

BREDE-GOURITZ

Catchment Management Agency
Opvanggebied Bestuursagentskap
I-Arhente yoLawulo lomMandla nokungqongileyo

THE VALIDATION AND VERIFICATION OF WATER USE IN THE BREDE-GOURITZ WATER MANAGEMENT AREA

The Breede-Gouritz Catchment Management Agency (BGCMA) is undertaking the validation and verification of all existing lawful water use (ELU) in the Breede-Gouritz Water Management Area (WMA). This process is a statutory requirement of the National Water Act (Act No. 36 of 1998) (NWA) as it recognises the transition of existing water use entitlements held under the previous Water Act (Act No. 54 of 1956) to the current NWA. Water uses include both surface (rivers, dams, canals) and groundwater (borehole) sources.

Water uses that commenced after the NWA (1998) was passed are not authorised through this project and any queries pertaining to such use should be directed to the nearest office of the BGCMA. Additionally any queries relating to pollution, illegal water use, water use licence applications and water use billing should also be directed to the nearest office of the BGCMA.

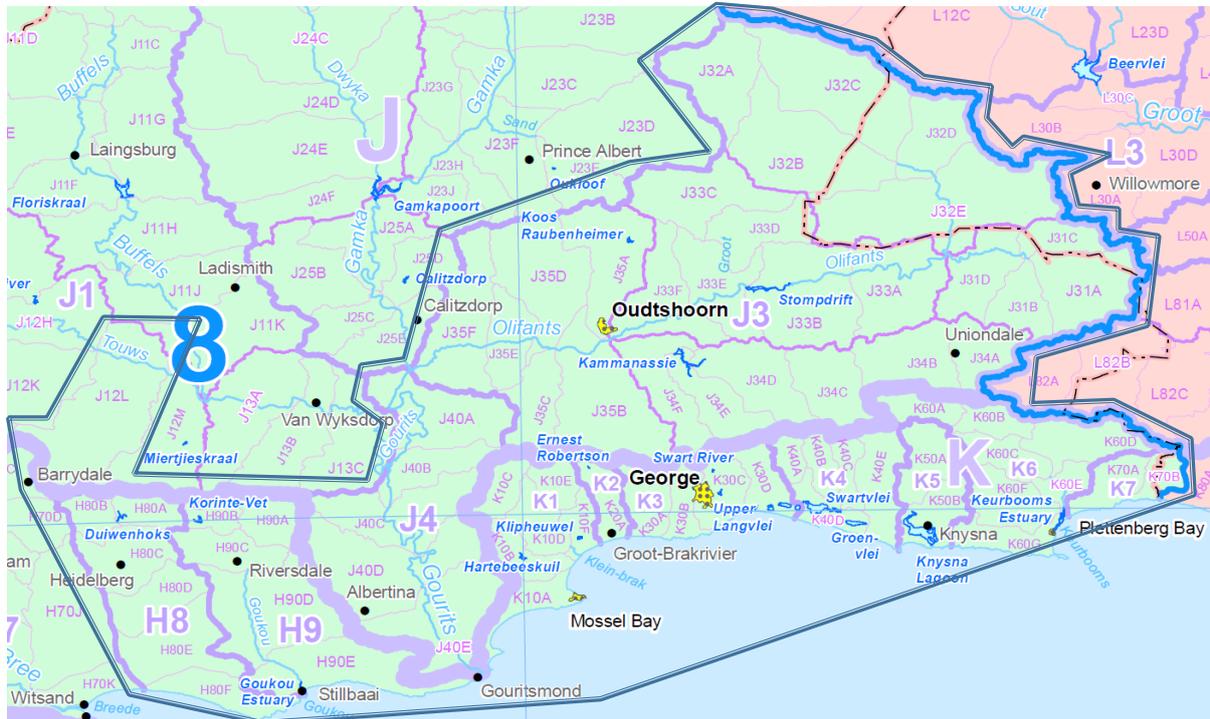


Figure 1. The project area.

The project area is shown in Figure 1 above and the project timeframe is from **01 November 2017 to 31 October 2019**.

Affected project catchments and some municipalities within each are shown in Table 1 below. The radial travel distances and road networks from these towns are shown in Figure 2, as is the distribution and location of registered water users for the abstraction and storage of water and for stream flow reduction activities (commercial afforestation).

Table 1. Catchments and some municipalities in the project area.

PRIMARY CATCHMENT	TERTIARY AND QUATERNARY CATCHMENTS	TOWNS IN THE CATCHMENT
H	H80A, H80B, H80C, H80D, H80E and H80F H90A, H90B, H90C, H90D and H90E	Heidelberg Stilbaai and Riversdale
J	J31A, J31B, J31C and J31D J32A, J32B, J32C, J32D and J32E J33A, J33B, J33C, J33D, J33E and J33F J34A, J34B, J34C, J34D, J34E and J34F J35A, J35B, J35C, J35D, J35E and J35F J40A, J40B, J40C, J40D and J40E	Uniondale Oudtshoorn Albertina and Gouritsmond
K	K10A, K10B, K10C and K10D K30A, K30B, K30C and K30D K40A, K40B, K40C, K40D and K40E K50A and K50B K60A, K60B, K60C, K60D, K60E, K60F and K60G K70A and K70B	Mossel Bay George Knysna Plettenberg Bay
Priority Catchment (additional)	J12L	Barrydale (Doring Catchment)

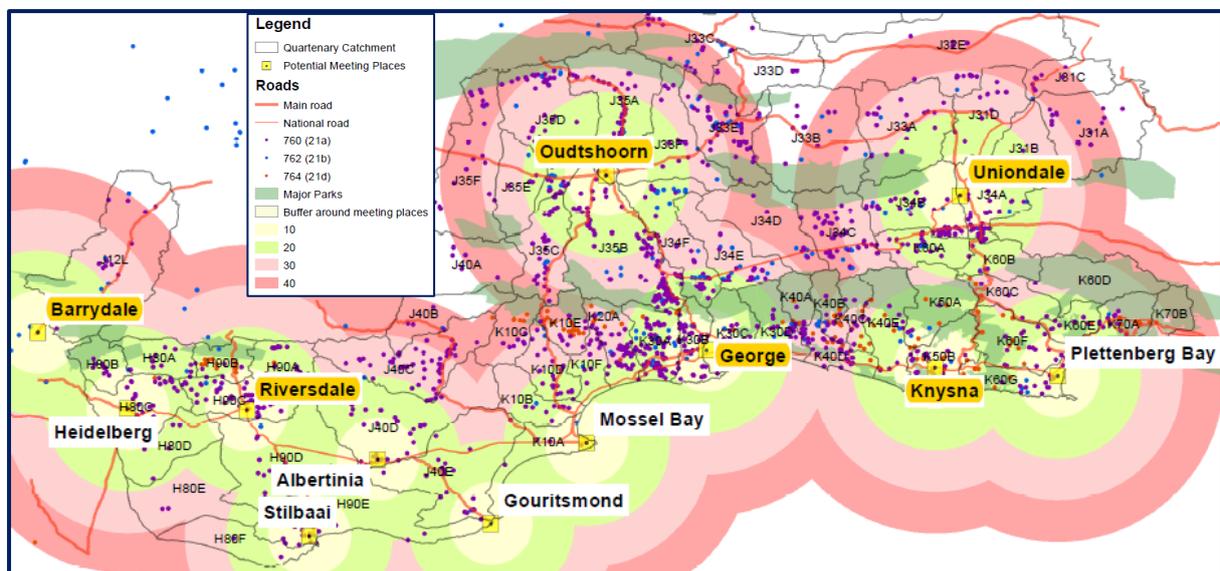


Figure 2. Map showing the location of registered water users, some towns and travel distances from these towns. Town names that are highlighted are potential project meeting venues, based on the concentration of registered water users and travel distances.

The following water uses will be verified:

- Taking of water (abstraction) for irrigation, water supply and industrial/mining uses;
- Storing of water (dams and other raw water storage structures); and,
- Engaging in a Stream Flow Reduction Activity (commercial afforestation).

What is Validation and Verification?

Validation is a technical process to ascertain what water uses took place during the Qualifying Period.

Verification is a legal process to determine the lawfulness of the volume of water used, stored or abstracted by existing water users, under any law prior to the NWA. This process results in the determination of Existing Lawful Use.

What is Existing Lawful Use (ELU)?

The NWA specifically defines ELU as the extent of lawful water use that was taking place in the two (2) year period prior to the NWA coming into effect in October 1998. The following conditions must be met in qualifying as an ELU:

- The use was actually taking place during the 2 year period, prior to the NWA – referred to as the Qualifying Period; and,
- The use was lawful, in terms of laws in effect at the time.
- Commercial Forestry use additionally requires a permit (issued by DWS) for forestry planted between 1972 and the Qualifying Period. Commercial Forestry established before 1972 did not require any authorisation.

The determination of ELU is therefore not a mechanism to curtail water use, but to acknowledge and quantify existing uses and entitlements that have been legally exercised.

ELU allows water users to continue with their existing water use subject to the original conditions, until such time that this authorisation is converted into a water use licence by DWS.

What is Registration?

Water users were required, from 2000, to register their use and the onus was on the user to provide correct information.

This information is captured on the DWS WARMS database and users are charged for this use according to published water use charges. Registration numbers and certificates of registration are issued to all registered water users. The registered water use will be one of the inputs to the ELU determinations and the process will establish whether the registered water use volumes are correct.

Registration of water use is not an authorisation or entitlement to use water, and is subject to validation and verification by the BGCMA.

NOTE:

- Users that obtain their water via a bulk supplier (e.g. municipality or water-board), or Schedule 1 users (small scale domestic and non-commercial gardens or livestock) are not required to register their water use and are not affected by this project.
- The guideline for the registration and verification of dams is that this is only required where the total storage per property exceeds 10 000m³.
- Dams and structures specifically built as erosion control dams are not included in the verification process.

- **Dams and structures used specifically as operational facilities for the temporary holding of water allocations are not included in the verification process.**

What is permissible lawful water use?

Under the NWA the following water use is permitted:

- **Schedule 1 use** – this allows people to use water for small scale domestic use or non-commercial gardens and livestock. If this is your only water use then you are not affected by this project.
- **General Authorisation** – this allows the use of water in specific areas without applying for a licence. The extent is determined by the DWS.
- **Water Use Licences** – these are issued by the DWS for water uses with conditions and for a specific time period. If all your water use is covered under a Water Use Licence then you are not affected by this project.
- **Existing Lawful Use** – as detailed above.

How will I be affected by this process?

Water users will receive further information about the roll out of this process through the media, water user representative bodies and direct correspondence.

Project information sharing meetings with water users and other interested and affected parties will be held between March and September 2018 in various towns in the catchment. The purpose of the meetings will be to discuss the validation and verification project and to confirm information with individual water users. Where possible, the meetings are intended to serve as the face-to-face interaction between the project team and individual water users to review and confirm water use information.

After these meetings, the BGCMA will send a formal request to users to apply for the verification of their water use. This request will contain a provisional determination of water users' ELU and an application form to be returned within a defined time period. Users will at this stage also have the opportunity to provide further information in support of an alternative determination than that contained in the initial letter, for consideration by the BGCMA. Full details of the verification process and the consequences of not applying to the request will be detailed in the correspondence.

Non-registered users wishing to apply for verification of an ELU will be afforded the opportunity to submit contact, property and water use details, at which time an ELU determination will be conducted and this use will be registered. A late registration fee is applicable.

How will my scheduled water use be handled?

Lawful scheduled water use (received through an Irrigation Board or Water Use Association) is recognised as ELU, whether used during the Qualifying Period or not. The extent of this water use will be determined and acknowledged separately from any other water uses you may have. You will receive further information from your Irrigation Board or Water User Association in this regard.

What if I previously applied for verification through the DWS or BGCMA?

Any final lawful determinations, issued by the DWS or BGCMA, remain valid and you do not have to re-apply. If you have previously applied for verification but not received an ELU Certificate from the DWS or BGCMA, the process will be continued under this project. Please note that a Registration Certificate is not an acknowledgement of ELU.

What are the benefits to me?

- Legal certification of the extent of water use entitlements on your property or successor-in-title;
- The identification and eradication of unlawful water uses in the project area;
- Ensures water use registration details are correct, updated and accurate, to enable correct application of water use charges; and,
- Improved management of local water resources.

Project Contact Details

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Please visit the BGCMA website for further project information: www.breedegouritzcma.co.za

This website will be periodically updated with project information, developments and details of all water user meetings.