



Jersey

WATER POLLUTION (WATER QUALITY) (JERSEY) ORDER 2020

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Jersey

WATER POLLUTION (WATER QUALITY) (JERSEY) ORDER 2020

*Made**26th February 2020**Coming into force**4th March 2020*

THE MINISTER FOR THE ENVIRONMENT makes this Order under Articles 12 and 52 of the Water Pollution (Jersey) Law 2000¹, having consulted as required by Article 9(1), complied with the requirements of Article 10 and had regard to the matters mentioned in Article 12(3) of that Law –

1 Identification and classification of controlled waters

- (1) Schedule 1 contains a list of controlled waters, classified according to the uses to which they may lawfully be put and their amenity.
- (2) The controlled waters that consist of –
 - (a) surface waters used for drinking water abstraction by the Company; and
 - (b) groundwater used by any person for drinking water abstraction,are listed in Schedule 2.

2 Objectives in respect of water quality

- (1) Where the quality of any surface waters and groundwater listed in Schedule 1 was measured in 2014, there must not be any deterioration from the quality then measured.
- (2) The controlled waters listed in Schedule 2 must achieve the following objectives by the end of 2021 –
 - (a) the percentage of water samples collected from sentinel sites that contain in excess of 50 mg/l of nitrate in both surface and groundwater must be lower than the percentage of those water samples measured in 2014 that contained in excess of that level of nitrate;
 - (b) the annual maximum and mean concentration of nitrate found in surface waters and in groundwater collected from sentinel sites must be lower than those levels of concentration measured in 2014;
 - (c) the concentration of nitrate taken from blended controlled waters after treatment must be at a level for those waters to be regarded as

wholesome within the meaning of the Schedule to the Water (Jersey) Law 1972²;

- (d) the percentage of water samples collected from sentinel sites that are surface water sites having concentrations in excess of 0.1ug/l of individual pesticides (excluding legacy pesticides) must be lower than the percentage of those water samples measured in 2014 that contained in excess of such concentrations;
 - (e) the percentage of water samples collected from sentinel sites that are surface water sites having concentrations in excess of 0.5ug/l of total pesticides must be lower than the percentage of those water samples measured in 2014 that contained in excess of such concentrations;
 - (f) the annual maximum and mean concentrations of pesticides contained in water samples collected from sentinel sites that are surface water sites must be lower than those levels of concentration measured in 2014.
- (3) In collecting water samples from sentinel sites –
- (a) there is no requirement for a sample to be collected from any sentinel site that is no longer able to be sampled; and
 - (b) there is no requirement for a sample to be included in the measurement or analysis of the collected samples if the inclusion of that sample is likely to have a disproportionate effect on the result of the measurement or analysis.
- (4) In this Article –
- (a) a reference to a quality, percentage or concentration measured in 2014 is a reference to –
 - (i) the measurement according to the status assessment carried out by the States of Jersey in 2014 and set out in the report entitled “Challenges for the Water Environment of Jersey” published by the States of Jersey in 2014, and
 - (ii) the underlying trend of water quality at sentinel sites as analysed on behalf of the States of Jersey in 2014 and set out in that report,excluding any measurement or analysis that relates to a water sample from a sentinel site that is no longer able to be sampled;
 - (b) “sentinel site” means a Company or States of Jersey water sampling location that is listed in Schedule 3;
 - (c) “legacy pesticide” means a pesticide that is no longer in acceptable usage;
 - (d) “pesticide” means any substance, preparation or organism prepared or used for destroying any pest.

3 Monitoring of objectives

- (1) The Minister must monitor the extent to which the objective set out in Article 2(1) is being achieved, including, so far as is reasonably practicable by –

-
- (a) checking for the presence of phosphate, nitrate, pesticides and other substances; and
 - (b) assessing that the hydrological and biological parameters appropriate to each classification requirement are in line with the recommendation in Appendix A of the document referred to in Article 2(4)(a).
- (2) The Minister must monitor the extent to which the objectives set out in Article 2(2) are being achieved, including ensuring that the frequency and network coverage at sentinel sites is sufficient to assess the trends in surface water and groundwater concentrations of nitrate and pesticides.

4 Citation and commencement

This Order may be cited as the Water Pollution (Water Quality) (Jersey) Order 2020 and comes into force 7 days after it was made.

DEPUTY J.H. YOUNG OF ST. BRELADE

Minister for the Environment

SCHEDULE 1

(Article 1(1))

CONTROLLED WATERS: USES AND AMENITIES**COASTAL WATERS**

Unique ID	Water supply and abstraction for drinking	Other permitted abstraction including agriculture	Bathing and other recreational use	Fisheries or aquaculture	Sustaining the environment
J302			yes	yes	yes
J303			yes	yes	yes
J304			yes	yes	yes
J301			yes	yes	yes

STREAMS

Unique ID	Water supply and abstraction for drinking	Other permitted abstraction including agriculture	Bathing and other recreational use	Fisheries or aquaculture	Sustaining the environment
J1010101	yes – for public water supply	yes			yes
J1010102	yes – for public water supply	yes			yes
J1010103	yes – for public water supply	yes			yes
J1010104	yes – for public water supply	yes			yes
J1020101	yes – for public water supply	yes			yes
J1020102	yes	yes			yes
J1020103	yes – for public water supply	yes			yes
J1020104	yes – for public water supply	yes			yes

Unique ID	Water supply and abstraction for drinking	Other permitted abstraction including agriculture	Bathing and other recreational use	Fisheries or aquaculture	Sustaining the environment
J1020201	yes	yes			yes
J1030101	yes – for public water supply	yes			yes
J1030102	yes	yes			yes
J1030103	yes – for public water supply	yes			yes
J1030201	yes	yes			yes
J1030202	yes	yes			yes
J1030301	yes	yes			yes
J1040101	yes – for public water supply	yes			yes
J1040201	yes	yes			yes
J1040301	yes	yes			yes
J1040401	yes	yes			yes
J1040501	yes	yes			yes
J1040601	yes	yes			yes
J1040701	yes	yes			yes
J1040801	yes	yes			yes
J1040901	yes	yes			yes
J1041001	yes	yes			yes
J1041101	yes	yes			yes
J1041201	yes	yes			yes
J1041301	yes	yes			yes
J1050101	yes – for public water supply	yes			yes
J1050201	yes – for public water supply	yes			yes
J1050301	yes	yes			yes
J1050401	yes	yes			yes
J1050501	yes	yes			yes
J1050601	yes	yes			yes
J1050701	yes	yes			yes

Unique ID	Water supply and abstraction for drinking	Other permitted abstraction including agriculture	Bathing and other recreational use	Fisheries or aquaculture	Sustaining the environment
J1060101	yes – for public water supply	yes			yes
J1060201	yes	yes			yes
J1060301	yes	yes			yes
J1060401	yes	yes			yes
J1060402	yes	yes			yes
J1060501	yes	yes			yes
J1060601	yes	yes			yes
J1070101	yes – for public water supply	yes			yes
J1070102	yes – for public water supply	yes			yes
J1070201	yes	yes			yes
J1070301	yes	yes			yes
J1070401	yes	yes			yes
J1070501	yes	yes			yes
J1080101	yes – for public water supply	yes			yes
J1080102	yes – for public water supply	yes			yes
J1080201	yes – for public water supply	yes			yes

PONDS, RESERVOIRS AND WATERS USED FOR PUBLIC ABSTRACTION

Unique ID	Type	Name	Water supply and abstraction for drinking	Other permitted abstraction including agriculture	Bathing and other recreational use	Fisheries or aquaculture	Sustaining the environment
J2010101	Reservoir	Grands Vaux Reservoir 1	yes – for public water supply			yes	yes
J2010101	Reservoir	Grands Vaux Reservoir 2	yes – for public water supply			yes	yes
J2010102	Tank	Vallée des Vaux	yes – for public water supply				yes

Unique ID	Type	Name	Water supply and abstraction for drinking	Other permitted abstraction including agriculture	Bathing and other recreational use	Fisheries or aquaculture	Sustaining the environment
J2020101	Reservoir	La Hague Reservoir	yes – for public water supply			yes	yes
J2020102	Tank	Tesson	yes – for public water supply				yes
J2020103	Tank	Little Tesson Stream	yes – for public water supply				yes
J2030101	Reservoir	Queen's Valley Reservoir 2	yes – for public water supply			yes	yes
J2030101	Reservoir	Queen's Valley Reservoir 1	yes – for public water supply			yes	yes
J2030101	Reservoir	Queen's Valley 3	yes – for public water supply			yes	yes
J2040101	Pond	St. Catherine	yes – for public water supply				yes
J2050102	Pond	Grève de Lecq	yes – for public water supply s				yes
J2050201	Reservoir	Le Mourier	yes – for public water supply			yes	yes
J2060101	Tank	Pont Marquet	yes – for public water supply				yes
J2070101	Reservoir	Val de la Mare Reservoir 1	yes – for public water supply			yes	yes
J2070101	Reservoir	Val de la Mare Reservoir 2	yes – for public water supply			yes	yes
J2080101	Reservoir	Handois Reservoir	yes – for public water supply			yes	yes
J2080102	Reservoir	Dannemarche Reservoir	yes – for public water supply			yes	yes
J2080103	Reservoir	Millbrook Reservoir	yes – for public water supply			yes	yes
J2080201	Reservoir	Fern Valley / Bellozanne	yes – for public water supply				yes
J2010103	Pond			yes			yes
J2010104	Pond			yes			yes
J2010105	Pond			yes			yes
J2010106	Pond			yes			yes
J2010107	Pond			yes			yes
J2010108	Pond			yes			yes
J2010109	Pond			yes			yes
J2010110	Pond			yes			yes
J2010111	Pond			yes			yes
J2020104	Pond			yes			yes
J2020105	Pond			yes			yes
J2020106	Pond			yes			yes
J2030102	Pond			yes			yes
J2030103	Pond			yes			yes
J2040102	Pond			yes			yes
J2040103	Pond			yes			yes
J2040104	Pond			yes			yes
J2040301	Pond			yes			yes

Unique ID	Type	Name	Water supply and abstraction for drinking	Other permitted abstraction including agriculture	Bathing and other recreational use	Fisheries or aquaculture	Sustaining the environment
J2050101	Pond			yes			yes
J2050103	Pond			yes			yes
J2050202	Pond			yes			yes
J2050601	Pond			yes			yes
J2060102	Pond			yes			yes
J2060103	Pond			yes			yes
J2060201	Pond			yes			yes
J2060202	Pond			yes			yes
J2060203	Pond			yes			yes
J2060204	Pond			yes			yes
J2060205	Pond			yes			yes
J2060206	Pond			yes			yes
J2060207	Pond			yes			yes
J2060301	Pond			yes			yes
J2060302	Pond			yes			yes
J2060401	Pond			yes			yes
J2070102	Pond			yes			yes
J2070103	Pond	St. Ouen's Pond		yes		yes	yes
J2070104	Pond			yes			yes
J2070105	Pond			yes			yes
J2070106	Pond			yes			yes
J2070107	Pond			yes			yes
J2070108	Pond			yes			yes
J2070109	Pond			yes			yes
J2070110	Pond			yes			yes
J2070111	Pond			yes			yes
J2070112	Pond			yes			yes
J2070113	Pond			yes			yes
J2070114	Pond			yes			yes
J2070115	Pond			yes			yes
J2070301	Pond			yes			yes
J2070302	Pond			yes			yes
J2070401	Pond			yes			yes
J2080202	Pond			yes			yes
J2080203	Pond			yes			yes

GROUNDWATER

Unique ID	Water supply and abstraction for drinking	Other permitted abstraction including agriculture	Bathing and other recreational use	Fisheries or aquaculture	Sustaining the environment
J40606	yes	yes			yes
J40505	yes	yes			yes
J40707	yes	yes			yes
J40404	yes	yes			yes
J40202	yes	yes			yes
J40101	yes	yes			yes
J40808	yes	yes			yes
J40303	yes	yes			yes

In this Schedule –

“bathing and other recreational use” means use by a large number of bathers or other recreational users who are likely to be immersed in, or have significant contact with the water and any beach or inland water classified for this use must not be subject to a permanent bathing prohibition;

“fisheries or aquaculture” means use for recreational fishing in the case of inland waters and use for recreational fishing and commercial fishing or farming in the case of coastal waters;

“other permitted abstraction including agriculture” means, in the case of the abstraction of surface water and groundwater, use for purposes other than as human drinking water (such as for irrigation, drinking by livestock or for industrial purposes) and such abstraction must be lawful for the purposes of the Water Resources (Jersey) Law 2007³;

“sustaining the environment” means use of water as a resource to protect the environment and its ecosystems;

“water supply and abstraction for drinking” means, in the case of surface water and groundwater, use, following its abstraction –

- (a) for the public water supply for drinking where the abstraction is lawful for the purposes of the Water Resources (Jersey) Law 2007 and the water, once treated, is wholesome within the meaning of the Water (Jersey) Law 1972⁴; or
- (b) for any private water supply for human consumption.

SCHEDULE 2

(Article 1(2))

CONTROLLED WATERS USED FOR DRINKING WATER ABSTRACTION

Unique ID	Type of controlled water
J2010101	Reservoir
J2010101	Reservoir
J2010102	Tank
J2020101	Reservoir
J2020102	Tank
J2020103	Tank
J2030101	Reservoir
J2030101	Reservoir
J2030101	Reservoir
J2040101	Pond
J2050102	Pond
J2050201	Reservoir
J2060101	Tank
J2070101	Reservoir
J2070101	Reservoir
J2080101	Reservoir
J2080102	Reservoir
J2080103	Reservoir
J2080201	Reservoir
J1010101	Stream
J1010102	Stream
J1010103	Stream
J1010104	Stream
J1020101	Stream
J1020103	Stream
J1020104	Stream
J1030101	Stream
J1030103	Stream
J1040101	Stream
J1050101	Stream
J1050201	Stream
J1060101	Stream
J1070101	Stream

Unique ID	Type of controlled water
J1070102	Stream
J1080101	Stream
J1080102	Stream
J1080201	Stream
J40606	Groundwater
J40505	Groundwater
J40707	Groundwater
J40404	Groundwater
J40202	Groundwater
J40101	Groundwater
J40808	Groundwater
J40303	Groundwater

SCHEDULE 3

(Article 2(4)(b))

SENTINEL SITES

Number of sentinel site	Name of sentinel site	Whether surface or groundwater site	X co-ordinate	Y co-ordinate
1	Bellozanne (Fern Valley)	Surface	40847	68189
2	Bellozanne (Fern Valley) Side Stream	Surface	40866	68256
3	Dannemarche	Surface	40211	69324
4	Fernlands	Surface	43615	67672
5	Francheville	Surface	45877	65905
6	Grands Vaux	Surface	43522	68501
7	Grève de Lecq	Surface	35415	72096
8	Handois East Pt A	Surface	40443	71130
9	Handois East Pt B	Surface	40666	71118
10	Handois East Pt C	Surface	40963	71270
11	Handois inlet to reservoir	Surface	40362	71026
12	Handois West	Surface	40305	71161
13	La Hague	Surface	37093	69717
14	Le Mourier East	Surface	38297	72522
15	Le Mourier West	Surface	38205	72544
16	Little Tesson	Surface	38512	67718
17	Millbrook	Surface	40169	68440
18	Pont Marquet	Surface	36190	66334
19	Queen's Valley	Surface	46812	67523
20	St. Catherine	Surface	47542	69312
21	Tesson	Surface	38387	67810
22	Val de la Mare East Pt A	Surface	35395	69221
23	Val de la Mare East Pt B	Surface	35783	69567
24	Val de la Mare East Pt C	Surface	36039	69931
25	Val de la Mare West Inlet	Surface	34907	69406

Number of sentinel site	Name of sentinel site	Whether surface or groundwater site	X co-ordinate	Y co-ordinate
26	Val de la Mare West Pt A	Surface	34987	69495
27	Val de la Mare West Pt B	Surface	35303	69790
28	Val de la Mare West Pt C	Surface	35680	70638
29	Valleé des Vaux	Surface	42599	66674
30	J49	Groundwater	36464	69324
31	J123	Groundwater	40483	69145
32	J23	Groundwater	38059	66977
33	J04	Groundwater	33827	67277
34	J44	Groundwater	39563	70863
35	J109	Groundwater	46379	71110
36	J45C	Groundwater	39475	66957
37	J36	Groundwater	40208	66890
38	J16	Groundwater	33712	65161
39	J01	Groundwater	34568	71208
40	J47	Groundwater	36814	70812
41	J100	Groundwater	44916	65050
42	J60	Groundwater	42565	71523
43	J107	Groundwater	46476	64456
44	J81	Groundwater	45442	67037
45	J118	Groundwater	34509	67717
46	J115	Groundwater	32971	72044
47	J129	Groundwater	32693	71790
48	J67	Groundwater	37628	72285
49	J128a	Groundwater	34211	66548
50	J128b	Groundwater	34189	66546
51	J141	Groundwater	35794	67113
52	J112	Groundwater	32704	71793
53	J136	Groundwater	45742	71401
54	J140	Groundwater	47254	69130
55	J138	Groundwater	33257	65541
56	J25	Groundwater	39218	68228
57	J131	Groundwater	42614	65594
58	J119	Groundwater	40056	72471

Number of sentinel site	Name of sentinel site	Whether surface or groundwater site	X co-ordinate	Y co-ordinate
59	J37	Groundwater	41769	65852
60	J20	Groundwater	37603	72791
61	J19	Groundwater	35008	67420
62	J135	Groundwater	37911	70135
63	J58	Groundwater	38717	73512
64	J133b	Groundwater	33591	67449
65	J133a	Groundwater	33737	67674
66	J30	Groundwater	41607	67758
67	J15	Groundwater	36774	67964
68	J66	Groundwater	42957	70994
69	J31	Groundwater	42735	67851
70	J125	Groundwater	41299	69060
71	J84	Groundwater	38498	67725
72	J127	Groundwater	33115	73214
73	J05	Groundwater	34614	68839
74	J13	Groundwater	34436	67840
75	J11	Groundwater	33081	70706
76	J142	Groundwater	47254	69130
77	VDLMEA 2	Surface	35756	69486
78	2203	Surface	35652	71918
79	B7	Surface	36672	65984
80	P13	Surface	38506	66946
81	Millbrook SSI	Surface	39968	67029
82	2505	Surface	42431	66723
83	R2	Surface	47334	69610
84	Grouville SSI	Surface	46549	66084
85	J05	Groundwater	34578	68790
86	J20	Groundwater	37604	72786
87	J142	Groundwater	35379	65686
88	J84	Groundwater	38448	67817
89	J36	Groundwater	40228	66910
90	J31	Groundwater	42738	67858
91	J136	Groundwater	45742	71401
92	J107	Groundwater	46483	64456

ENDNOTES

Table of Endnote References

<i>1</i>	<i>chapter 27.800</i>
<i>2</i>	<i>chapter 27.700</i>
<i>3</i>	<i>chapter 27.960</i>
<i>4</i>	<i>chapter 27.700</i>