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## Penang CM to file legal action if Kedah threatens water supply



by AZREEN HANI/ pic by BERNAMA

PENANG chief minister Chow Kon Yeow says the government will submit an objection to the Federal Government and/or initiate legal action if the Kedah Menteri Besar (MB) implements a project that threatens water supply to the state.

“Penang will continue to follow the law in abstracting raw water from Sungai Muda without payment to Kedah. On its part, Kedah must also comply with state and national laws in implementing projects involving Sungai Muda,” Chow said in a statement today.

“If his project causes suffering for the people of Penang and losses for the businesses that operate in Penang, we may sue him for costs and damages.

In Malaysia, there are state and federal laws. Any “new” Sungai Muda project in Kedah, upstream of Penang’s Lahar Tiang Intake must comply with all relevant laws. Such a project must not adversely affect or compromise water supply services for 1.776 million people in Penang,” he added.

The CM reiterated that Penang has been legally abstracting raw water from Sungai Muda without payment since 1973. The state, he said has never signed any agreement, memorandum of understanding (MoU) or contract to pay Kedah.

Yesterday, Kedah MB Muhammad Sanusi Md Nor said the state will implement a riverside water catchment project that will be able to stabilise Sungai Muda’s water level in times of drought. The project, Takungan Air Pinggiran Sungai (TAPS), will ensure Kedah has enough water supply, Muhammad Sanusi said.

“I was just informing them (Penang) to be prepared as we are implementing the TAPS project. When Sungai Muda has a lot of water, we store, and there will be 14 TAPS throughout, so it’s a very large catchment, with depths up to 20 to 30 metres and up to a kilometre wide.

“So, Penang has to be ready for this, unless they work together with us (Kedah government)... We have to plan (earlier) to avoid them drinking muddy water. If we fail to work together and (they) do not pay raw water charges, then we will plan just for ourselves,” he was quoted as saying in a Bernama report.

On this, Chow said all of the projects are also subject to approval by the federal government.

It is likely that Kedah will also need Federal funding, in the form of loans or grants, to undertake its water-related projects.

“As such, the Kedah Menteri Besar may propose, but the Federal Government and/or the laws of our land may dispose. In short, Kedah may not implement any project involving Sungai Muda that is illegal by law or unapproved by the federal government,” he said.

He stressed that as far as Sungai Muda is concerned, the state government will continue to assert Penang’s riparian rights to abstract raw water, without charges, from a river that flows through our state territory.

“We are confident that Kedah has no legal standing to demand for any payment. This is why we are ready to see them in court.”

In terms of contingency plans, the Penang State Government will be reviewing the “Penang Water Supply Initiative 2050” (PWSI 2050) projects proposed by Perbadanan Bekalan Air Pulau Pinang Sdn Bhd (PBAPP) soon.

Originally, the PWSI 2050 projects were conceptualised to ensure water supply security for Penang over the next 30 years, with the continuing availability of a certain volume of raw water from Sungai Muda and the potential of the Sungai Perak Raw Water Transfer Project (SPRWTS).

“We will now look into implementing more strategic projects under the PWSI 2050 to mitigate the risks of potential “mishaps” involving Sungai Muda that may affect water supply services in Penang in the future,” he added.

These measures may involve alternative water technologies and incur higher water supply costs and tariffs in the future.