

1.1 An overview of Environmental Protection

1. Introduction

Environmental Protection comprises of three sections; Water Resources, Waste Management and Agricultural Inspection. The section is staffed by 14 staff who cover a wide remit in order to safeguard the quality and availability of the island's natural resources. The monitoring and regulation of coastal water quality currently forms part of the work of six officers.

Environmental Protection, Planning and Environment Department represents one of a number of sections/departments, that together monitor and regulate coastal waters around Jersey with respect to the various pieces of legislation they administer. Other relevant sections/departments include: Fisheries and Marine Resources, States of Jersey Veterinary Officer, Health Protection, Harbours Department and Transport and Technical Services (see Appendix 1).

The enclosed remit of Environmental Protection does not therefore cover all activities undertaken by the States of Jersey in respect of it's responsibility for monitoring and regulating coastal waters. Environmental Protection coordinates it's responses with these other departments to ensure that the environment is protected and the use of scarce resources are optimised. Environmental Protection also assists other departments as necessary, particularly in the interpretation of environmental data and advice regarding enforcement activities.

2. Aim of Environmental Protection

To safeguard the quality and availability of Jersey's natural resources to ensure the health & sustainability of the island and elsewhere¹.

Environmental Protection will do this by: Protecting and enhancing the natural environment and resources by legal regulation and inspection and provision of targeted education, training and advice that is supported by monitoring and evaluation of environmental indicators.

¹ taken from the Environmental Protection Business Plan

Specifically through:

- Developing and implementing environmental legislation, MoUs and EU Directives to an appropriate and consistent standard
- Provision of advice and training and extending agreed 'best practise' techniques to industry, States Departments, States Members and the population
- Ensuring that risk of introduction of alien species and diseases (plant and animal) is minimised
- Minimising the use of the Island's natural resources where alternative recyclable materials exist
- Targeted monitoring and evaluation of the natural environment and resources
- Ensuring that the range of activities are delivered by a appropriately skilled team giving 'value for money'

3. Legislation, Memoranda of Understanding (MoU's) and policies administered, enforced or investigated by Environmental Protection Legislation

- i. Water Pollution (Jersey) Law, 2000 (water pollution control and prevention, including regulation of discharges to the aquatic environment)
- ii. Water (Jersey) Law 1972, as amended (drinking water regulation)
- iii. Water Resources (Jersey) Law 2007 (water resource management)
- iv. Waste Management (Jersey) Law 2005 (waste management regulation)
- v. Pesticides (Jersey) Law 1991 (pesticide compliance)
- vi. Plant Health (Jersey) Law 2003 (plant and produce inspection)
- vii. Weeds (Jersey) Law 1961
- viii. Agricultural Marketing (Jersey) Law 1953
- ix. Animal Welfare (Jersey) Law 2004 (as amended)
- x. Disease of Animals (Jersey) Law 1956
- xi. Fertiliser and Feeding Stuffs (Jersey) Law 1950
- xii. Protection of Agricultural Land (Jersey) Law 1964
- xiii. Code of good agricultural practice for the protection of Water (The Water Code). This code is approved under the Water Pollution (Jersey) Law, 2000 and was updated in 2009

Memorandum of understandings

- i. Jersey Harbours
- ii. Jersey Water
- iii. States of Jersey Fire and Rescue Service

Service level agreements

i. States of Jersey Official Analyst's Laboratory
Other relevant policies, guidance and manuals

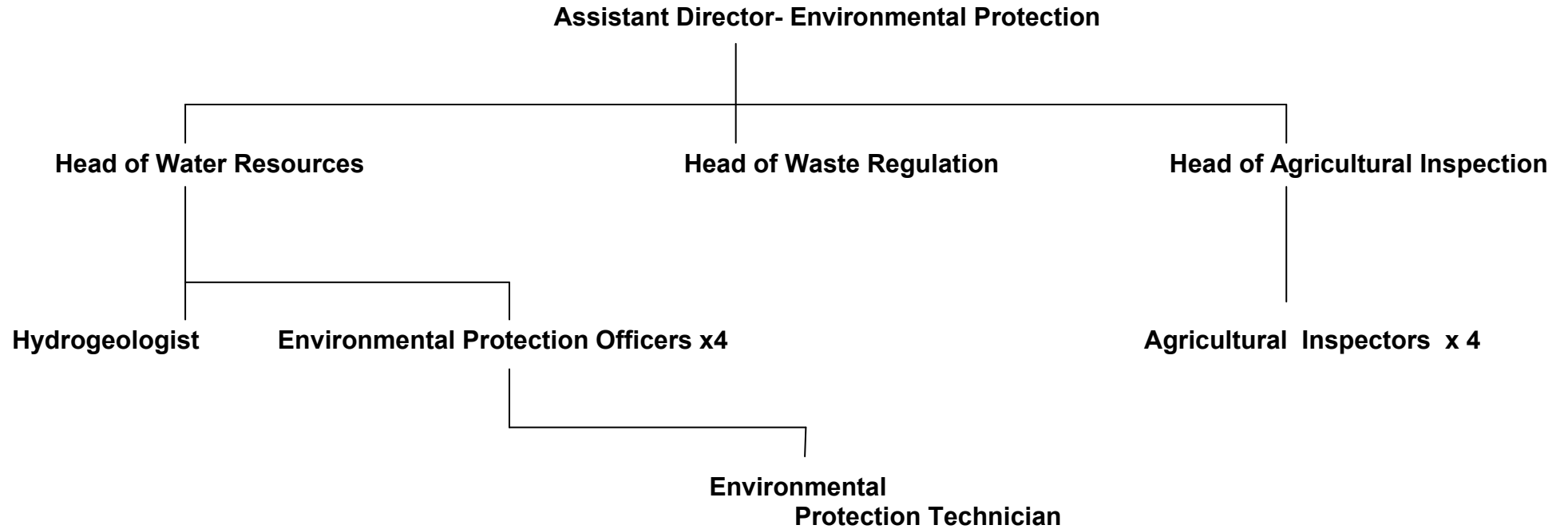
- i. Enforcement and Prosecution Policy- Environmental Protection
- ii. Internal Guidance for Enforcement and Prosecution - Environmental Protection
- iii. Code on the Decision to Recommend Prosecution - Environmental Protection
- iv. Investigations Manual - Environmental Protection

Current working groups etc

- i. Consultee for Planning Applications, EIAs
- ii. Contaminated land strategy group
- iii. Diffuse pollution project working group
- iv. 'Oil care' pollution prevention group
- v. Oil Spill Response group
- vi. Town Park implementation group
- vii. Ramsar management authority
- viii. Severe weather warning group
- ix. Rural Economy Strategy implementation committee
- x. Countryside Renewal Scheme Review
- xi. Biannual Jersey Water group

4. Structure of Environmental Protection

The Environmental Protection team presently comprises:



5. Sections within Environmental Protection

5.1 Water Resources

5.1.1 Water Resources Aim:

- To safeguard the quality & availability of water for the health and sustainability of the Island

Through:

- i. Implementation, promotion and enforcement of the provisions of the Water Pollution (Jersey) Law 2000, the Water Resources (Jersey) Law 2007, the Water (Jersey) Law 1972, the OSPAR Convention, Memoranda of Understanding, approved policies and codes of practice.
- ii. Investigation of pollution incidents with follow-up reports written to agreed standards.
- iii. Promotion and assurance that enforcement procedures are in line with agreed policies, Memoranda of Understanding, codes of practice and respective Laws.
- iv. Development of programmes of pollution prevention, awareness and education and policy development - developing new policies or initiatives that benefit the aquatic environment.
- v. Monitoring of the aquatic environment.
- vi. Protection of water resources through the registration, licensing and enforcement of water abstractions and implementation, regulation and enforcement of the Water Resources (Jersey) Law 2007.
- vii. Provision of advice as a consultee to States Departments and other bodies to champion the sustainable use and protection of water. e.g. planning applications and Environmental Impact Assessments (EIA's) that may impact the aquatic environment, Jersey Water's resource plan, Liquid Waste Strategy.

5.1.2 Dimensions

Budget

Water Resources Section £490,000 p.a. (approx).

Other Relevant Statistics

- Pollution control and monitoring of territorial seas to the 12 mile limit, all coastal waters, surface waters and groundwater
- Investigation, follow up and enforcement of more than 100 pollution incidents each year
- Regulate discharges to the aquatic environment, including the Sewage Treatment Works (STW), Bonne Nuit package treatment plant and pumping stations
- Co-ordination of the industry 'oil care' group (pollution prevention)
- Design and distribution of pollution prevention information (targeted leaflets, oil tank stickers etc)
- Management and co-ordination of the Diffuse Pollution Pilot Project (DPP)
- Review of approx. 150 planning applications, up to 10 EIAs each year and 50 method statements
- Advice provision to the Rural Economy Strategy and Countryside Renewal Scheme
- Regulation of water supplied by Jersey Water according to the Water (Jersey) Law, 1972, as amended
- Quarterly inspection of Jersey Water records
- Quarterly monitoring of 12 Island water catchments and sites of special interest for a wide range of chemical and micro-biological parameters
- Monitoring and reporting of 16 bathing water sites weekly throughout the bathing season (May-Sept).
- Registration of 3000 private water abstractions and licensing of 190 abstractions according to the Water Resources (Jersey) Law 2007
- Profiling of bathing water catchments
- Monitoring of the water level of 42 private boreholes each month
- Bi-annual monitoring of 52 private boreholes for a range of chemical, microbiological and pesticide parameters
- Bi-monthly monitoring of 15 outfalls along the coast
- Macro invertebrate monitoring of 58 sites biannually over a three year period
- Monitoring of contaminated sites e.g. Crabbe, pollution incidents
- More than 1200 environmental water samples each year
- Maintenance of associated water quality databases (300,000+ records), pollution incident database (1900 incidents), Water Resources Database (3800 water sources, 3000 water abstractions, 195 licenses), Macro database (684 surveys) and GIS systems.

5.2 Waste Regulation

5.2.1 Waste Regulation aim:

- To protect the environment and people from the harmful effects of waste management operations.
- To ensure we can comply with our wider legal implications allowing the Island to have an equitable footing on the international stage

This section implements comprehensive and effective waste management strategies, policies and regulatory functions for the Island through:

- i. Implementation, promotion and enforcement of the provisions of the Waste Management (Jersey) Law 2005.
- ii. Administering, determining and advising on notifications for proposed waste shipments from, through or into Jersey. The Waste Management (Jersey) Law 2005 implements the provisions of the Basel Convention and the OECD Decision in order to comply with international obligations on shipments of waste and the section is delegated the function of competent authority.
- iii. Protection of the Island's environment and human health from the potential negative impacts of waste management activities by the issuing of waste management licences.
- iv. Undertaking inspections of licensed, exempt and unlicensed waste activities including fly tipping to ensure compliance with licence conditions and the Waste Management (Jersey) Law 2005. Report upon and take appropriate enforcement action where necessary in line with policy.
- v. Registering carriers of hazardous or healthcare wastes.
- vi. Administering and advising on the system of control procedures for transport of hazardous or healthcare wastes.
- vii. Responding and advising to consultations on planning applications, environmental impact assessments and other States sponsored projects.

5.2.2 Dimensions

Budget

Waste Regulation Section £100,000 p.a. (approx).

Other Relevant Statistics

- Approximately 10 hazardous waste shipments from the Island each year.
- Approximately 20 waste management facilities to regulate
- Regular pre-notified movements of hazardous and healthcare wastes on the Island.
- Up to 50 waste incidents each year to investigate
- Regular (weekly-monthly) site inspections, reports and appropriate action

5.3 Agricultural Inspection

5.3.1 Agricultural Inspection aim:

- To ensure that the Island's agricultural community operate safely, and to defined standards that enable them to trade successfully.
- To prevent the establishment and spread of pests, diseases and injurious weeds.

Through:

- i. Addressing issues and concerns arising from modern agricultural practices, by guiding, advising and liaising with growers, agricultural organisations, importers, exporters and the public particularly concerning the use of agrochemicals and fertilisers and their potential effects on the environment.
- ii. Implementing effective plant health sanitary programme preventing the introduction and establishment of non-indigenous Pests or Diseases on local and imported material. As well as ensuring that the Export of Agricultural Produce (Jersey) Order 1972, the Pesticide (Jersey) Law 1991 and other relevant Legislation is effectively enforced.

Areas of work:

- Plant health
- Plant passport controls
- Plant import inspection
- Narcissus field and dry bulb inspection
- Waste Food inspection
- Audit island dairy units
- Audit island pig, goat and sheep units
- Pesticide residue monitoring of edible crops
- Pesticide product control of sale and use
- Pesticide training in correct use, application and disposal
- Quality control of exported produce
- Weed control
- Protection of Agricultural Land

5.3.2 Dimensions

Budget

Agricultural Inspectorate £320,000 p.a. (approx).

Other Relevant Statistics

- Monitoring of 15,000 vergées of Jersey Royal Potatoes to control notifiable pests and diseases.
- Inspection of 130 pesticide stores to remove banned products and advise on best practice.
- Annual audit of 4 pesticide merchants who store and sell professional products.
- Inspection of 800 vergées of Narcissus bulbs to permit export.
- 26 retail and commercial nurseries inspected for notifiable pests and diseases.
- Inspection of over 2000 Harbour and Airport imports.
- Approximately 40 weed complaints to control injurious weeds annually.
- Approximately 30 animal welfare inspections.
- Issue of over 30 licences to contractors employed to collect and treat waste food.
- Audit 10% of island dairy units to verify cattle tagging, movements, deaths etc through farm registers and the database held by the RJA&HS. thus permitting cattle exports.
- Audit of 10% of island pig, goat and sheep units to verify tagging, movements, deaths etc through a farm register.
- Organise and facilitate the training of candidates in various pesticide application modules as an approved centre through City & Guilds – approximately 25 candidates annually covering in excess of 40 modules.
- Sampling in excess of 90 edible crop annually for pesticide residue analysis.
- Up to 20 annual inspections to ensure exported produce complies with minimum standards.

6. Team meetings

Team members take part in Environmental Protection Forward Look every two weeks. At the Forward Look, team members receive updates from Senior Management Team Meetings, update each other on work areas, identify risk areas and budget allocation and discuss ways to streamline delivery.

Frequent meetings of the team are also held to discuss new work areas and delivery or rationalisation of existing activities in light of the resource constraints.

Appendix 1 Marine monitoring by other States of Jersey departments/sections

To the best of Environmental Protection's knowledge the following departments/sections are responsible for the following relevant areas::

Fisheries and Marine Resources

- The Food and Environmental Protection Act 1985 (Jersey) Order 1987 (FEPA).
- LPUE (landing per unit effort) assessment of commercial stocks based on logbooks (monitoring 2002 to current day)
- CPUE (catch per unit effort) assessment of lobster (2002 – 2010), whelk (1996 – 2010), scallop (2009 – 2010) and ray (2006 – 2010) based on fisheries independent studies
- Stock assessment of ormers (monitoring 2000 to present)
- Assessment of fishing activity (spatial and temporal) (1981 to present)
- Farmed shellfish *E. coli* (monthly monitoring, approx. 1990 to present)
- ASP, DSP, PSP monitoring (monthly monitoring of shellfish and seawater, 2004 to present)
- Heavy metals monitoring (As, Cd, Cr, Cu, Pb, Zn, bi-annual monitoring of three species) (1993 to present)
- Harbour monitoring (various parameters – annual monitoring, 2000 to present)
- Submarine cable monitoring - assessment of activity (monthly) (2003 to current day)
- Marine mammal monitoring (1995 to present)
- Offshore reef assessment (bird and anthropogenic activity, 2008 to present)
- Ad-hoc habitat assessment (e.g. Les Ecréhous, sea grass assessment) (2002-3 to present)

Jersey Harbours

- Shipping (Jersey) Law 2002
- MARPOL convention
- Manche Plan - response plan stemming from the Bonn Agreement (1983) to assist with marine pollution, agreed between French, Belgian, UK, Jersey and Guernsey Search and Rescue authorities.
- Jersey Harbours contract the Fisheries and Marine Resources section to monitor Harbour waters

Jersey Met Office

- Jersey Met Office has a weather station (62027) situated 5 km south of Jersey (out from Corbiere)
- Measurement of wave height and period, significant wave height, peak wave height, wave direction, wind speed and direction, sea temperature, air temperature, air pressure, humidity (when working)
- Weather stations at the Airport, Maison St Louis, Howard Davis Farm, Fort Regent (sunshine) Gorey Castle (sunshine), tanker berth at St Helier Harbour (wind speed)
- Administer the out of hours call out for Environmental Protection

State Veterinary Officer

- Farmed shellfish E. coli (monthly) (Approx. 1990 to present day)

Health Protection

- Air Quality monitoring (1994 to present), measures: nitrogen dioxide (NO₂), carbon monoxide (CO), particles or particulates (e.g. PM₁₀ particulates of a mean aerodynamic diameter of 10 microns), volatile organic compounds (VOCs) such as benzene and toluene, lylene and ethyl benzene, ozone, lead, sulphur dioxide.
- Radioactivity/ Radon monitoring
- Market entry testing of shellfish
- Beach closures

Transport and Technical Services

- Sewage Treatment Work – operational effluent discharge monitoring.
- Bonne Nuit Sewage Treatment Works – operational effluent discharge monitoring.
- Trade Effluent sampling
- Sampling of Beauport effluent
- Monitoring levels and spills of pumping stations and the cavern.

Jersey Water

- Refer to Annual report on water quality