



# Technical regulations for establishing water source protection corridors

According to the Law on Water Resources 2023, investigation and survey activities serving the establishment of water source protection corridors are basic investigation activities (Article 9). Clause 4, Article 29 of the Decree No.53/2024/NĐ-CP dated May 16<sup>th</sup>, 2024 also stipulates that the marking of water source protection corridors is carried out according to the technical instructions of the Ministry of Natural Resources and Environment. However, at present, there are no technical regulations and economic-technical norms for establishing water source protection corridors issued by competent authorities, causing difficulties in the establishment, appraisal and implementation. Therefore, in order to comply with the Law on Water Resources 2023 and legal documents as well as practical requirements of water resource management in the current period, the development and promulgation of a Circular regulating the technical regulations for establishing water source protection corridors is crucial.

## 1. REGULATIONS ON ESTABLISHING WATER SOURCE PROTECTION CORRIDORS

The Decree No.53/2024/NĐ-CP stipulates that water sources that must have a protection corridor include water sources as prescribed in Clause 2, Article 23 of the Law on Water Resources, including: Lakes, ponds, lagoons, and estuaries in the List of lakes, ponds, lagoons, and estuaries that cannot be filled with a water surface area of 2 hectares or more. Based on the actual situation of the locality, the Provincial People's Committee shall decide to issue a List of water sources that must have a protection corridor for lakes, ponds, lagoons, and estuaries in the List of lakes, ponds, lagoons, and estuaries that cannot be filled with a water surface area of less than 2 hectares. Water sources that must have a protection corridor as prescribed in Point d, Clause 2, Article 23 of the Law on Water Resources, include: River sections, streams, canals, and ditches that are water sources for domestic and production water supply works; river sections, streams that are eroded or at risk of erosion; rivers, streams, canals, ditches, and inter-district and inter-provincial canals are drainage axes for urban areas, concentrated residential areas, industrial zones and clusters; river, stream, canal, and ditch sections that are degraded, polluted, or exhausted need to be renovated and restored; rivers, streams, canals, and ditches are closely linked to the livelihoods of communities living along the river.

The basis for determining the scope of the water source protection corridor is stipulated in Article 22 of the Decree No.53/2024/NĐ-CP, including: Functions of the water source protection corridor; characteristics of terrain, geology, hydrology, environment, ecology; changes in riverbeds, banks, streams, canals, ditches, and streams. Specific provisions on the scope of the water source protection corridor are in Articles 23, 24 and 25 of the Decree, specifically: In Article 24, for the protection corridor of rivers, streams, canals and ditches with the function of protecting the stability of the banks and preventing encroachment on land along water sources, the scope of the water source protection corridor is stipulated as follows: Not less than 10m from the edge of the bank for river, stream, canal and ditch sections flowing through urban areas, concentrated residential areas or planned for urban construction, concentrated residential areas; Not less than 5 m from the edge of the bank for river, stream, canal and ditch sections not flowing through urban areas, concentrated residential areas; In case the river, stream, canal and ditch section is eroded or at risk of erosion, the Provincial People's Committee shall base on the development of the channel and the erosion status to decide on the scope of the protection corridor to ensure the safety of people's lives and property, limit the causes of bank erosion, and protect the stability of the bank. For the protection corridors of rivers, streams, canals and ditches with the function of preventing and combating activities that



▲ *Guidelines for establishing and managing water source protection corridors in Vietnam*



pose a risk of polluting and degrading water resources, the scope of the water source protection corridor is stipulated as follows: not less than 20 m from the edge of the bank for river, stream, canal and ditch sections flowing through urban areas, concentrated residential areas or planned for urban construction, concentrated residential areas; not less than 15 m from the edge of the bank for river, stream, canal and ditch sections not flowing through urban areas, concentrated residential areas...

Article 25 the Decree No.53/2024/NĐ-CP also stipulates: For lakes, ponds, marshes, and lagoons identified in the List of lakes, ponds, marshes, and lagoons that cannot be filled, the corridor must not be less than 10 m from the edge of the shore, except for the cases specified in Clauses 2, 3, and 4 of this Article. For hydroelectric and irrigation lakes in the List of lakes, ponds, marshes, and lagoons that cannot be filled, the corridor must be implemented according to the provisions of Article 23 of the Decree No.53/2024/NĐ-CP. For natural lagoons, marshes, and water sources related to religious and belief activities, with high value in terms of biodiversity, cultural conservation, and protection and development of natural ecosystems, the corridor must not be less than 30 m from the edge of the shore. In case the water source is located in a nature conservation area or within the protection area of historical and cultural relics, it shall comply with the provisions of law on nature conservation and protection of historical and cultural relics...

## **2. DRAFT CIRCULAR ON TECHNICAL REGULATIONS FOR ESTABLISHING WATER SOURCE PROTECTION CORRIDORS**

In order to ensure that the provisions of the Law on Water Resources and the Decree No.53/2024/NĐ-CP are implemented synchronously, consistently and effectively, the Ministry of Natural Resources and Environment has developed a Draft Circular regulating the technical regulations for establishing water source protection corridors. Accordingly, the contents of establishing water source protection corridors include the following contents: (i) Making a list of water sources that must establish water source protection corridors; (ii) Developing a plan to set up boundary markers for other water source protection corridors according to the provisions of Article 29 of the Decree No.53/2024/NĐ-CP; (iii) Implementing boundary markers for water source protection

corridors. The Draft Circular consists of 3 Chapters and 29 Articles, specifically: Chapter I. General provisions, including 4 Articles; Chapter II. Technical procedures for establishing water source protection corridors, including 23 Articles; Chapter III. Implementation provisions, including 2 Articles. In which, Chapter I. General provisions: This Chapter stipulates the contents on the scope of regulation; applicable objects; explanation of terms; contents of establishing water source protection corridors. Chapter II. Technical process for establishing water source protection corridors includes 3 sections. Section 1: Establishing a list of water sources that must establish a protection corridor, including 9 articles from Article 5 to Article 14: Technical process for establishing a water source protection corridor; collecting and reviewing relevant data and information; investigating and surveying to establish a list of water sources that must establish a water source protection corridor; synthesizing and correcting collected data and field investigations; analyzing and determining water sources that must establish a water source protection corridor, identifying river sections to determine the function of the protection corridor and the scope of the protection corridor of each water source; making a map of water sources that must establish a water source protection corridor; making a list of water sources that must establish a water source protection corridor and documents for collecting opinions, submitting for approval...

Section 2 of Chapter II stipulates: Developing a plan to set up boundary markers for water source protection corridors for other water sources as prescribed in Article 29 of the Decree No.53/2024/NĐ-CP, including 6 articles from Article 15 to Article 20: Technical process for developing a plan to set up boundary markers for water source protection corridors for other water sources as prescribed in Article 29 of the Decree No.53/2024/NĐ-CP; updating relevant documents, data and information; Conducting field surveys of proposed locations for setting up markers; synthesizing, processing collected information and analyzing the conditions and difficulty levels of setting up boundary markers for water source protection corridors; developing the content of the plan to set up boundary markers for water source protection corridors for other water sources as prescribed in Clause 3, Article 29 of the Decree No.53/2024/NĐ-CP; prepare documents for submission for approval of the plan to set up boundary markers for water source protection corridors. Section 3: Implementation of setting up boundary markers for water source protection corridors includes 7 Articles, from Article 21 to Article 27 including: Technical process for setting up boundary markers for water source protection corridors; preparation work; bringing the location of markers on the map to the field, marking for construction; preparing markers, recording the marker number; setting up markers, measuring the coordinates of markers; checking, accepting and handing over the product; updating the boundary markers for water source protection corridors into the National Water Resources Database System ■

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