

Connétable AS Crowcroft  
Environment, Housing and Technical Services Scrutiny  
Panel  
Scrutiny Office  
States Greffe  
Morier House  
St Helier  
JE11DD

6 March 2015

Our ref HJS

Dear Connétable

### Environmental Policies

I write further to your letter to Howard Snowden dated 19 February 2015 requesting information to support your review of environmental policies. As requested I set out below the answers to the four questions raised in your letter.

**1) What relationship, if any, do you have with the States of Jersey in delivering your current environmental commitments? What support, if any, do you receive from the States?**

Jersey Water has a positive and close working relationship with the Environment Department who act as our regulator under the Water (Jersey) Law 1972 and as the statutory body responsible for safeguarding the Island's water resources from pollution (under the Water Pollution (Jersey) Law 2000).

Jersey Water is a member of the Eco-Active business scheme operated by the States of Jersey.

Jersey Water receives no financial support from the States of Jersey to help us deliver our environmental objectives.

**2) What in your view are the most significant environmental issues which are likely to impact upon you, both in the medium term (2015 to 2019) and the longer term?**

There are two key environmental concerns that are likely to impact on our operations in the short and longer term; nitrate pollution and water resources.

■ Nitrate pollution

The nitrate pollution issue in Jersey is a long running, Island-wide issue affecting not just Jersey Water but also TTS and a significant number of private borehole owners across the island.

The maximum concentration of nitrates permitted in mains water in Jersey is 50mg/l, consistent with international legislation.

Nitrate concentrations in raw water sources are mainly dependent on the volume and timing of the application of fertiliser during the growing season and of rainfall in the winter and spring months. During this time the stream waters in Jersey can



often have nitrate levels in excess of 50 mg/l. Whilst Jersey Water can and does manage its water resources so as to minimise the incidence of nitrates exceeding 50mg/l in treated water, it is largely powerless once the sources themselves exceed this limit. The option of removing nitrates through treatment has been investigated but it is costly, does not resolve the issue for TTS or borehole users and presents its own significant environmental problems.

The maximum level of nitrate in Jersey Water's supply in the past 5 years was 58.2 mg/l in April 2013. Nitrate levels above 50 mg/l are not continuous but cyclic in nature, generally between January and April. It should be noted that, according to the World Health organisation, concentrations between 50mg/l and 100mg/l do not present a health risk in otherwise high quality water (as found in Jersey).

Jersey Water has dispensations for nitrates under the Water (Jersey) Law 1972, which allows for a maximum concentration of 65mg/l and places additional restrictions on number of samples exceeding the 50mg/l limit. The dispensation expires on 31 December 2016 and is the fourth set of dispensations since the introduction of the Water (Jersey) Law 1972.

We believe it is unsustainable for the States of Jersey to rely on the ongoing use of dispensations to compensate for a lack of progress in resolving the diffuse pollution issue. The repeated granting of dispensations undermines the credibility of the regulation of water quality in the Island, the overall confidence in the water supply and is at odds with international practice. The use of dispensations in water regulation by the EU has now been discontinued. We understand that the Medical Officer for Health, a statutory consultee on water quality is also uncomfortable with the ongoing position.

#### ■ Water Resources

The cause and effects of climate change are well documented and do not need to be repeated here. The impact for Jersey Water is the effect of changing weather patterns on the volume and timing of rainfall. With approximately 120 days of useable water storage, the Island is vulnerable to changes in weather patterns which affect Jersey Water's ability to capture and store rainfall in sufficient quantity to safeguard the public water supply.

To manage this risk, the Company has in place a 25 year water resources management plan which sets out the likely future availability and demand for water and the steps that the company will take to ensure that demand can be met. Since the current plan was published in 2010, the Island has seen the introduction of universal metering and other measures to reduce the waste of water and leakage. The changes have been highly effective; demand is down 2.5% on 2009 levels and leakage is down 40% in the same period. We have recently announced the refurbishment of our standby desalination plant which will see the capacity of the plant increase from 6 million to 10.8 million litres per day. The Company will update the water resources management plan in 2017.

Future water resource requirements are acknowledged in the Island Plan and Coastal National Park planning policy including the potential need for additional storage and further desalination capacity.



**3) In order that those environmental issues might be addressed, what further actions, if any, do you believe may be required of the Council of Ministers and/or States Assembly?**

■ Nitrate pollution

In order to arrive at a sustainable solution which deals with the problem at source, the Company has joined with other stakeholder representatives from the Environment Department, the Public Health Department, the Jersey Farmers Union, the Farming Community and the Royal Jersey Agricultural & Horticultural Society to form a Nitrate Working Group (NWG) which has been tasked by the States of Jersey to identify the means by which nitrates in raw water sources can be reduced such that both the public and private water supplies have nitrates concentrations within the 50mg/l limit. The work of the group to date is promising and it is encouraging to see all stakeholders working together to resolve this island-wide issue.

The challenge remains for the recommendations of the Nitrate Working Group to be implemented and achieve the required results. It is important that the States of Jersey seize this opportunity to support the recommendations of the Group when they are published, provide sufficient funding for the objectives to be achieved and ensure the resolution of this long running issue once and for all.

■ Water Resources

At present there are no specific additional actions required of the States or Council of Ministers. We would however recommend that whenever formulating major policy change which has an impact on the Island's water resources and infrastructure (e.g. population, island plan, etc), the policy makers continue to include Jersey Water as a consultee such that the impact on water resources can be assessed and considered ahead of the policy being agreed.

**4) What provision should the Council of Minister and the States Assembly make for environmental matters in the new Strategic Plan?**

■ Nitrate pollution

We have recently submitted a response to the consultation in respect of the Strategic Plan. A copy is attached.

■ Water Resources

No specific provisions are needed at this stage.

I trust that the above information meets your requirements. If you require additional information or clarification please do contact me directly.

Yours sincerely

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Chief Operating Officer

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26 February 2015

Our ref HNS/HJS

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Dear Minister

### **Strategic Priorities 2015 to 2018**

We write with reference to the States of Jersey Strategic Plan and Priorities 2015 to 2018, which is presently at consultation stage. The brevity and nature of the document is such that, with only four key priorities being described at a very high level, there will inevitably be other priorities that are either too detailed to include or not considered sufficiently important to mention. However, we would have hoped to see included within the health & wellbeing section a commitment to improving the quality of Jersey's water resources up to recognised European standards and resolving the ongoing pollution of those resources with nitrates.

Fundamental to the health & wellbeing of the population of Jersey is the need for Island-wide access to drinking water which meets international quality standards. At present, approximately 50% of properties not on mains water (around 4,000 properties) have a water supply where the concentration of nitrates regularly exceeds the international drinking water standard of 50mg/l. In addition, it is common for nitrates in water resources during the winter and spring months to be such that Jersey Water is unable to meet regulatory quality standards for nitrates, despite concerted efforts to reduce the effect of the pollution through dilution and blending.

Apart from nitrate levels at specific times of the year, the water supplied by Jersey Water is consistently of a very high standard. However, it is necessary for Jersey Water to rely on a dispensation to allow nitrate levels to exceed the 50 mg/l limit in treated water. This dispensation expires at the end of 2016. The Medical Officer of Health has indicated that she does not approve of the continuous granting of dispensations and Jersey Water concurs with this position.

Important work is currently being undertaken by the recently formed Nitrate Working Group, of which we are a member, to identify ways in which nitrate pollution may be reduced. Once the Nitrate Working Group publish their



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recommendations, it is vital that there is strong political pressure and drive from the very heart of the Council of Ministers to ensure that the recommendations are supported and implemented by the States of Jersey. Without that support it is likely that this issue will remain unresolved, undermining Jersey's environmental and public health credentials.

We would therefore recommend that the Strategic Priorities 2015 to 2018 be amended to include a specific objective to reduce nitrate pollution and to manage the quality of the Island's water resources in accordance with the EU Water Framework Directive, the European accepted standard of best practice.

Yours faithfully

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Peter Yates  
Chairman

CC:

Minister for Planning & Environment  
Minister for Health & Social Services