

## Vaal River System Strategy Steering Committee

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

18 April 2012



1

## Presentation outline

- Background
- Progress
- Conclusion

## 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 10<sup>6</sup>m<sup>3</sup>/a possible illegal use
  - Upper Vaal 180 x 10<sup>6</sup>m<sup>3</sup>/a (verification- 21% finalised, 51% in process)
  - Middle Vaal 34 x 10<sup>6</sup>m<sup>3</sup>/a (verification- 14% finalised, 64% in process)
  - Lower Vaal 30 x 10<sup>6</sup>m<sup>3</sup>/a (verification- not yet started)

## 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 approved
- Scope of project was expanded to assist Regional Offices in monitoring and enforcement

## Progress

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

## Status Quo

Item	Vaal System			
	Upper	Middle	Lower	Total
Irrigation properties	3 527	3 046	1 952	8 525
Validation in process	0	0	1 894	1 894
Validation completed	3 527	3 046	327	6 900
Verification in process	1 824	2 075	28	3 927
Verification not started	769	531	1 924	3 251
Verification completed	907	440	14	1 361
Properties - unlawful use	877	325	<i>Under assessment</i>	1 202
<b>Unlawful volume (mil m3)</b>	<b>180</b>	<b>34</b>	<b>30</b>	<b>244</b>

## 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 m<sup>3</sup>/a (surface water).

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

## 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 or where metering was required as a permit condition.

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
<b>% of total unlawful volume</b>	<b>38%</b>	<b>44%</b>	<b>39%</b>

## Regulations/Delegations

- Regulations
- Regulations required to enforce measurement
- Prerequisite for action against partially unlawful water users
- Process was far advanced
- Submitted to Minister in Nov. 2011
- Minister requested that additional stakeholder consultation be undertaken
- Formal stakeholder engagement plan
- Gender inclusion and relevant stakeholder representation
- Delegations
- Last approved delegations in 2005 - structural and procedural changes in the Department had an influence on delegations.
- Updating of delegations in process.

## Compliance Monitoring and Enforcement (CME)

- 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
- Scope of project expanded to include assistance to Regions with monitoring and enforcement tasks

## Compliance Monitoring and Enforcement (CME)

Progress

Description	Number of Properties	Volume (m³/a)	% of Total
Illegal water use was stopped	61	23 920 133	26.4
Re-evaluation showed the use is partially unlawful	8	828 717	0.9
Partially unlawful – Metering required	48	17 942 735	19.8
Section 33 applications still to be evaluated	18	5 046 664	5.6
Tribunal judgements – use is lawful	5	3 262 750	3.6
Busy with Section 35 process	97	25116122	27.7
Pre-directives sent	37	13 584 193	15.0
Directives sent	4	962 271	1.1
<b>Total</b>	<b>278</b>	<b>90 663 585</b>	<b>100.0</b>

## Compliance Monitoring and Enforcement (CME) (Cont.)

Cumulative targets for addressing unlawful surface water use

Description	Up to Mar 2012	Apr - Jun 2012	Jul - Sep 2012	Oct - Dec 2012	Jan - Mar 2013	Jan - May 2013
Unlawful use addressed (m³ * 10⁶)	24	25	25	25	25	10
Cumulative unlawful use addressed (m³ * 10⁶)	24	49	74	99	124	134
<b>% of total unlawful use addressed</b>	<b>12</b>	<b>24</b>	<b>36</b>	<b>49</b>	<b>61</b>	<b>66</b>

## Other Activities

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

## Summary and Conclusion

- Eradication of all unlawful use in Vaal River System will not be met by 2012
- Validation completed in Upper and Middle Vaal WMAs and has commenced in the Lower Vaal WMA.
- Verification underway in Upper, Middle and Lower Vaal WMAs
- Publishing of Regulations for measuring irrigation water was delayed.
- Present focus of CME is on "blatant" unlawful use which represents 39% of total possible unlawful use.
- Scope of project expanded to include assistance to Regions with monitoring and enforcement tasks
- Program revised with deliverables submitted – Aim to address 66% of possible unlawful use in Vaal River System by May 2013.

**THANK YOU**