

EN2A: Establish and manage water resources abstraction and effluent discharge registers

REGULATORY FUNCTION: ENVIRONMENT		EN2A
<p>OBJECTIVE EN2</p> <p>Environmental compliance of water and wastewater service operators, industries and agriculture is monitored through collected information on the status of water resources, its use and protection</p>	<p>ACTION CARD EN2A</p> <h2 style="margin: 0;">ESTABLISH AND MANAGE WATER RESOURCES ABSTRACTION AND EFFLUENT DISCHARGE REGISTERS</h2>	
<p>COST: Medium FREQUENCY: Regular</p> <p>TARGET GROUPS: Regulators, service operators, environmental authorities, industrial and agricultural consumers</p>		
<p>DESCRIPTION</p> <p>Regulators issue abstraction and discharge licences and control usage and abuses through established and transparent mechanisms, including through the establishment and management of publicly accessible registers of licenses. In accordance to established register mechanisms, regulators verify submitted abstraction or discharge proposals, issue licences only to those meeting predefined standards, and record the information in the register. Regulators withdraw permits in cases of non-compliance and record the reasons for withdrawal in the register.</p>		
<p>EXPECTED OUTCOMES</p> <ul style="list-style-type: none"> • National registers exist of all water abstractions and effluent discharge points. • Abstraction and discharge registers are managed in a transparent manner. • Only licenced users can operate. 		
<p>EXAMPLE 1: MALAYSIA</p> <p>In Malaysia, one of its federal state governments, Selangor, established Lembaga Urus Air Selangor (LUAS), an agency to manage the water sources register under Lembaga Urus Air Selangor Enactment, 1999. This stipulates that 'notwithstanding anything contained to the contrary in any other law, the Authority shall exercise and show supervision and control over the use and flow of water in any water source and whether occurring naturally on the surface or subsurface of the ground', This means that no person or public authority can disrupt natural flow water or take water from any water source except in such quantities as approved by LUAS. Controlling water source usage is made through granting licences on such conditions as the Authority may think fit to any public authority or person to undertake any activity related to water sources and to regulate the licensees and their activities. LUAS imposes a charge on the use of water or any other resource from any water source including but not limited to the abstraction, extraction, discharge, drainage, diversion and impoundment of such water or other resources. Any person who, without the permission of LUAS, abstracts, consumes, or diverts water - or any other resource - commits an offence and shall, on conviction, be liable to a fine or imprisonment. LUAS manages water abstractions and effluent discharge; register through a licence application mechanism available at its web platform at the link below.</p> <p>EXAMPLE 2: IRELAND</p> <p>In Ireland, the Environmental Protection Agency (EPA) launched a register of water abstractions in accordance with European Union (Water Policy) (Abstractions Registration) Regulations 2018 (S.I. No. 261 of 2018). . Development of such a register was also a requirement of the Water Framework Directive (2000/60/EC) and was indicated in the River Basin Management Plan 2018-2021. Responsible management of water resources involves ensuring that river flows, lake and groundwater levels can sustain aquatic environments, while also allowing use of water for drinking water supply and other agricultural, commercial, industrial and recreational purposes. To assess if Irish water resources are being managed sustainably, it is important to know the volume of water being abstracted and from which rivers, lakes and groundwater. This register aims to capture this information and the data</p>		

will be used in conjunction with information on discharges, flows and water levels, and water status, to identify if there are any rivers, lakes or groundwater bodies that have unsustainable abstractions that require active management. The requirement to register relates to abstractions of 25 cubic metres (25,000 litres) or more. Small private supplies, e.g. using domestic wells (which typically abstract between 0.5-1.0 cubic meter of water per day) do not require registration.

EXAMPLE 3: MEXICO

In Mexico, there is a Public Registry of Water Rights (REDPA) which registers national water usage permits, deeds with resource abstraction permits and works in free abstraction zones.

On a state-wide scale, the State of Nuevo León issued the State Environmental Law ordering the establishment and operation of the pollutant emissions and transfer registry, the mandatory registry of fixed sources under state jurisdiction, and the registry of wastewater discharges in drainage and sewerage systems or receiving bodies under state jurisdiction (Article 8). The law establishes that wastewater discharges that are not registered at the Environmental and Natural Resource Protection Agency could be sanctioned.

EXAMPLE 4: COLOMBIA

In Colombia, Decree No. 1076 of 2015, Article. 2.2.3.4.1.1 orders environmental authorities to organize and keep a register of: a) public water usage concessions; b) permits for the occupation and exploitation of channels, riverbeds, beaches and the riverside strip referred to in Article 83, letter d) of Decree-Law No. 2811 of 1974; c) permits for the exploration and exploitation of groundwater; e) transfers of concessions and permits; f) administrative measures required to approve plans for public and private hydraulic works and to authorize their operation; g) information on private water bodies collected via the survey referred to in Article 65 of Decree-Law No. 2811 of 1974, and h) information related to water use for human and domestic consumption, and domestic wastewater resulting from individual basic sanitation solutions in isolated rural households.

LINKS

Malaysia: https://www.luas.gov.my/index.php?option=com_content&view=article&id=112&Itemid=138&lang=en

Ireland: <http://www.epa.ie/licensing/watwaste/watabs/>

Mexico: Public Registry of Water Rights (REDPA)

http://legismex.mty.itesm.mx/estados/ley-nl/NL-L-Ambiental2022_10.pdf

Colombia: Registry of Water Usage Authorizations

<https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=78153>

INTERNAL CAPACITIES NEEDED AND THE ROLE OF PARTNERS

Establishing and maintaining public registers for environmental permits related to water abstractions and discharges requires administrative and IT capacity to establish and manage online and offline record keeping systems with frequent updating requirements. Administrative capacity is also needed for dealing with public enquiries. Development partners may be able to assist regulators through facilitating peer learning, especially if a new online system is to be established.