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The 1997 Amendment to the River Law

This amendment was made in response to growing citizen awareness of environmental issues and to the need for river development that is suited to regional conditions. The amendment, which defines the purpose of the River Law as improvement and conservation of the environment, carries out a fundamental review of the planning system and devises measures to facilitate efficient water use during extreme water shortages.

Outline of the 1997 Amendment to the River Law

Providing a framework for comprehensive river improvement encompassing flood control, water use and environmental conservation for the new century

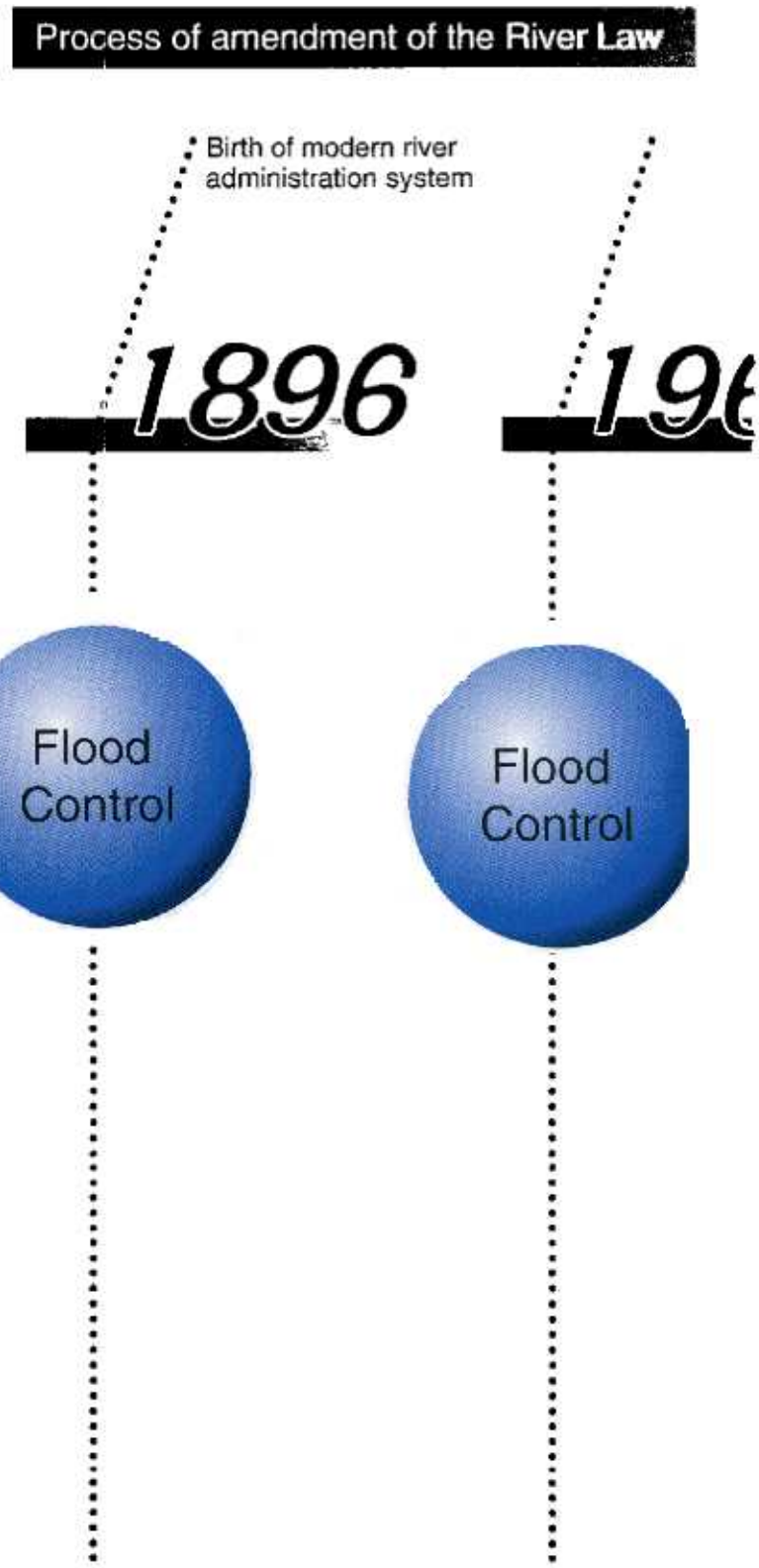
The river administration system has been revised several times since the enactment of the so-called "Old River Law" in 1896. Under the "new River Law" enacted in 1964, the institutional framework for flood control and water use was improved systematically by, for example, introducing an integrated river system management system. The River Law of 1964, therefore, has played an important role in forming river administration today.

However, as the economic and social conditions have changed in the subsequent years, the conditions surrounding the river administration system have changed dramatically. Today, Projects are expected not only to perform flood control and water use functions but also to provide an attractive waterside space and habitat for diverse plants and animals. There is also a growing demand for creative efforts to make effective use of rivers as an important component of the regional climate, landscape, and culture.

In addition, in keeping pace with the improvement of socioeconomic status and lifestyles, social impact of drought has become much more serious than before, and there is a pressing need for measures to ensure a smooth coordination of water use during periods of drought.

In view of these changes, in December 1996 the River Council made "recommendations on the reform of the river administration system for meeting the change of social and economic needs."

In response to these recommendations, the Ministry of Construction drafted a River Law amendment bill and submitted it to the 140th session of the Diet in 1997. The bill was adopted on May 28 during the same Diet session, and proclaimed on June 5, 1997. This bill was effective in December, 1997.



Establishment of systematic framework for flood control and water use
- Introduction of integrated river system management system
- Enactment of water-use regulations

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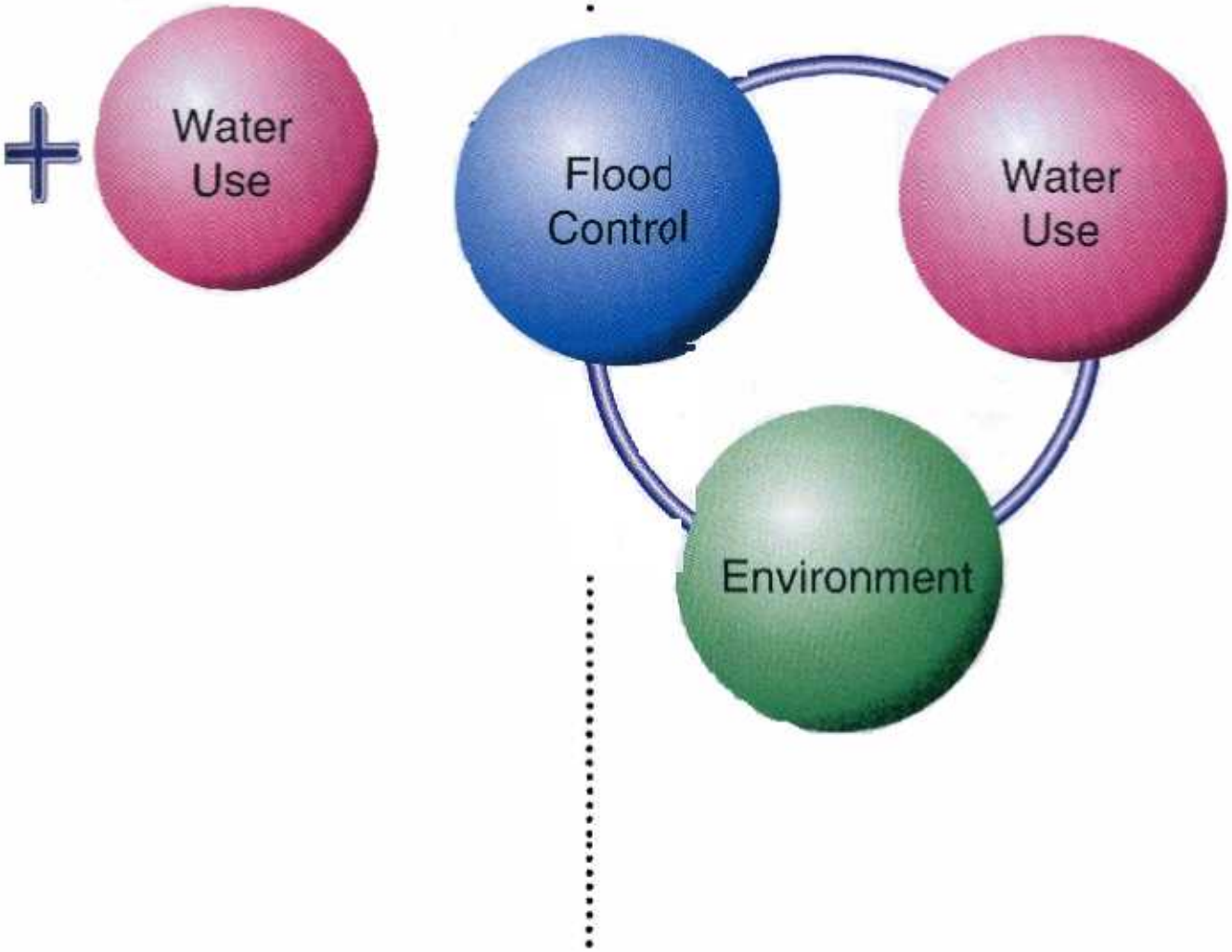
Establishment of comprehensive river administration system for flood control, water use, and environmental conservation
- Improvement and conservation of river environment
- Introduction of river improvement planning system designed to incorporate the opinions of local residents

1997

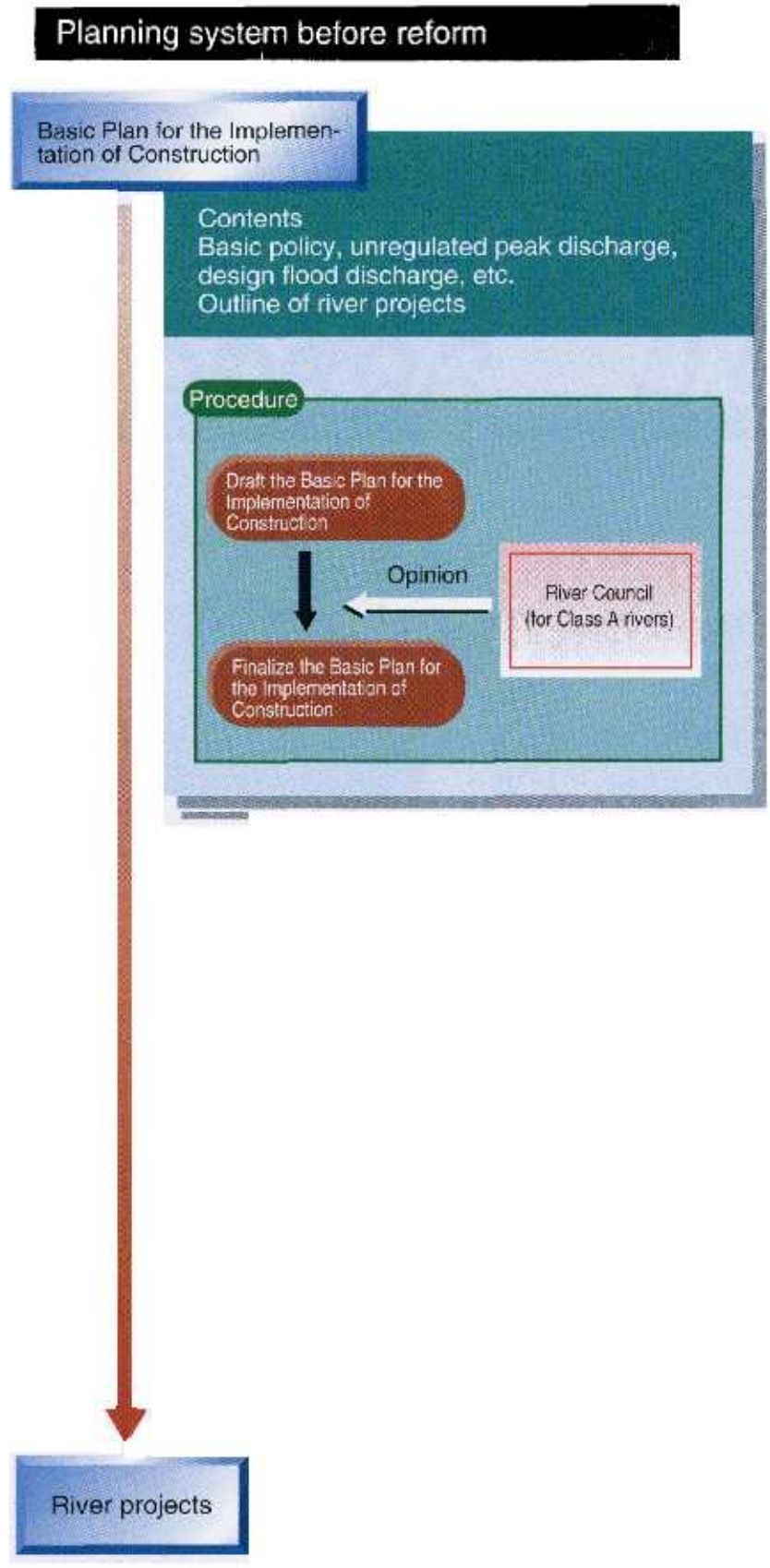


New system for planning river improvement

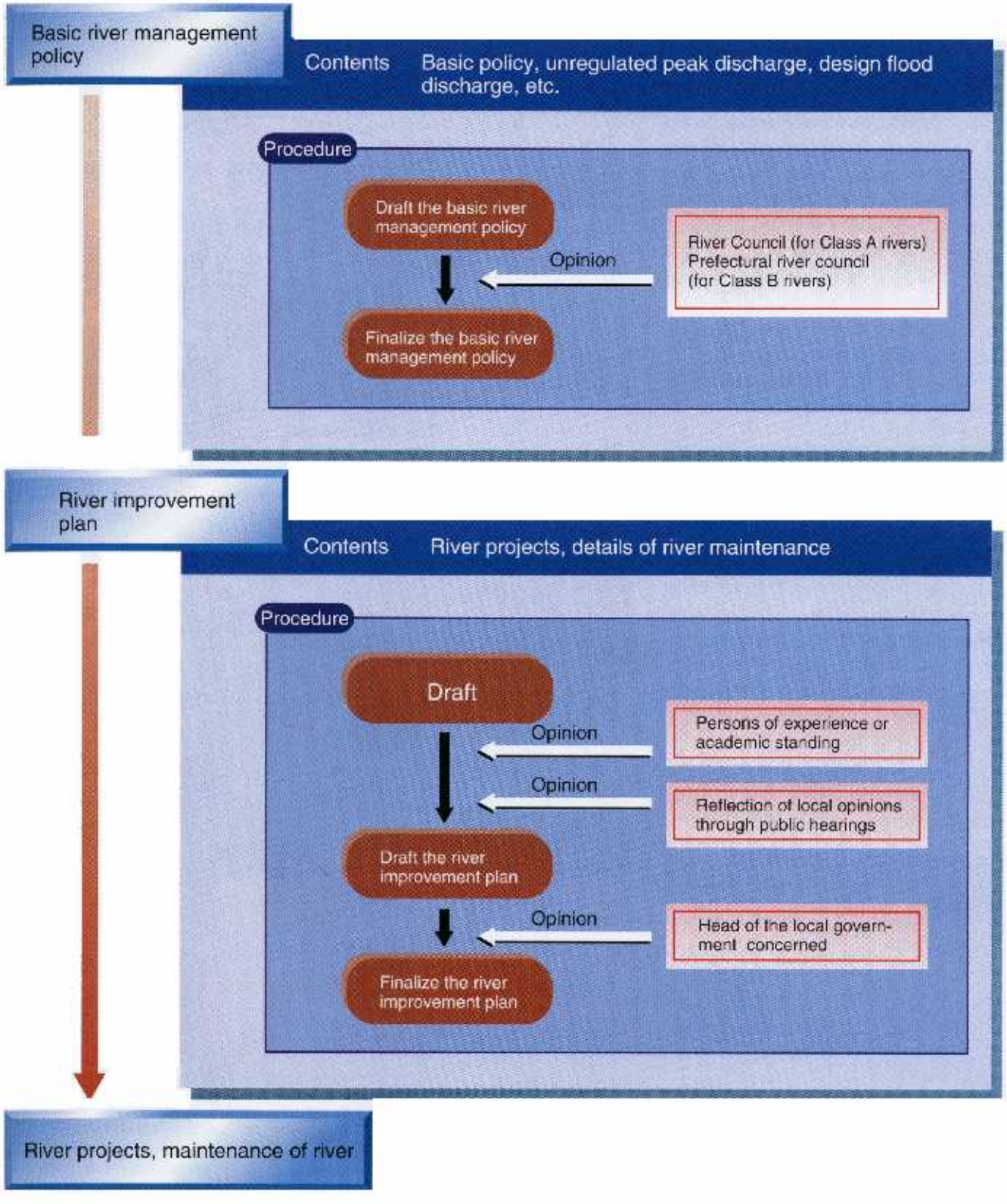
Promoting river improvement incorporating local opinion

In order to satisfy the needs of the people for improvement and conservation of the river environment and to design river improvement according to the characteristics of the river and regional characteristics such as climate, landscape and culture, it is essential to cooperate closely with the local community.

To this end, the river improvement plan is divided into two parts: one dealing with matters thought of as the basis for river improvement (Basic river management policy) and the other dealing with specifics concerning river improvement (River improvement plan) The new planning system includes procedures for incorporating the opinions of the head of the local government and the local residents.



Planning system after reform



Drought conciliation

Speedier water-use conciliation during droughts, timely information and simpler procedures

The recent tendency toward less rainfall and the inadequacy of dams and other existing water resources development facilities have made communities throughout the country more prone to water shortage and have increased the frequency of drought. Fiscal year 1994, in particular, experienced extraordinary droughts in many parts of the country, making the demand for countermeasures all the more intense.

To cope with the situation, two reform measures have been implemented

① Facilitating water-use conciliation during droughts

The River Law amendment of 1997 aims to ensure smooth water-use conciliation from the early stages of extraordinary drought. Under the amended law, in case of drought water users must make effort to coordinate their water uses not only in cases where one or more of the permitted water uses has become difficult but also in cases where such water uses are expected to become difficult.

The amended River Law also requires that the river administrator make effort to provide information necessary for water-use conciliation.

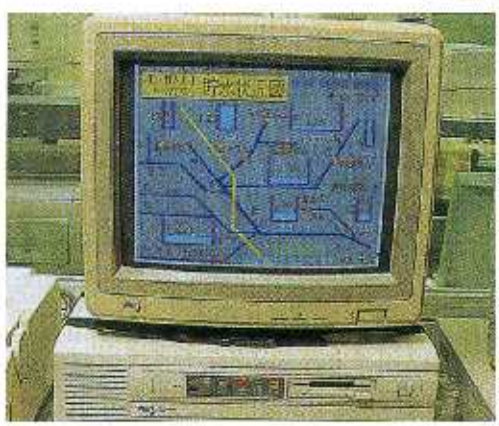
② Facilitating water transfer between water users

The amended River Law has now created a new system under which water users may transfer all or part of water they have been permitted to use to other water users, subject to the approval of the river administrator.

① Facilitating consultation for water-use conciliation during droughts

- Speedier water-use conciliation during droughts
- Provision of information by river administrator

Consultation for water-use conciliation during droughts



Provision of information by the Foundation of River and Basin Integrated Communications (FRICS)

Drought water-use conciliation councils established (as of March 31, 1997)

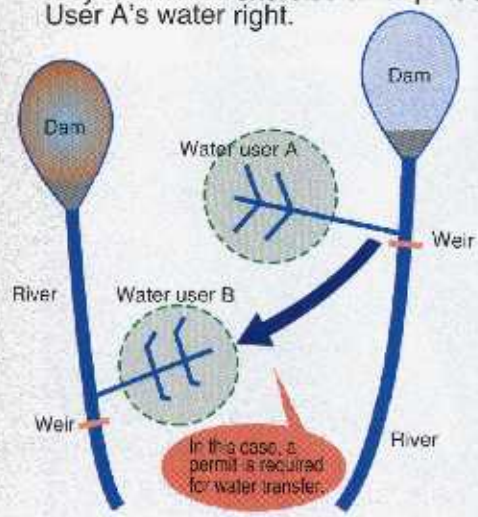
Class A river systems	62 river systems	87 organizations
Class B river systems	26 river systems	26 organizations

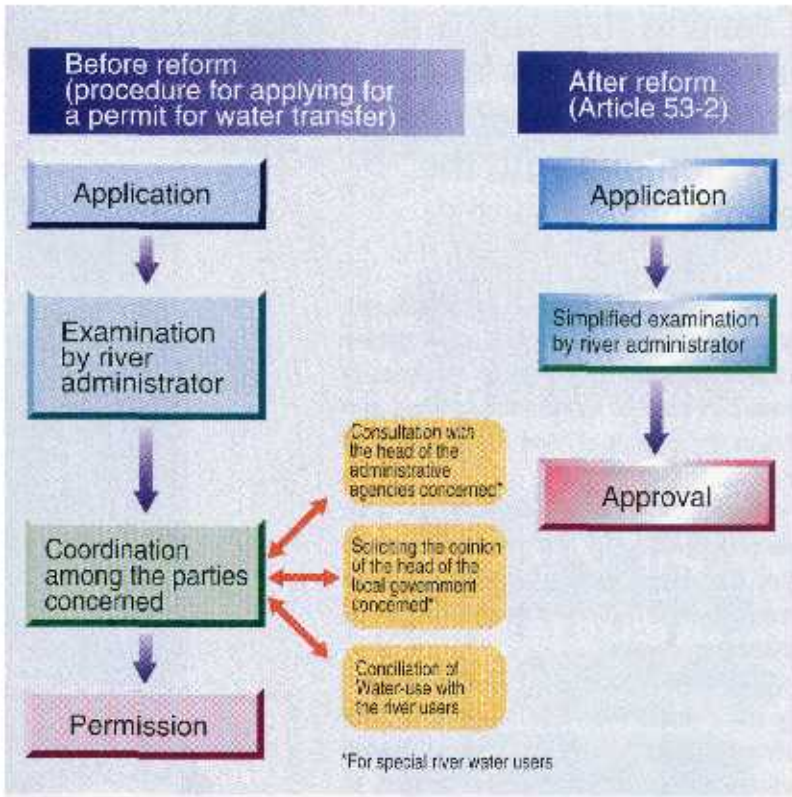
A household storing up water during the 1994 drought (Yomiuri Shimbun, September 2, 1994)

2) Facilitating water transfer between water users

- Simplifying the procedure for obtaining permission (if necessary) for water transfer (see the illustration.)

- In case of an unusual drought, User A may let User B exercise all or part of User A's water right.





Dried up reservoir bottom
(Nishi-Nippon Newspaper, July 3, 1994)

Fluvial forestation

Creating riverside and lakeside forests for flood control and water use harmonious with the environment

The flood-control effect of river-side forests is being rediscovered. They help to prevent the occurrence and also growth of breaches in levees in case of extraordinary flood and reduce the outflow of flood water in case of overtopping.

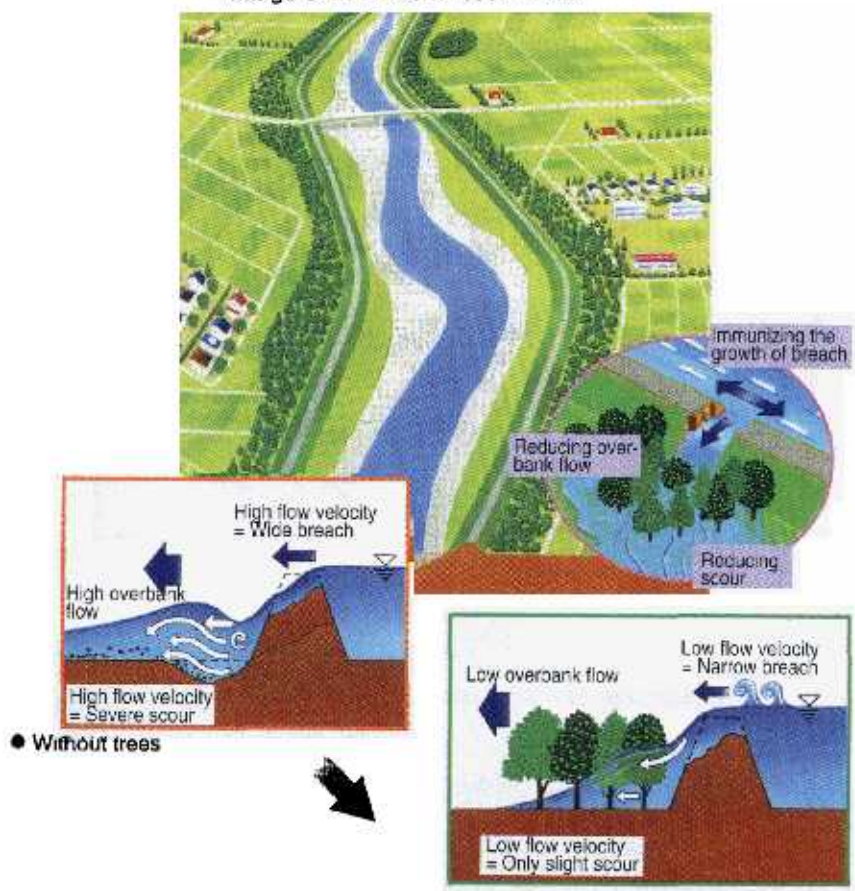
Forests along dam reservoirs are also useful in flood control and water use because they control the outflow of sediment-laden water entering reservoirs and filter inflowing contaminated water.

The "fluvial woods zone" system instituted by the amended River Law has enabled river administrators to create or conserve riparian woodlands as river management facilities so that flood control and water use harmonious with the environment can be promoted by means of riverside and lakeside forests.

1 Wooded areas along a levee

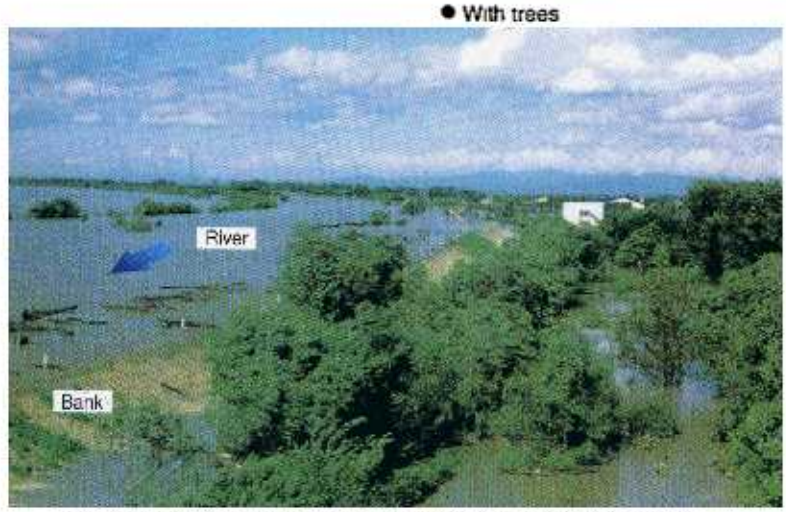
Created in river sections where levees need to be reinforced or upgraded

Image of riverside wooded areas



● Without trees

● With trees

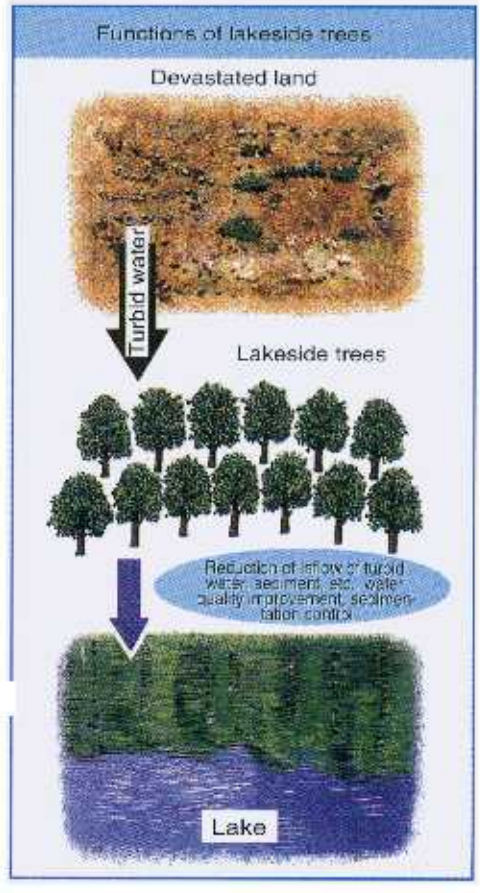


Trees reduce the energy of overbank flow and project the levees.

2 Riparian woodland along a lakeshore

Prevention of the inflow of sediment and turbid water into the reservoir (particularly on devastated land)

Before imrprovement



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After improvement

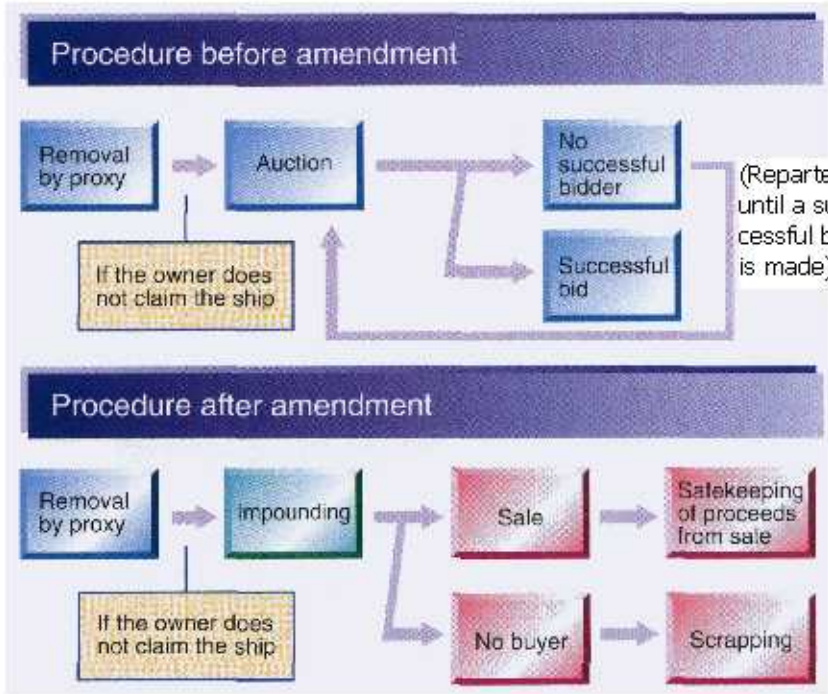
Artist's impression of a lakeside forest

The devastated land on the left bank has been planted with trees

Preventing illegal mooring

Establishing procedures for selling and scrapping illegally-moored ships after removed

To promote the removal of illegally moored ships, the amended River Law stipulates procedures for selling and scrapping of illegally moored ships which have been removed from the mooring sites and have not been claimed and for managing the proceeds from the sale of the ships.



Impounded

Illegal mooring

Preventing accidental water pollution

Making polluters implement and pay for corrective measures against accidental water pollution

Under the amended River Law, in the event of accidental water pollution such as an oil spill, the polluter is obligated to carry out or pay for corrective measures (e.g., placement of oil fences, oil mats, etc.)

(Before the amendment the River Law provided only for "river works" to be carried out or paid for by polluters. As a result of the amendment, the River Law now provides also for "maintenance of river.")

The oil slick is contained temporarily with oil fences and is removed by absorbing it with oil mats

Contaminated water is collected and treated with oil collectors and oil separators, and treated water is returned to the river

Water analysis vehicle equipped with measuring instruments, power generators, and radio systems

● **Accidental water pollutions** (number of accidents involving a Class A river)

	1993	1994	1995
Oil spills	188	184	199
Chemical spills	19	25	20
Non-oil, non-chemical spills	21	22	16
Other	35	42	21
Subtotal	263	273	256
Natural phenomena	10	43	19
Total	273	316	275
Accidents that resulted in suspension of drinking water supply	6	10	21

*The number of accidents that resulted in suspension of drinking water supply is included in the subtotal for each year