

Registration code _____

Decree of the Government of Georgia No.

Of _____ 2015, Tbilisi

**on the procedure of elaboration, review and approval of river basin
management plans**

Article 1

Pursuant to part 3, chapter 13, article 43, subparagraph 1.d of the law of Georgia on “water resource management”, the appended procedures of elaboration, review and approval of river basin management plans shall be approved (annex 1).

Article 2

Decree shall be enacted upon promulgation.

Prime Minister

Irakli Garibashvili

Approved
By Decree of the GoG No.
of _____ 2015

Annex 1

Procedure of elaboration, review and approval of river basin management plans

Article 1. Purpose of Decree

According to the law of Georgia on “water resource management”, one of the basic principles of the management of water resources is the river basin management mechanism. Planning and management of water resources at river basin level are based on river basin management plans. The river basin management plan is a legal basis for setting the quantity and quality parameters for protection and use of water resources belonging to the basin district, as well as for the monitoring of water resources.

Goal of the Decree is to define the procedures of elaboration, review and approval of river basin management plans.

Article 2. Scope of Decree

Rules of elaboration, review and approval of river basin management plans apply to all basin districts of integrated river basin management on the territory of Georgia.

Separate River Basin Management Plan is elaborated for each river basin district.

River Basin Management Plans are for the period of 6 years. After the expiration of this period, the existed information should be reviewed and a new plan prepared.

River Basin Management Plans need to comply with the National Program of protection and use of water resources to be elaborated by the governmental committee on protection and use of water resources and approved by the Government of Georgia. National Program for protection and use of water resources covers 15-year planning period and for this period defines basic policies for water resource planning and management at the national level.

Article 3. Definition of Terms

For the purpose of this regulation, the following terms shall have the following meanings:

- a). **River Basin** - means the area of land from which all surface run-off flows through a hydrologically interconnected sequence of streams, rivers and, possibly, lakes into the sea at a single river mouth, estuary or delta;
- b). **River Basin District (RBD)** - is defined as the area of land and sea, made up of one or more neighboring river basins together with their associated ground waters and coastal waters which is identified as the main unit for integrated management of river basins;
- c). **Ministry of Environment and Natural Resources Protection of Georgia (MENRP)** - the central body responsible for the management of water resources;
- d). **Body of surface water** - means a discrete and significant element of surface water such as a lake, a reservoir, a stream, river or canal, part of a lake, reservoir, stream, river or canal, a transitional water or stretch of coastal water which has borders, and characteristics of Hydrological and hydrogeological regime ;
- e). **Body of groundwater** - means a distinct volume of groundwater within an aquifer or aquifers which has borders, and characteristics of Hydrological and hydrogeological regime;
- f). **Surface water** - means inland waters (except groundwater), transitional waters and coastal waters;
- g). **Groundwater** - means all water in liquid, solid and gaseous state which is below the surface of the ground in the loose, porous and fissured rocks or, in the caverns;
- h). **Water Resources** - combination of surface water (including artificial water bodies) and groundwater;
- i). **Inland water** - means all standing or flowing water on the surface of the land, and all groundwater including river, lake, a reservoir, other natural and artificial surface reservoirs, canals, water ponds, glaciers, permanent snow cover and wetlands;
- j). **Trans-boundary waters** - surface and underground waters, which mark, or cross the boundary between the states or are located at such boundary;
- k). **Transitional waters** - are bodies of surface water in the vicinity of river mouths, which are partly saline in character as a result of their proximity to coastal waters, but which are substantially influenced by freshwater flows;
- l). **Coastal water** - means surface water on the landward side of a line, every point of which is at a distance of one nautical mile on the seaward side from the nearest point of the baseline;
- m). **Artificial water body** - means a body of surface water created by human activity;
- n). **Heavily modified water body** - means a body of surface water, which as a result of physical alterations by human activity is substantially changed in character;
- o). **Ecological Objectives** – objectives set out in Article 30 of the law of Georgia on management of water resources, which are determined during the elaboration of river basin management plans for each water body and are aimed at the improvement of water quality;

- p). **Surface water status** (state) - is the general expression of the status of a body of surface water, determined by the poorer of its ecological status and its chemical status.
- q). **Groundwater status** - is the general expression of the status of a body of groundwater, determined by the poorer of its quantitative status and its chemical status;
- r). **Ecological status** - is an expression of the quality of the structure and functioning of aquatic ecosystems associated with surface waters;
- s). **Protected water body** - water body, which is included in the state register of protected water bodies and for which the special protection regime is established;
- t). **Water Use** - means use of water resources for drinking, domestic, industrial, energy, agriculture, transport, scientific, cultural, recreational, balneological, sports, tourism and other purposes, with or without the technical means;
- u). **Water resource management** - is regulation, measurement, supervision and control of water use.

Article 4. Authorities responsible for elaboration, review and approval of river basin management plans

The Ministry of Environment and Natural Resources Protection of Georgia (MENRP) is responsible for organizing the process of elaboration and review of river basin management plans (RBMPs), which are then submitted to the Government of Georgia for approval.

Article 5. Elements and structure of river basin management plan

RBMP should consist of the following elements:

- 1 River basin district (RBD) general analysis, which includes:
 - 1.1. Characteristics of water body types within river basin district (hydrology, hydrogeology, geology, etc.);
 - 1.2. Review of the environmental impact of human activity on bodies of surface water or groundwater and economic analysis of water use¹;
 - 1.3. Determination and mapping of the types of eco-regions of surface water bodies²;
 - 1.4. Identification of the location of surface water and groundwater bodies and mapping their boundaries with appropriate DelCodes.³
 - 1.5 Identification of reference conditions for surface water bodies.
- 2 Resume of the assessment of significant impact of human activity on the status of surface water or groundwater bodies and risks⁴, which includes:

¹ EU WFD , Article 5. Annex II

² Decree of GoG # ???? on approval of the rules for water body identification and determination of boundaries.

³ key strategy for EU WFD implementation, Implementation of Guidance Document #9 FD GIS

⁴ EU WFD guidance document #3 "Impact analysis"

- 2.1 List of possible point sources of pollution;
 - 2.2 Possible diffuse sources of pollution including the land use description;
 - 2.3 Assessment of impact on water quantitative characteristics including the information on water abstraction;
 - 2.4 Assessment of anthropogenic impact on water statuses;
 - 2.5 List of water bodies at risk and potentially at risk;
3. Elaboration and mapping of register for protected water bodies (including drinking water bodies)⁵.
4. A monitoring network map designed for defining water body status⁶, which shall include results of the monitoring through which the statuses have been defined for:
- 4.1. surface waters (ecologic and chemical)
 - 4.2. ground waters (chemical and quantitative)
 - 4.3. protected water body territories.
5. List of environmental objectives set out for surface waters, ground waters and protected water bodies⁷ including the information related to the exceptions for setting the environmental objectives⁸ and other related information;
6. Review of activity program designed for the achievement of environmental objectives⁹.
7. Review of water use economic analysis, which is elaborated using the relevant methodology and contains information on¹⁰:
- 7.1. Water use in terms of usage for economic purposes;
 - 7.2. Economic analysis of water use;
 - 7.3. Economic control mechanisms;
 - 7.4. Cost and benefit analyses as selection criteria for activities to achieve environmental objectives;
8. List /brief description of other programs and management plans elaborated within the basin district, which have or may have negative impact on water body within the RBD.
9. River basin management plan should contain information on public discussions and consultations held at the preparation stage as well as the results to be incorporated in the management plans.

⁵ EU WFD article 6

⁶ EU WFD guidance document #13 "Classification of water statuses and ecologic potential"

⁷ EU WFD article 4

⁸ EU WFD article 4, par. 4, 5 and 6

⁹ EU WFD article 11

¹⁰ EU WFD article 5, Annex 3

10. River basin management plan should contain information on competent management authorities and local representations, details of contact person and procedure for requesting basic documents and the ones referred to in article 6 of this procedure.

Article 6. Public involvement in development and review of river basin management plans

Participation of stakeholders and community in elaboration, review and updating of river basin plans is reasonable and necessary. The goal of such involvement of stakeholders and civil society is to integrate their views in the decision-making process.

At least 3 years prior to the start date of plan validity period, a timeline and procedure for the plan development, as well as information of planned consultations should be published and made available for public to obtain comments from the stakeholders.

At least 2 years prior to the start date of river basin management plan validity period, a general analysis of RBD including the list of main problems related to water management should be published and made available for public to obtain comments from the stakeholders.

At least 1 year prior to the start date of river basin management plan validity period, the draft plan should be published and made available for public to obtain comments from the stakeholders. This stage also includes public discussions.

Stakeholders and community shall be provided at least 6 months for making comments in writing.

Public shall receive the basic information and documents upon request that was used during the elaboration of river basin management plan.

River basin management plan shall contain information on public discussions and consultation held at the preparation stage as well as the results incorporated in the management plans.

Requirements under these articles equally apply to initial and updated plans for river basin management .

Article 7. Procedure of elaboration, review and approval of river basin management plans

Prior to the elaboration of river basin management plan, the MENRP will approve the timeline for elaboration of the plan per RBD and select the responsible organization. Timeline should include information on the rules for commencing the planning and consultations. The timeline should be published in accordance with the requirements under article 6.

MENRP will form Consultation and Coordination Council for each RBD and approve its members.

At the initial stage of river basin management plan elaboration, a general analysis of basin district and the report on impact on human activity and risks assessment must be prepared to be discussed by relevant council as well as at open meeting at the basin level in accordance with the requirements under article 6.

Draft river basin management plan shall be discussed by relevant council as well as at open meeting at the basin level with participation of local self-governments and stakeholders.

Draft river basin management plan shall be discussed also at national level with participation of relevant ministries and other state agencies.

MENRP will present the finalized draft river basin management plan to the Government for approval.

River basin management plan will be approved by the governmental decree.