

Vaal River System Strategy Steering Committee

Progress on Irrigation Water Use
Compliance and Enforcement
(Addressing Unlawful Irrigation Water Use)

19 October 2011



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Background

- Possible illegal use putting VRS at risk
- Gauteng and Free State Regions have been undertaking Validation and Verification
- Validation completed in Upper and Middle Vaal WMAs – commenced in Lower Vaal WMA
- Estimated 244 x 10⁶m³/a possible illegal use
 - Upper Vaal 180 x 10⁶m³/a (verification- 21% finalised, 51% in process)
 - Middle Vaal 34 x 10⁶m³/a (verification- 14% finalised, 64% in process)
 - Lower Vaal 30 x 10⁶m³/a (verification- not yet started)

Presentation outline

- Background
- Progress
- Conclusion

Background (Cont.)

- PSP appointed on 01 June 2010 for:
 - Project Management
 - Completing Validation and Verification
 - Developing sustainable CME
 - Developing Contingency Plans
 - Communication
- Project duration 3 years
- Departmental PMC
- Inception phase completed, PEP submitted for final approval

Progress

- Validation and Verification
- Regulations
- Compliance Monitoring and Enforcement (CME)
- Contingency Plans
- Communication

Priority Areas

- Priority case lists based on the volume of the possible unlawful use on each property.
- The initial focus on properties with possible unlawful use of more than 250 000 m³/a (surface water).

Item	Upper Vaal	Middle Vaal	Total
Properties with illegal use > 250 000 m ³ /a	227	41	268
% of total illegal properties	26%	22%	24%
Volume of illegal use > 250 000 m ³ /a	120 886 350	21 608 386	142 494 736
% of total illegal volume	71%	67%	70%

Status Quo

Item	Vaal System			
	Upper	Middle	Lower	Total
Irrigation properties	3 527	3 046	1 952	8 525
Validation in process	0	0	1 531	1531
Validation completed	3 527	3 046	121	6 694
Verification in process	1 800	1 966	0	3 766
Verification not started	974	676	1 952	3 602
Verification completed	753	404	0	1 157
Properties - unlawful use	877	325	<i>Under assessment</i>	1 202
Unlawful volume (mil m3)	180	34	30	244

Priority Areas – (Cont.)

- Regulations to enforce measurement of taking is a prerequisite for action against partially unlawful water users.
- Initial priority lists revised – now properties where **all** the current water use was classified as possible unlawful use.

Item	Upper Vaal	Middle Vaal	Total
Properties with "blatant" unlawful use	354	96	450
% of total unlawful properties	40%	50%	41%
Volume of "blatant" unlawful use	65 482 383	14 154 387	79 636 770
% of total unlawful volume	38%	44%	39%

Regulations/Delegations

- Regulations
- Regulations required to enforce measurement
- Prerequisite for action against partially unlawful water users
- To be published soon for public comment
- Delegations
- Last approved delegations in 2005 - structural and procedural changes in the Department had an influence on delegations.
- Under review

Compliance Monitoring and Enforcement (CME)

Progress

Description	Number of Properties	Volume (m ³ /a)	% of Total
Illegal water use stopped	28	11 119 484	18.6
Re-evaluation showed the use is lawful	7	2 348 494	3.9
Re-evaluation showed the use is partially unlawful	16	8 977 184	15.0
Section 33 applications still to be evaluated	19	5 518 680	9.2
Cases referred to the Tribunal	4	2 976 100	5.0
Busy with Section 35 process	55	18 436 806	30.9
Pre-directives sent	19	8 192 216	13.7
Directives sent	7	2 157 533	3.6
Total	155	59 726 497	100.0

Compliance Monitoring and Enforcement (CME)

- Finalisation of standard procedure under way to guide CME process.
- New CME appointments in Upper Vaal.
- CME officials from Head Office made available to assist with CME process.
- Initial focus on "blatant" unlawful users and users who had to measure (permit conditions) – little burden of proof.
- Upper Vaal
 - 40% (354) of unlawful properties using 38% off illegal volume
- Middle Vaal
 - 50 % (90) of unlawful properties using 44% off illegal volume
- After publishing of Regulations – Partial unlawful users will be included in priority lists.

Compliance Monitoring and Enforcement (CME) (Cont.)

Cumulative targets for addressing unlawful surface water use

Description	Up to Dec 2010	Jan- Mar 2011	Apr- Jun 2011	Jul - Sep 2011	Oct- Dec 2011	Jan- Mar 2012
# of Pre Directives	24	40	130	160	340	440
# of Directives	4	32	140	170	320	415
Unlawful use addressed (m ³ * 10 ⁶)	3.3	8	52	63	92	147
% of unlawful use addressed	1%	4 %	27 %	32 %	47 %	75 %

Other Activities

- Contingency Plan
 - Options identified and discussed
 - Draft report in process
- Communication
 - Communication plan developed
 - Ties in with Region specific strategies and initiatives
 - Commenced in Upper, Middle and Lower Vaal WMAs

THANK YOU

Summary and Conclusion

- Eradication of all unlawful use in Vaal River System will not be met by 2011
- Validation completed in Upper and Middle Vaal WMAs and has commenced in the Lower Vaal WMA.
- Verification under way in Upper and Middle Vaal WMAs
- Publishing of Regulations for measuring irrigation water imminent (for public comment).
- Present focus of CME is on "blatant" unlawful use which represents 39% of total possible unlawful use.
- Program revised with deliverables submitted – Aim to address 75% of possible unlawful use in Vaal River System by March 2012.