

APPLICATION FOR WELL DRILLING

Before any new well may be established on the island, an application for a permit to drill must be submitted. A permit is also required in order to alter an existing well (e.g. deepen or widen).

This process requires submission of:

- ◆ Form C completed in duplicate
- ◆ Two copies of site maps at 1:50,000 scale
- ◆ Application fee of J\$15,000.00

APPLICATION TO ABSTRACT AND USE WATER

Abstraction and use of water from **all** surface or ground water sources requires a licence. The Water Resources Authority (WRA) should also be notified prior to changing the pump on any existing works; a new licence is required if this results in a change of the abstraction volume. This requires submission of:

- ◆ Form A completed in duplicate
- ◆ Two copies of site maps at 1:50,000 scale
- ◆ Application fee of J\$15,000.00

Forms A and C may be obtained from the offices of the WRA or downloaded from its website at www.wra.gov.jm. The nonrefundable fee goes towards the cost of processing the application.

PROCESSING OF APPLICATIONS

Applications are processed, and approved or refused within 60 days by the WRA Board at its monthly meeting. Applications are evaluated based on the following:

- ◆ The ability of the source to meet the demand reliably
- ◆ The quality of the source to meet the demand standard
- ◆ Existence of prior users with rights to the water
- ◆ Impact of the disposal of any wastewater that may be generated
- ◆ Any other matters that the Authority regards as relevant

Official Response (Revised)

The response of the WRA Board is communicated in writing to the applicant. There are two possible outcomes:

(1) Refusal of permit/licence

The application is refused by the Board with the applicant having the option of appeal to the Minister with portfolio responsibility.

(2) Grant of permit/licence

- ◆ Permit granted:
 1. The grant of a **permit** for well drilling is valid for one (1) year from the date of issue.
 2. A permit fee of J\$30,000.00 is required.
 3. The Authority must be notified once drilling starts to monitor and ensure work is in keeping with permit
- ◆ Licence granted:
 1. The grant of a **licence** to abstract and use water is valid for five (5) years from the date of issue. However if no water is abstracted within 1 year of grant the licence becomes null and void.
 2. A Licence fee of J\$30,000.00 is required.
 3. Renewal fee of J\$30,000.00 is required every five (5) years.
 4. The Authority must be notified of the installation of flow meters for inspection.

Granting of a permit/licence for a **new** surface or ground water source is made pending an advertisement of intention in a daily newspaper. The format of the advertisement is set out by the WRA and must be posted at the applicant's expense. The advertisement must be placed twice, seven (7) days apart in a local newspaper. The local Post Office closest to the proposed site is asked to display documents related to the advertisement (site map and copy of the application). The public has 21 days from the date of the first newspaper advertisement to submit objections to the WRA on the granting of a permit/licence.

If no objections are received the applicant is advised of the grant of the permit/licence. A formal permit/licence document is prepared and sent to the applicant. Well drillers have been advised not to proceed to drill wells without having seen this document.

Objections are addressed by the WRA in consultation with the applicant. There remains the option of appeals to the Minister with portfolio responsibility. The WRA may attach conditions to the permit/licence in order to protect the water resources and prior users of the resource.

Drilling and Testing

Officers of the WRA under the law have access to all works related to the drilling and testing of the licenced well. The well construction, yield and water quality test data must be submitted to the WRA for review in support of the application to abstract and use water. Well/yield tests are of a format prescribed by the WRA.

Exploratory Boreholes

Where a small diameter corehole is required to ascertain lithology or to explore for groundwater, no permit to drill is required. The WRA requires formal notification of the intent to drill and reserves the right to refuse permission to drill an exploratory borehole. The WRA may stipulate the drilling of an exploratory hole to determine lithology and guide well design for wells to be completed in sand and gravel aquifers.

Replacement Abstraction

A replacement ground or surface water abstraction has rights to the previous licenced or abstracted volume unless so prescribed by the WRA. An additional abstraction above previous licenced is regarded as a new application.

Effluent Discharge

Where there is likely to be a discharge of effluent generated by the use of the water, evidence of an application to the National Environment and Planning Agency for a permit to discharge the effluent is a prerequisite for granting a licence to abstract and use water under Section 21 of the Water Resources Act 1995.

GENERAL CONDITIONS OF THE PERMIT OR LICENCE

Additional Information

The WRA may request additional information and/or tests in order to complete the processing of an application. These additional tests (outside of the routine list of activities of the WRA) are at the expense of the applicant. The WRA will monitor the tests and analyze the data.

Transfers and Upgrades

No transfers of licences are allowed. Acquisition of property on which an abstraction source exists does not imply the acquisition of a licence to abstract and use water. Licences cannot be upgraded without an application to the Authority.

Extensions

Extensions to a permit to drill are not normally granted. New applications have to be submitted if the permit expires without work having begun. Renewal applications to abstract and use water are due six (6) months before the expiry date.

Special Conditions

The WRA may attach special conditions to any permit and/or licence to facilitate the protection of the resource, prior users or the environment. These conditions may be attached at any time at the discretion of the Authority.

Modifications

The WRA may modify any licence based on the existing conditions in the area. In the case of drought conditions, abstraction rates may be reduced to give priority to the provision of public supply systems. Modifications may be attached at any time at the discretion of the Authority.

Revocation

Any permit/licence may be revoked due to contravention of the conditions of the permit/licence.

Entitlement

The licensee is entitled to the protection of his water rights by the WRA and may object to the licencing of any applicant for use of the resource if he feels that he will be affected.



WATER RESOURCES ACT (1995)

The Water Resources Act (1995) provides for the management, protection and controlled allocation and use of Jamaica's water resources. It states the following in relation to the drilling of wells and the abstraction and use of water:

Part III, Section 17

Notwithstanding anything to the contrary in any existing enactment, the abstraction and use of water in Jamaica and the construction of any works for such abstraction and use shall be governed by the provisions of this Act, and accordingly nothing in any existing enactment shall be construed as derogating from any provision made by or pursuant to this act.

Part III, Section 19

- 1) No person shall abstract and use water; or construct or alter or cause to be constructed or altered any works for the abstraction and use of water except under and in accordance with a licence for the purpose granted to him by the Authority under this Act.
- 2) A person may abstract and use water without a licence if he has a right of access to the source of water; and the water is required only for domestic use which is defined as - (drinking, washing, cooking, and sanitary purposes in connection with a residence; or farming, gardening, watering of stock or pen keeping in connection with a household where the entire area of land does not exceed 0.5 hectares).

Part III, Section 34 (1)

No person shall sink, construct, enlarge or otherwise alter a well for the purpose of searching for underground water or for any other purpose unless, in accordance with this section, he has obtained the Authority's consent to do so.

Compliance with all the directives of the Water Resources Act (1995) is required by law.



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PROCEDURES FOR OBTAINING PERMITS AND LICENCES FOR WELL DRILLING AND THE ABSTRACTION AND USE OF WATER

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**Water Resources Authority
Jamaica's Hydrologic Agency**