

## Vaal River System Strategy Steering Committee

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

13 April 2011



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## 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- 15% finalised, 56% in process)
  - Middle Vaal 34 x 10<sup>6</sup>m<sup>3</sup>/a (verification- 13% finalised, 60% 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 submitted for final approval

## Progress

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

## Status Quo

Item	Vaal System			
	Upper	Middle	Lower	Total
Irrigation properties	3 510	3 046	1 952	8 508
Validation in process	0	0	872	872
Validation completed	3 510	3 046	116	6 672
Verification in process	1 950	1 842	0	3 792
Verification not started	1 049	800	1 952	3 801
Verification completed	511	404	0	915
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
% of total illegal volume	71%	67%	70%

## 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
  - Process far advanced
  - Internal consultations, as well as with State Legal Advisor completed
  - Informal liaison with Organised Agriculture undertaken
  - Once internal DWA consultations with Management concluded, submission to Minister to publish for Public comment
- **Delegations**
  - Last approved delegations in 2005 - structural and procedural changes in the Department had an influence on delegations.
  - Proposal for the updating of delegations have been drafted for submission to Legal Services.

## 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	340	440	480
# of Directives	4	32	140	320	415	460
Unlawful use addressed (m <sup>3</sup> * 10 <sup>6</sup> )	3.3	8	52	92	147	181
% of unlawful use addressed	1%	4%	27%	47%	75%	92%

## Other Activities

- Contingency Plan
  - Started identifying options
  - First discuss with role-players to prevent unnecessary work
- Communication
  - Communication plan developed
  - Ties in with Region specific strategies and initiatives
  - Commenced in Upper and Middle Vaal WMAs

## 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 underway in Upper and Middle Vaal WMAs
- Preparation for publishing Regulations for measuring irrigation water in process together with revision of delegations.
- Present focus of CME is on "blatant" unlawful use which represents 39% of total possible unlawful use.
- Programme with deliverables submitted – Aim to address 92% of possible unlawful use in Vaal River System by March 2012.

**THANK YOU**