned by the federal government, constituent territories of the Russian Federation or municipalities shall be granted for the use on the basis of water use agreements for the following purposes:
  - 1) water intake (withdrawal) from surface water bodies;
  - 2) use of water areas, including for recreational purposes;
  - 3) use of water bodies for electric power generation without water intake (withdrawal).
2. Unless otherwise provided in Section 3 of this Article, water bodies owned by the federal government, constituent territories of the Russian Federation or municipalities shall be granted for the use on the basis of a decision to grant a water body for use for the following purposes:
  - 1) national defense and public security;
  - 2) discharge of effluents and (or) drainage water;
  - 3) construction of berths, quays, etc.
  - 4) construction of waterworks, bridges, submerged or underground crossings, pipelines, submerged telecommunication lines, etc.
  - 5) exploration and production of mineral resources;
  - 6) timber rafting;
  - 7) water intake (withdrawal) for irrigation purposes;
  - 8) recreational purposes.
3. No water use agreement or decision to grant a water body for use are required if the water body is used for the following purposes:
  - 1) navigation;
  - 2) intake (withdrawal) of water from a groundwater source, including water which contains minerals and (or) medicinal water, as well as thermal water;
  - 3) intake (withdrawal) of water for fire safety purposes as well as for the prevention and mitigation of emergency situations;
  - 4) reproduction of aquatic biological resources;
  - 5) state monitoring of water bodies and other natural resources;
  - 6) geological, geophysical, geodetic, mapping, topographic, hydrographic surveys;
  - 7) fishing, fish farming, hunting;
  - 8) scientific and educational purposes;
  - 9) swimming and other personal needs as prescribed in Article 6.
  - 10) etc.
4. Water bodies or parts thereof owned by the federal government, constituent territories of the Russian Federation or municipalities shall be granted on the basis of water use agreements or decisions to grant water bodies for the use by appropriate government authorities or bodies of local self-government within the scope of their competence and in compliance with Articles 24-27 of this Code.

### **Article 12. Water use agreement**

1. Under a water use agreement, one party which is a government authority or a body of local-self-government as specified in Article 11(4) above, grants the other party (water user) a water body or a part thereof for the use on a reimbursable basis.
2. A water use agreement is governed by lease provisions set forth by the Civil Code of the Russian Federation unless provided otherwise by this Code or the essence of the water use agreement.
3. A water use agreement is deemed to be concluded at the time of its registration in the National Water Body Register.

### **Article 13. Scope of a water use agreement**

1. A water use agreement shall contain:
  - 1) information about the water body;
  - 2) purpose, types and conditions of the use of the water body or its part in cases referred to in Article 11(1) of this Code;
  - 3) term of the water use agreement;
  - 4) amount to be paid for the use of the water body or a part thereof, terms and conditions of payment;

- 5) procedure for the termination of the use of the water body or a part thereof;
  - 6) liabilities of the parties to the water use agreement for failure to comply with its terms and conditions.
2. A water use agreement may include other terms and conditions in addition to those referred to in Section 1 above.
  3. Graphical materials with explanatory notes shall be attached to a water use agreement.

#### **Article 14. Term of a water use agreement**

1. The period of time for which water bodies can be granted for the use on the basis of a water use agreement shall not exceed twenty years.

#### **Article 15. Water user's priority right to extend a water use agreement for another term**

1. A water user who has properly meet his obligations under a water use agreement shall have a pre-emptive right to prolong the agreement for a new term except when the water use agreement was awarded as a result of an auction.
2. If a water use agreement is prolonged for a new term, its conditions may be changed subject to agreement between the parties to the agreement.

#### **Article 16. Conclusion of a water use agreement**

1. Unless provided otherwise by this Code, water use agreements shall be concluded in accordance with the civil law.
2. If a water use agreement has been awarded as a result of an auction, its terms and conditions may not be changed by agreement between the parties or unilaterally.

#### **Article 17. Modification and termination of a water use agreement**

Water use agreements can be modified and terminated in accordance with the civil law.

#### **Article 18. Liabilities of the parties to a water use agreement**

1. For failure to perform or improper performance of the parties' respective obligations under a water use agreement, the parties shall be held liable in accordance with the civil law.

#### **Article 19. Assignment of rights and obligations under a water use agreement to a third party**

1. Subject to approval of a government authority or a body of local self-government referred to in Article 11(4) of this Code, a water user shall have the right to assign his rights and obligations under a water use agreement to a third party. The rights and obligations shall be assigned in accordance with the civil law.
2. The water user's application seeking the assignment of his rights and obligations to a third party shall be considered by a government authority or a body of local self-government referred to in Article 11(4) of this Code within 30 days following the receipt of such application.
3. The rights and obligations shall be deemed to be transferred at the time of registration with the National Water Body Register.

#### **Article 20. Royalty for the use of a water body**

1. A water use agreement shall provide for royalties to be paid for the use of a water body or a part thereof.
2. The amount of any royalty shall be specified on the basis of the following principles:
  - 1) encouraging water users to use water bodies in an efficient manner and to protect water bodies;
  - 2) differentiation of royalty rates for the use of water bodies depending on the water basin;
  - 3) payment of royalties in consistent manner throughout the year.
3. Royalty rates for the use of water bodies owned by the federal government, constituent territories of the Russian Federation or municipalities as well as the terms and procedures of payment shall be established by the Federal Government, government authorities of the constituent territories of the Russian Federation or bodies of local self-government, respectively.

#### **Article 21. Grant of water bodies for the use on the basis of a decision to grant a water body for the use**

1. Federally-owned water bodies shall be granted for the purpose of national defense and public security on the basis of decisions of the Government of the Russian Federation.
2. Except as provided in Section 1 of this Article, water bodies shall be granted for the use on the basis of decisions of government authorities or bodies of local self-government referred to in Article 11(4) of this Code.

#### **Article 22. Scope of a decision to grant a water body for the use**

1. A decision to grant a water body for the use shall contain:
  - 1) information about the water user;
  - 2) purpose, types and conditions of the use of the water body or its part in cases referred to in Article 11(2) of this Code;
  - 3) information about the water body;
  - 4) term of the water use.
2. Graphical materials with explanatory notes shall be attached to the decision to grant a water body for the use.
3. A decision to grant a water body for the discharge of effluents and (or) drainage water shall contain the following in addition to the above:
  - 1) points of discharge of effluents and (or) drainage water;
  - 2) permitted volumes of discharge of effluents and (or) drainage water;
  - 3) water quality requirements to be satisfied at points of discharge of effluents and (or) drainage water.

#### **Article 23. Procedure for taking a decision to grant a water body for the use**

1. A natural person or a legal entity seeking to obtain a water body or a part thereof owned by the federal government, constituent territories of the Russian Federation or municipalities for the purposes referred to in Article 11(2) of this Code, shall submit an application to a government authority or a body of local self-government referred to in Article 11(4) of this Code requesting to grant such water body or a part thereof for the use, indicating the purpose, type, and term of water use.
2. A decision to grant or refuse to grant such water body or a part thereof for the use shall be taken within 30 days following the receipt of such application.
3. A decision to refuse to grant such water body or a part thereof for the use shall be reasoned and can be appealed to a court.
4. A decision to grant such water body or a part thereof for the use shall come into effect at the time of its registration in the National Water Body Register.
5. The procedure for taking decisions to grant water bodies for the use shall be approved by the Government of the Russian Federation.

### **CHAPTER 4. WATER BODY USE AND PROTECTION MANAGEMENT**

#### **Article 24. Powers of federal government authorities of the Russian Federation in the field of water relations**

Powers of government authorities of the Russian Federation in the field of water relations include:

- 1) to own, use, and dispose of federally-owned water bodies;
- 2) to develop, approve, and implement schemes for the integrated use and protection of water bodies, to amend and modify such schemes;
- 3) to exercise control and supervision over the use and protection of water bodies on the federal level;
- 4) to provide for and carry out state monitoring of water bodies on the federal level;
- 5) to establish procedures for maintaining the National Water Body Register and to maintain such Register;
- 6) to approve procedures for preparing and making decisions to grant water bodies for the use and procedures for preparing and concluding water use agreements;
- 7) to determine procedures governing the establishment and activities of basin councils;
- 8) to carry out hydrographic and water use zoning of the Russian Federation;
- 9) to fix royalty rates for the use of federally-owned water bodies as well as the terms and procedures of payment;

- 10) to prescribe procedures for establishing standards of permissible impact on water bodies and target water quality indicators for water bodies;
- 11) to provide for territorial redistribution of surface water runoff and replenishment of water resources;
- 12) to establish rules governing the use of water resources in water reservoirs and the operation and improvement of water reservoirs;
- 13) to determine conditions for flood discharges, downstream flows, reservoir impoundment and drawdown (release of water);
- 14) to establish procedures for the state control and supervision of the use and protection of water bodies;
- 15) to establish procedures for ensuring the availability of standby drinking water supply sources;
- 16) to establish procedures for using water bodies for aircraft takeoff and landing;
- 17) to implement measures and arrangements to prevent adverse impact of water and mitigate its consequences with respect to federally-owned water bodies and water bodies located in more than two constituent territories of the Russian Federation;
- 18) to approve the methodology of calculating damages caused to water bodies;
- 19) to specify criteria for referring water bodies to objects the use and protection of which are subject to the control and supervision of government authorities on the federal level or on the regional level;
- 20) to approve a list of objects subject to the federal-level control and supervision of the use and protection of water bodies;
- 21) to specify a list of officials carrying out the federal-level control and supervision of the use and protection of water bodies;
- 22) other powers specified in this Code.

**Article 24. Powers of government authorities of the Russian Federation constituent territories in the field of water relations**

Powers of government authorities of the Russian Federation constituent territories in the field of water relations include:

- 1) to own, use, and dispose of water bodies owned by the constituent territories of the Russian Federation;
- 2) to fix royalty rates for the use of water bodies owned by the constituent territories of the Russian Federation as well as the terms and procedures of payment;
- 3) to participate in the work of basin councils;
- 4) to develop, approve, and implement programs of the constituent territories of the Russian Federation regarding the use and protection of water bodies or parts thereof located in the Russian Federation constituent territories;
- 5) to provide for the availability of standby drinking water supply sources;
- 6) to exercise control and supervision over the use and protection of water bodies on the regional level except for water bodies subject to control and supervision on the federal level;
- 7) to approve rules governing the use of water bodies by small-size boats;
- 8) to approve rules governing the safety of life on water bodies;
- 9) to participate in the organization and implementation of state monitoring of water bodies;
- 10) to implement measures and arrangements to prevent adverse impact of water and mitigate its consequences with respect to water bodies owned by the constituent territories of the Russian Federation;
- 11) to implement measures and arrangements to protect water bodies owned by the constituent territories of the Russian Federation;
- 12) to approve a list of objects subject to the regional-level control and supervision of the use and protection of water bodies;
- 13) to specify a list of officials carrying out the regional-level control and supervision of the use and protection of water bodies.

**Article 26. Transfer of certain powers in the field of water relations from federal government authorities of the Russian Federation to government authorities of the Russian Federation constituent territories**

1. The Russian Federation transfers the following rights to government authorities of the constituent territories of the Russian Federation:
  - 1) to grant water bodies or parts thereof owned by the federal government and located in the constituent territories of the Russian Federation for the use on the basis of water use agreements or decisions to grant water bodies for the use, except as provided in Article 21(1) of this Code;



- 2) to implement measures and arrangements to protect water bodies or parts thereof owned by the federal government and located in the constituent territories of the Russian Federation;
  - 3) to implement measures and arrangements to prevent adverse impact of water and mitigate its consequences with respect to water bodies owned by the federal government and located wholly in the constituent territories of the Russian Federation.
2. Section 1 of this Article shall not apply to water reservoirs which are located wholly in the constituent territories of the Russian Federation and which supply drinking and domestic water to two or more constituent territories of the Russian Federation. The list of such water reservoirs shall be approved by the Government of the Russian Federation.
3. The exercise of the powers transferred in accordance with Section 1 of this Article shall be funded in the form of federal budget subsidies.
4. The total amount of federal budget subsidies allocated to the budgets of the constituent territories of the Russian Federation for the exercise of the powers transferred in accordance with Section 1 of this Article shall be determined using the guidelines approved by the Government of the Russian Federation based on the water intake (withdrawal) allotment established for a constituent territory of the Russian Federation, the number of the population residing in areas affected by the impact of water and the length of the water body shoreline within the boundaries of a residential area.
5. The procedures for spending and accounting for subsidies referred to in Section 3 of this Article shall be established by the Government of the Russian Federation.
6. Funds appropriated for the exercise of the powers referred to in Section 1 of this Article are targeted funds and may not be spent for other purposes.
7. Where funds referred to in Section 3 of this Article are expended for purposes other than the intended purpose, the federal executive body responsible for the financial and budgetary supervision and control shall be entitled to recover such funds in accordance with the procedure established by the laws of the Russian Federation.
8. The authorized federal executive body shall be entitled to adopt statutes regarding the transferred powers and issue binding guidelines and instructions regarding the exercise of the transferred powers by executive bodies of the constituent territories of the Russian Federation.
9. The authorized federal executive body shall: -
  - 1) approve the organizational structure of executive bodies of the constituent territories of the Russian Federation authorized to exercise the transferred powers;
  - 2) exercise supervision of regulatory activities of government authorities of the constituent territories of the Russian Federation regarding the transferred powers, with the right to issue binding orders to repeal or amend statutes of the constituent territories of the Russian Federation;
  - 3) exercises control and supervision over the exercise of the transferred powers by government authorities of the constituent territories of the Russian Federation, with the right to issue binding orders to cure any non-compliance and hold responsible officials executing the transferred powers;
  - 4) prepare proposals to withdraw certain powers from government authorities of the constituent territories of the Russian Federation and, where necessary, put forth such proposals to the Government of the Russian Federation;
  - 5) define the scope and forms of reporting on the exercise of the transferred powers and, where necessary, establish expected target indicators.
10. Top officials of the constituent territories of the Russian Federation (heads of supreme executive bodies of the constituent territories of the Russian Federation) shall: -
  - 1) appoint and dismiss heads of executive bodies of the constituent territories of the Russian Federation who exercise the transferred powers;
  - 2) approve the organizational structure of executive bodies of the constituent territories of the Russian Federation subject to agreement with the authorized federal executive body;
  - 3) manage the exercise of the transferred powers in compliance with federal laws and statutes referred to in Section 8 of this Article;
  - 4) provide for timely submission to the authorized federal executive body of quarterly reports on the spending of appropriated subsidies, on the achievement of expected targets, if any, as well as on regulations adopted by government authorities of the constituent territories of the Russian Federation regarding the transferred powers.
11. The control of expenditures pertaining to the exercise of the transferred powers shall be performed by the authorized federal executive body and the Chamber of Accounts of the Russian Federation.

## **Article 27. Powers of local self-government in the field of water relations**

1. Powers of local self-government with respect to water bodies owned by municipalities include:
  - 1) to own, use, and dispose of such water bodies;
  - 2) to implement measures and arrangements to prevent adverse impact of water and mitigate its consequences;
  - 3) to implement measures and arrangements to protect such water bodies;
  - 4) to fix royalty rates for the use of such water bodies as well as the terms and procedures of payment.
2. In addition to the owner's rights referred to in Section 1 of this Article, powers of local self-government of municipal districts and city districts in the field of water relations also include the establishment of rules for the use of public water bodies located in municipal territories for personal and domestic purposes.
3. In addition to the owner's rights referred to in Section 1 of this Article, powers of local self-government of urban settlements, rural settlements and city districts in the field of water relations also include the provision of information to residents regarding restrictions imposed on the use of public water bodies located in municipal territories.

## **Article 28. Basin districts**

1. Basin districts are the primary unit of management in the field of the use and protection of water bodies. They consist of river basins and associated groundwater sources and seas.
2. There are twenty basin districts in the Russian Federation:
  - 1) Baltic;
  - 2) Barents and White Sea;
  - 3) Dvina–Pechora;
  - 4) Dnepr;
  - 5) Don;
  - 6) Kuban;
  - 7) Western Caspian;
  - 8) Upper Volga;
  - 9) Oka;
  - 10) Kama;
  - 11) Lower Volga;
  - 12) Ural;
  - 13) Upper Ob;
  - 14) Irtysh;
  - 15) Lower Ob;
  - 16) Angara-Baikal;
  - 17) Yenisei;
  - 18) Lena;
  - 19) Anadyr-Kolyma;
  - 20) Amur.
3. The boundaries of basin districts shall be approved in accordance with the procedure established by the Government of the Russian Federation.

## **Article 29. Basin councils**

1. In order to ensure the efficient use and protection of water bodies, basin councils shall be established to develop recommendations regarding the use and protection of water bodies within the boundaries of basin districts.
2. Recommendations of basin councils shall be taken into consideration in developing schemes for the integrated use and protection of water bodies.
3. Basin councils shall be composed of representatives of federal executive bodies authorized by the Government of the Russian Federation, government authorities of the constituent territories of the Russian Federation, bodies of local self-government as well as of representatives of water users, public associations and communities of small indigenous peoples of the North, Siberia and Far East of the Russian Federation
4. Procedures governing the establishment and activities of basin councils shall be prescribed by the Government of the Russian Federation.

### **Article 30. State monitoring of water bodies**

1. The state monitoring of water bodies is a system of measures to observe, evaluate and predict changes in the state of water bodies owned by the federal government, constituent territories of the Russian Federation, municipalities, natural persons or legal entities.
2. The state monitoring of water bodies is part of the state's environmental monitoring system.
3. The objectives of the state monitoring of water bodies are as follows:
  - 1) to ensure early detection and prediction of the development of detrimental processes having impact on the quality of water in water bodies and on the condition of water bodies, to develop and implement measures to prevent adverse effects of such processes;
  - 2) to evaluate the efficiency of water body protection measures being implemented;
  - 3) to promote public awareness in the field of the use and protection of water bodies, including provision of information for the state control and supervision over the use and protection of water bodies.
4. The state monitoring of water bodies includes:
  - 1) regular observation of the state of water bodies, quantitative and qualitative indicators of the condition of water resources as well as of water protection zones;
  - 2) collection, processing and storage of data obtained from observations;
  - 3) recording of data obtained from observations in the National Water Body Register;
  - 4) evaluation and prediction of changes in the state of water bodies, quantitative and qualitative indicators of the condition of water resources.
5. The state monitoring of water bodies consists of the following elements:
  - 1) monitoring of surface water bodies with regard given to data obtained from hydrometeorological and related types of monitoring;
  - 2) monitoring of the condition of the bottom and shores of water bodies as well as of the condition of water protection zones;
  - 3) monitoring of groundwater sources with regard given to data obtained from the state monitoring of subsoil resources;
  - 4) monitoring of water utility systems, including waterworks, as well as of water consumption and discharge volumes.
6. The state monitoring of water bodies is carried out within the boundaries of basin districts with account taken of water regimes in water bodies, their physiography, morphometry and other features.
7. The state monitoring of water bodies shall be organized and carried out by federal executive bodies authorized by the Government of the Russian Federation jointly with authorized executive bodies of the constituent territories of the Russian Federation.
8. Procedures governing the state monitoring of water bodies shall be established by the Government of the Russian Federation.

### **Article 31. National Water Body Register**

1. The National Water Body Register is a structured domain of documented information on water bodies owned by the federal government, constituent territories of the Russian Federation, municipalities, natural persons or legal entities, on their use, on river basins and basin districts.
2. The National Water Body Register is a state register of water use agreements, decisions to grant water bodies for the use, assignments of rights and obligations under water use agreements and terminations of water use agreements.
3. The National Water Body Register is maintained to provide information necessary to ensure integrated use and protection of water bodies as well as to plan and develop measures to prevent adverse impacts of water and mitigate their consequences.
4. The National Water Body Register shall include the following documented information on: -
  - 1) basin districts;
  - 2) river basins;
  - 3) water use areas;
  - 4) water bodies located within the boundaries of river basins, including data regarding water regimes in water bodies, their physiography, morphometry and other features;
  - 5) water utility systems;
  - 6) use of water bodies, including data regarding water consumption and discharge;
  - 7) waterworks and other installations located on water bodies;
  - 8) water protection zones and near-shore protective belts, other special-purpose zones;
  - 9) decisions to grant water bodies for the use;
  - 10) water use agreements;

- 11) other documents giving rise to the right of ownership of water bodies or the right to use water bodies.
5. The collection and storage of documented information on groundwater sources shall be in accordance with the subsoil legislation.
6. Documented information contained in the National Water Body Register is part of the state information resources. Documented information contained in the National Water Body Register is publicly accessible except for information, access to which is restricted by the laws of the Russian Federation.
7. Within five working days, the federal executive body authorized by the Government of the Russian Federation shall provide an interested person with the information from the National Water Body Register or give a written notice of motivated refusal to provide such information. Such refusal can be appealed by the interested person to the court.
8. Copies of documents referred to in Section 4 of this Article are provided for a fee. The size of the fee and the terms of payment shall be established by the Government of the Russian Federation.
9. Information about water bodies granted for the use shall be available on the official Internet website of the federal executive body authorized by the Government of the Russian Federation.
10. The National Water Body Register shall be maintained by the federal executive body authorized by the Government of the Russian Federation in accordance with the procedure established by the Government of the Russian Federation.

### **Article 32. Hydrographic and water use zoning of the territory of the Russian Federation**

1. Hydrographic zoning of the territory of the Russian Federation is carried out to develop schemes for the integrated use and protection of water bodies.
2. A river basin and the sub-basin of a river flowing into the main river of the river basin are hydrographic units. The number and the boundaries of hydrographic units shall be approved by the federal executive body authorized by the Government of the Russian Federation.
3. Water use zoning of the territory of the Russian Federation, i.e. the division of hydrographic units into water use areas, is carried out to develop water utility balances. The number and the boundaries of water use areas shall be approved by the federal executive body authorized by the Government of the Russian Federation.
4. Procedures for establishing the boundaries of hydrographic units and water use areas shall be approved by the Government of the Russian Federation.

### **Article 33. Schemes for integrated use and protection of water bodies**

1. Schemes for the integrated use and protection of water bodies include structured materials on the condition of water bodies and their use and shall serve as the basis for implementing measures and arrangements in the field of the use and protection of water bodies located within the boundaries of river basins.
2. Schemes for the integrated use and protection of water bodies are developed: -
  - 1) to determine permissible levels of anthropogenic loading on water bodies;
  - 2) to estimate the future demand for water resources;
  - 3) to ensure the protection of water bodies;
  - 4) to identify major areas of activity aimed at preventing adverse impacts of water;
3. Schemes for the integrated use and protection of water bodies specify: -
  - 1) target water quality indicators for water bodies to be maintained during the effective period of such schemes;
  - 2) a list of measures and arrangements in the field of the use and protection of water bodies;
  - 3) water utility balances intended to estimate the volume and degree of utilization of available water resources within the boundaries of water basins; such balances show water users' demand for water resources against water resources available within the boundaries of river basins, sub-basins, water use areas at varying water impoundment levels (with regard given to uneven distribution of surface and ground water runoff at various periods, territorial redistribution of surface water runoff, replenishment of groundwater sources);
  - 4) limits of water intake (withdrawal) from a water body and limits of effluent discharge so as to meet applicable water quality standards, within the boundaries of river basins, sub-basins, water use areas at varying water impoundment levels;
  - 5) allotments of water intake (withdrawal) from a water body and limits of effluent discharge so as to meet applicable water quality standards, within the boundaries of river basins, sub-basins, water use areas at varying water impoundment levels, for each constituent territory of the Russian Federation;

- 6) basic target indicators aimed at mitigating adverse effects of floods and other types of detrimental impacts of water; measures and arrangements necessary to achieve these target indicators;
  - 7) estimated amount of funds needed to implement schemes for the integrated use and protection of water bodies.
4. Schemes for the integrated use and protection of water bodies shall be developed by the federal executive body authorized by the Government of the Russian Federation, reviewed by basin councils and approved for each river basin by the federal executive body authorized by the Government of the Russian Federation.
  5. Schemes for the integrated use and protection of water bodies shall be binding on government authorities and bodies of local self-government.
  6. Procedures governing the development, approval, implementation and modification of schemes for the integrated use and protection of water bodies shall be prescribed by the Government of the Russian Federation.

#### **Article 34. Reservation of drinking water supply sources**

1. In order to ensure the availability of drinking water supplies in the event of an emergency, provision shall be made for standby drinking water supply sources on the basis of groundwater bodies protected against contamination and littering. Special protection zones shall be established for such water supply sources to which the same requirements apply as to sanitary protection zones or districts for groundwater sources of drinking water.
2. Procedures for the reservation of drinking water supply sources shall be established by the Government of the Russian Federation.

#### **Article 35. Development and establishment of permitted impact limits on water bodies and target water quality indicators for water bodies**

1. Permitted impact limits on water bodies shall be established and adhered to in order to ensure that surface and groundwater bodies are maintained in a condition meeting the requirements of the law.
2. Permitted impact limits on water bodies shall be developed on the basis of maximum permissible concentrations of chemical substances, radioactive materials, microorganisms and other water quality indicators applicable to water bodies.
3. Permitted impact limits on water bodies shall be approved in accordance with the procedure prescribed by the Government of the Russian Federation.
4. The concentration of substances and microorganisms in wastewater effluents and (or) drainage water discharged into water bodies shall not exceed permitted impact limits.
5. Target water quality indicators for water bodies shall be developed by federal executive bodies authorized by the Government of the Russian Federation for each river basin or a part thereof with consideration given to natural features of the river basin as well as to the targeted use of water bodies located within the boundaries of the river basin.
6. Target water quality indicators for water bodies shall be approved in accordance with the procedure established by the Government of the Russian Federation.

#### **Article 36. State control and supervision over the use and protection of water bodies**

1. The objectives of the state control and supervision over the use and protection of water bodies are to ensure compliance with: -
  - 1) the requirements regarding the use and protection of water bodies;
  - 2) the requirements of the special regulatory regime governing the use of land and other real property located within water protection zones and special protection zones of drinking water supply sources;
  - 3) other requirements of the water legislation.
2. The state control and supervision over the use and protection of water bodies are exercised by the federal executive body authorized by the Government of the Russian Federation (the state control and supervision over the use and protection of water bodies on the federal level) and by executive bodies of the constituent territories of the Russian Federation (the state control and supervision over the use and protection of water bodies on the regional level).
3. The Government of the Russian Federation shall establish criteria for subjecting water bodies to the state control and supervision over the use and protection of water bodies on the federal level or to the state control and supervision over the use and protection of water bodies on the regional level. Based on these criteria, federal executive bodies and executive bodies of the constituent territories of the Russian Federation shall approve lists of water bodies subject to the state control

- and supervision over the use and protection of water bodies on the federal level or to the state control and supervision over the use and protection of water bodies on the regional level, respectively.
4. The Government of the Russian Federation and government authorities of the constituent territories of the Russian Federation shall respectively approve the lists of officials of federal executive bodies and executive bodies of the constituent territories of the Russian Federation who exercise the state control and supervision over the use and protection of water bodies (state inspectors exercising the state control and supervision over the use and protection of water bodies).
  5. When exercising the state control and supervision over the use and protection of water bodies, state inspectors shall be entitled: -
    - 1) to inspect water bodies subject to the control and supervision over the use and protection of water bodies;
    - 2) to verify compliance with the requirements regarding the use and protection of water bodies;
    - 3) to issue reports based on the results of inspections and make them available to water users;
    - 4) to issue binding instructions to eliminate identified violations of the terms and conditions of the use of water bodies and check that such instructions are executed within specified time limits;
    - 5) to inspect in accordance with the established procedure and, if necessary, detain vessels (including foreign ships) and other floating craft which cause the contamination of water bodies with oil, hazardous substances, wastewater or litter or fail to prevent such contamination of water bodies;
    - 6) to give written notices to the parties to water use agreements of the results of inspections and identified violations of the terms and conditions of the use of water bodies;
    - 7) to demand that natural persons or legal entities implement necessary measures to protect water bodies and provide for the monitoring of effluents (they shall meet permitted impact limits on water bodies) and their impact on water bodies;
    - 8) to bring actions in a court or a court of arbitration within the scope of his competence;
    - 9) in accordance with the established procedure, to engage research, design, survey and other institutions to perform analyses, tests, inspections, and issue expert opinions in the event of an accident on a water body.
  6. State inspectors exercising the state control and supervision over the use and protection of water bodies shall be provided with a standard identification certificate and uniform.
  7. Decisions of executive bodies exercising the state control and supervision over the use and protection of water bodies shall be binding upon all parties in water relations. Such decisions can be appealed to a court.
  8. Procedures for exercising the state control and supervision over the use and protection of water bodies shall be established by the Government of the Russian Federation.

## **CHAPTER 5. WATER USE**

### **Article 37. Water use purposes**

Water bodies are used for the following purposes: drinking and domestic water supply, discharge of effluents and (or) drainage water, electric power generation, water and air transportation, timber rafting and other purposes specified in this Code.

### **Article 38. Water use types**

1. Depending upon conditions of granting water bodies for the use, the following types of water uses are distinguished:
  - 1) joint water use;
  - 2) separate water use.
2. Separate water use is stipulated for water bodies or parts thereof owned by natural persons, legal entities; for state-owned or municipality-owned water bodies or parts thereof granted for the purposes of national defense and public security or other state or municipal needs which can only be satisfied if such water bodies or parts thereof are not used by other natural persons, legal entities as well as for fishing.
3. Depending upon the purpose, the following types of water uses are distinguished:
  - 1) water intake (withdrawal) with the return of water into water bodies;
  - 2) water intake (withdrawal) without the return of water into water bodies;
  - 3) water use without water intake (withdrawal) from water bodies.

### **Article 39. Rights and obligations of owners and users of water bodies**

1. Owners of water bodies and users of water bodies shall have the following rights: -
  - 1) to independently use water bodies;
  - 2) to build waterworks and other installations on water bodies;
  - 3) to exercise other rights specified in this Code and other federal laws.
2. Owners of water bodies and users of water bodies shall have the following responsibilities: -
  - 1) not to infringe upon the rights of other owners and users of water bodies, not to cause any damage to the environment;
  - 2) to keep their treatment facilities, waterworks and other installations on water bodies in good operating order;
  - 3) to report accidents and other emergencies on water bodies to authorized government authorities and bodies of local self-government;
  - 4) to implement measures to prevent and mitigate emergencies on water bodies in a timely manner;
  - 5) to maintain records of water intake (withdrawal), discharge of effluents and (or) drainage water, their quality; to monitor water bodies and their water protection zones in accordance with the established procedure; to provide such records and results of monitoring to the federal executive body authorized by the Government of the Russian Federation, free of charge;
  - 6) to perform other responsibilities set forth in this Code and other federal laws.

### **Article 40. Antitrust requirements regarding the use of water bodies**

1. Monopolistic practices and unfair competition among water users that may infringe upon the rights and legitimate interests of other water users as well as other natural persons or legal entities are prohibited.
2. Federal executive bodies, government authorities of the constituent territories of the Russian Federation, bodies of local self-government are prohibited from adopting statutes and regulation, pass decisions, act or omit to act, enter into contracts or other agreements which result or may result in displacement, limitation or prevention of competition.
3. Antitrust control in the field of water relations shall be exercised in compliance with antitrust laws of the Russian Federation.

### **Article 41. Suspension or restriction of water use**

1. The use of water bodies can be suspended or restricted in the following cases:
  - 1) if human life or health is threatened;
  - 2) in the event of a radiation accident or other natural or man-caused emergencies;
  - 3) if damage is caused to the environment;
  - 4) in other cases specified by the federal law.
2. The suspension of the use of water bodies on the grounds specified by the Code of Administrative Offences of the Russian Federation shall be by a court decision. In all other cases the use of water bodies shall be suspended by executive government bodies or bodies of local self-government within the scope of their competence and in compliance with the federal law.
3. Grounds for the restriction of water use shall be set forth by statutes and regulations of executive government bodies, bodies of local self-government or by a court decision.

### **Article 42. Basic requirements regarding the use of water bodies**

1. Waterworks shall be designed, located, built, refurbished and operated so that measures and arrangements are implemented in a timely manner to protect water bodies as well as aquatic biological resources, fauna and flora.
2. If water bodies used are part of water utility systems, it is not permitted to change the water regime in such water bodies if this may infringe upon the rights of third parties.

### **Article 43. Use of water bodies for drinking and domestic water supply purposes**

1. Surface water bodies or groundwater sources protected against contamination and littering shall be used for drinking and domestic water supply purposes provided that their fitness for these purposes is based on sanitation and epidemiological expert opinions.
2. Sanitary protection zones or districts shall be established for water bodies used for drinking and domestic water supply purposes.

3. Procedures governing the use of groundwater sources for drinking and domestic water supply purposes shall be prescribed by the subsoil legislation.

#### **Article 44. Use of water bodies for wastewater and/or drainage water discharge purposes**

1. Water bodies shall be used for wastewater and (or) drainage water discharge purposes in compliance with the requirements of this Code and environmental laws.
2. It is prohibited to discharge wastewater and (or) drainage water into water bodies: -
  - 1) which contain medicinal resources;
  - 2) which are specially protected water bodies.
3. The discharge of wastewater and (or) drainage water can be limited, suspended or prohibited on the grounds specified by the federal law.

#### **Article 45. Use of water reservoirs**

1. Water reservoirs shall be used in accordance with the rules governing the use of water resources in water reservoirs and the operation and improvement of water reservoirs.
2. The rules for the use of water reservoirs establish conditions of their use, including impoundment and drawdown.
3. The rules governing the use of water resources in water reservoirs and the operation and improvement of water reservoirs shall be approved for each water reservoir by the federal executive body authorized by the Government of the Russian Federation.

*Translator's note: Other sections of this article describe in detail the scope of rules governing the use of water resources in water reservoirs and the operation and improvement of water reservoirs.*

#### **Article 46. Use of water bodies for electric power generation purposes**

1. Water bodies shall be used for the purpose of electric power generation with consideration given to the interests of other water users and in compliance with efficient water use and protection requirements.
2. Operators of hydroelectric power plants shall ensure that water reservoirs are filled and emptied with priority given to drinking and domestic water supply.

#### **Article 47. Use of water bodies for water and air transportation purposes**

1. Surface water bodies shall be used for water and air transportation purposes in compliance with the water transportation laws.
2. The use of surface water bodies for aircraft takeoff and landing shall be in accordance with the procedure established by the Government of the Russian Federation.

#### **Article 48. Use of water bodies for timber rafting**

1. Water users engaged in timber rafting shall remove sunken logs from water bodies on a regular basis.

#### **Article 49. Use of water bodies for medical and health improvement purposes**

Water bodies containing natural medicinal resources shall be used for medical and health improvement purposes in accordance with procedures established by the laws of the Russian Federation on natural medicinal resources, health improvement areas and resorts.

#### **Article 50. Use of water bodies for recreational purposes**

1. Water bodies shall be used for recreational purposes (rest, tourism, sports) in compliance with the rules governing the use of water bodies prescribed by bodies of local self-government in accordance with Article 6 of this Code.
2. Buildings, structures, installations for recreational purposes (including beaches) shall be designed, built, refurbished, commissioned and operated in compliance with the water legislation and building codes.



#### **Article 51. Use of water bodies for fishing and hunting purposes**

1. Water bodies of fishery importance shall be used for fishing as provided by the laws on biological resources.
2. Water bodies or parts thereof which provide habitat for game animals can be used for hunting and game husbandry.
3. The use of water bodies for hunting and game husbandry shall be in accordance with the water and wild animal legislation.

#### **Article 52. Use of water bodies for geological exploration and extraction of mineral reserves**

1. The use of water bodies for geological exploration and extraction of mineral reserves shall be in compliance with this Code and the subsoil legislation.
2. When peat or other mineral resources are produced, marshes or parts thereof may cease to be water bodies upon complete or partial extraction of peat or upon complete or partial replacement of peat with natural or artificial materials, including underlying deposits. After commercial peat extraction is over, marshes or parts thereof shall be reclaimed by water impoundment and artificial waterlogging.

#### **Article 53. Use of water bodies for fire safety**

1. Water intake (withdrawal) for fire fighting purposes is permitted from any water body without obtaining any permit, free of charge and as much as needed to extinguish the fire.
2. Water bodies specifically intended for fire fighting shall not be used for any purpose other than the intended purpose.

#### **Article 54. Use of water bodies in areas of traditional residence and economic activities of small indigenous peoples in the North, Siberia and Far East of the Russian Federation**

Members of small indigenous peoples of the North, Siberia and Far East of the Russian Federation and their communities inhabiting traditional places and engaged in traditional trades shall have the right to use water bodies for their traditional water uses.

### **CHAPTER 6. PROTECTION OF WATER BODIES**

#### **Article 55. Basic requirements regarding the protection of water bodies**

1. Owners of water bodies shall implement measures to protect water bodies, prevent their contamination, littering, and depletion, as well as measures to mitigate consequences of the above-mentioned events. Water bodies owned by the federal government, constituent territories of the Russian Federation or municipalities shall be protected by executive government authorities or bodies of local self-government within the scope of their competence and in accordance with Articles 24-27 of this Code.
2. When using water bodies, natural persons and legal entities shall implement measures and arrangements in the field of water use and protection in compliance with the requirements of this Code and other federal laws.

#### **Article 56. Protection of water bodies from contamination and littering**

1. It is prohibited to discharge or bury industrial wastes or wastes of consumption in water bodies (including decommissioned vessels and other floating craft or their parts and mechanisms).
2. Any activities on a water body resulting in the generation of suspended solids are permitted only in compliance with the requirements of the laws of the Russian Federation.
3. Measures to prevent contamination of water bodies as a result of accidents or other emergencies and mitigate their consequences shall be prescribed by the laws of the Russian Federation.
4. The concentration in water bodies of radioactive substances, pesticides, agricultural chemicals and other substances and compounds harmful to human health shall not exceed respective maximum permissible levels specified by the laws of the Russian Federation.
5. It is prohibited to bury nuclear materials and radioactive substances in water bodies.
6. It is prohibited to discharge into water bodies wastewaters containing radioactive substances, pesticides, agricultural chemicals and other substances and compounds harmful to human health in concentrations exceeding permitted impact limits on water bodies.

#### **Article 57. Protection of bogs from contamination and littering**

1. It is prohibited to contaminate or litter bogs with industrial wastes or wastes of consumption as well as with oil, toxic chemicals and other harmful substances.
2. The drainage or any other use of bogs or parts thereof shall not result in the deterioration of the condition of unused parts of these bogs or other water bodies or in the depletion of water resources.

#### **Article 58. Protection of glaciers and snowfields from contamination and littering**

1. It is prohibited to discharge wastewater on glaciers and snowfields and contaminate them with industrial wastes or wastes of consumption, etc.
2. The intake (withdrawal) of ice from glaciers shall not affect the state of water bodies and shall not result in the depletion of water resources.

#### **Article 59. Protection of groundwater bodies**

1. Natural persons or legal entities whose activities affect or may affect the condition of groundwater sources shall take measures to prevent contamination, littering and depletion of groundwater sources and meet specified permitted impact limits on groundwater sources.
2. Within the drainage area of groundwater sources which are or may be used for drinking and domestic water supply purposes, it is prohibited to locate disposal sites for industrial wastes and wastes of consumption, cemeteries, animal burial sites and other facilities that have adverse effect on the condition of groundwater sources.
3. Effluents can be used for land irrigation and fertilization in compliance with the sanitary legislation.
4. If aquifers are penetrated as a result of the use of subsoil, measures shall be taken to protect groundwater sources.
5. Water intake facilities related to the use of groundwater sources shall be designed, located, built, refurbished, commissioned and operated so that measures and arrangements are implemented to avoid the impact of such installations on surface water bodies and other components of the environment.

#### **Article 60. Protection of water bodies when designing, locating, constructing, refurbishing, commissioning and operating water utility systems**

1. When waterworks are designed, located, built, refurbished, commissioned and operated or when new processes are implemented, consideration shall be given to their impact on the condition of water bodies, and permitted impact limits on water bodies shall be observed, except as provided by the federal laws.
2. When building waterworks of a new water reservoir, land plots located within the impoundment zone shall be withdrawn in compliance with the land and civil legislation.
3. It is not permitted to put into operation land irrigation and fertilization facilities using effluents without setting up stations to monitor the water regime and water quality in water bodies.
4. It is not permitted to design once-through systems for process water supply.
5. It is prohibited to commission facilities designed for the transport and storage of oil and (or) petroleum products without outfitting such facilities with devices preventing the contamination of water bodies and with leak detecting instruments.
6. In operating a water utility system, it is prohibited:
  - 1) to discharge untreated wastewater into water bodies (based on the requirement not to exceed permitted impact limits on water bodies and maximum permissible concentrations of harmful substances in water bodies) as well as wastewater not meeting specifications;
  - 2) to take (withdraw) water resources from water bodies in volumes affecting the state of such water bodies;
  - 3) to discharge wastewater into water bodies if such wastewater contains infectious agents or harmful substances for which no maximum permissible concentrations have been specified.
7. Failure to meet requirements regarding the use and protection of water bodies shall entail the limitation, suspension or prohibition of the operation of water utility systems in accordance with procedures prescribed by this Code and other federal laws.

#### **Article 61. Protection of water bodies during various activities**

1. Construction, dredging, blasting, drilling and other operations and activities causing any change in the bottom and shores of a water body, and such operations and activities within water protection zones and within the boundaries of specially protected wetlands shall be carried out in compliance with environmental laws and building codes.
2. Water users who use water bodies for water intake (withdrawal) shall take measures to prevent fish and other biological resources from entering water intake facilities and implement arrangements to protect ground water from contamination and raising.
3. Irrigation shall be conducted simultaneously with the implementation of measures aimed at protecting the environment, water bodies and their drainage areas.

#### **Article 62. Protection of water bodies used for electric power generation purposes**

Water bodies shall be used by hydroelectric power plants for the generation of electric power so as to take into account the interests of other water users, meet water use and protection requirements, etc.

#### **Article 63. Protection of forests located within water protection zones**

1. The protection of forests located within water protection zones is carried out to prevent water bodies from contamination, littering and water depletion.
2. Principal tree harvesting operations are prohibited in forests located within water protection zones. Other types of tree felling operations are conducted in compliance with the forestry legislation.

#### **Article 64. Zones, districts of sanitary protection of water bodies of natural medicinal value**

In order to protect water bodies containing natural medicinal resources, sanitary protection zones or districts are established in accordance with the laws of the Russian Federation on natural medicinal resources, health improvement areas and resorts.

#### **Article 65. Water protection zones and near-shore protective belts**

1. Water protection zones are territories adjacent to the shoreline of seas, rivers, streams, channels, lakes, water reservoirs, for which special conditions of economic or other activities are established in order to prevent contamination, littering, silting and water depletion of water bodies and conserve the habitat for aquatic biological resources and other flora and fauna species.
2. Near-shore protective belts are provided within water protection zones where additional restrictions apply to economic or other activities.
3. The width of water protection zones for seas, rivers, streams, channels, lakes, water reservoirs as well as the width of their near-shore protective belts outside cities and other residential areas are defined using the existing shoreline.
4. The width of water protection zones for rivers and streams is established from their source depending on their length: -  
under ten kilometers – fifty meters;  
from ten to fifty kilometers – one hundred meters;  
fifty kilometers or more – two hundred meters.
5. The water protection zone for rivers and streams having a length of under ten kilometers from the source to the mouth coincides with the near-shore protective belt. The radius of the water protection zone at the source of a river or stream is fifty meters.
6. The width of water protection zones for lakes and water reservoirs (except for lakes contained within bogs or lakes or water reservoirs having a water surface area of less than 0.5 square kilometers) is fifty meters.
7. The width of water protection zones for seas is five hundred meters.

#### **Article 66. Specially protected water bodies**

1. Water bodies or parts thereof having a particular environmental, scientific, cultural, aesthetic, recreational and medicinal value can be recognized as specially protected water bodies.
2. The status, protection and boundaries of territories within which such water bodies are located shall be in accordance with the laws on specially protected natural territories.

**Article 67. Environmental distress zones, zones of emergencies in water bodies, prevention and of negative impact of water and mitigation of its consequences**

*Translator's Note: In this article the definition is given to environmental distress zones and a detailed description is provided of responsibilities of owners of water bodies in the event of an emergency.*

**CHAPTER 7. LIABILITY FOR VIOLATION OF WATER LEGISLATION**

**Article 68. Administrative and criminal liability for violation of water legislation**

1. Persons found guilty in any violation of the water legislation shall be administratively or criminally responsible in compliance with the laws of the Russian Federation.
2. A person held responsible for any violation of the water legislation is not relieved from the duty to rectify the violation and indemnify for the damage caused.

**Article 69. Indemnification for damage caused to water bodies as a result of violation of water legislation**

1. Persons who have caused damage to water bodies shall indemnify for the damage voluntarily or by a court decision.
2. The amount of damages shall be calculated in accordance with the procedure established by the Government of the Russian Federation.

Vladimir PUTIN  
President of the Russian Federation