

Meeting Record of the

Upper Neagh Bann Catchment Stakeholder Group Meeting

21 October 2010, Braeside Restaurant and bar, Orritor Road, Cookstown

Attendees:

Gabriel Nelson, GN, (*Chair*) NIEA
Eamon Cullen, EC, CURE
Conor Symington, CS, NIEA
Leslie Craig, LC, UFU
Mark Horton, MH, BREA
Gareth Greer, GG, Rivers Agency
Mark McAlister, MMcA, Fish Farm
Richard Graham, RG, Kildress Angling Club
Alan Hogshaw, AH, Kildress Angling Club
Diarmuid Ryan, DR
Liam Murray, LM
Siobhan Sherry, SS, NIEA
Shane Teague, ST, NIEA
Denice Corbett, DC, Ballysaggart Environmental Group
Mark Edgar, ME, Dungannon and South Tyrone borough Council
Gareth Parke, GP, NIEA
Wilbert Mayne, WM, UFU
Alison McCaw, AMcC, NIEA
Kieron Callaghan, KC, (*Minutes*) NIEA
Kevin Henderson, KH, NIW
Aidan Donnelly, AD, Armagh Angling Club
Niall McKee, NMck, Armagh and district angling club
C P McKillen, CPMck, Armagh and district angling club
Victoria Crone, VC, EPD DOE
Dymphna Gallagher, DG, NIW
Alan Keys, AK, BREA
Kevin McGrady, KMcG, NIEA
John Kane, JK, DCAL
Seamus Connor, SC, DCAL
D. Corrigan, DC, Farlough Fishing Club
Thomas Marshall, TM, Torrent Trout Fish Farm
Robbie Marshall, RM, Ulster Angling Federation
Mervyn Boyd, MB, Farlough Fish Farm
Ian Needham, IN, NIEA
Mary Connacher, MC, NIEA

1. Introduction

GN welcomed those attending and outlined the agenda. The agenda was agreed with any additions to be dealt with in AOB.

2. Action points from the last meeting (AMcC)

Action 1: Regional pollution incident information to be presented as high, medium and low incidents at future meetings.

Response: Action completed

Action 2: Clarification to be provided on the NIEA and DCAL memorandum of understanding.

Response: RM said that the memorandum of understanding (MOU) between NIEA and DCAL had changes made to it by DCAL. Will there be input to this MOU from stakeholders? The MOU was agreed upon in principle 2 years ago but has not been finalised. KMcG replied that DCAL and NIEA have arranged to meet on the 22nd of October to progress the MOU. GN replied that basically this is an agreement between the two agencies. RM asked for a copy when the MOU is signed off. This was agreed.

ACTION 1: RM to be provided with copy of NIEA, DCAL MOU when available.

Action 3: NIEA to provide an update to RM regarding Lough Neagh Fish Baseline

Response: Gabriel Nelson – NIEA would be happy to liaise with DCAL regarding a baseline survey. There is an Interreg project that will include a survey of fish in Lough Neagh.

Action 4: EM to provide information to DC (Denice Corbett) regarding Lough Neagh Sand extraction

Response: Action completed

Action 5: NIEA to investigate the opportunity to advise third parties on progress made to date on the road projects

Response: Action completed

Discussion: Included LC raising issue of above ground slurry store failure

3. Presentation by Eamon Cullen – CURE Coordinator

Eamon gave an overview of the CURE project including:

Started with RIPPLE public meetings

Tackle Littering

Tidy Up days

Riverbank habitat creation

Wildlife Surveys

Access restoration and creation

Public awareness

Bat, Owl, Bird boxes built by local scouts and local people

Next year – more days are planned
Links with Cookstown council / Tidy NI
Clean ups are completed at a rate of approximately 1 / month

Discussion

In order to get community involvement, rewards such as building bird boxes and posting them up help get people interested. It is great for young kids and is seen as fun when they build the boxes. Simple things such as providing soup on the day helps but it take planning and commitment to keep people involved and interested. The Banks of the Ballinderry Fair in May brings people in and is a good promotional day.

In relation to land ownership. The council own the land and manage the wood land with the help of the woodland trust. There is a 10 km stretch of river that could be joined together to form a continuous walk but there are currently some gaps

The problem of littering was discussed fly tipping and litter are problems. Litter dropping mostly. America has a much cleaner environment due to a cultural difference which would be beneficial here. Eamon commented that it is easier to just pick up a single bag of litter and dispose of it properly especially if there is no clear culprit. He emphasised the importance of education regarding littering. The project is sponsored by WWF, RIPPLE and the council provide litter bags, grabbers, gloves, skips. The Coca Cola award also provides funds of £200.

The area that CURE covers is from the Lough shore to the edge of the hills. There are no current intentions to expand the project area.

4. Presentation by Conor Symington - Regional Managers update on pollution since May 2010.

Conor gave a summary of the pollution incidents for the area from May to October 2010 and included the following items:

163 pollution incidents received, 91 of which substantiated.

71 low severity

20 medium severity

7 stat samples taken

Recent and ongoing enforcement action taken.

Pictures of examples of pollution incidents including a catastrophic failure of an above ground slurry tank.

Ongoing training events

Sampling surveys etc

Discussion

NI Water issues were discussed. A discussion took place regarding underinvestment and the temperamental nature of pumping stations.

The forthcoming budget cuts were discussed including implications such as NIEA's temporary staff being already laid off without reduction in the workload. The Ministers' opinion on NI Water's lack of investment was

inquired about. The Minister would probably agree that NI water needs more investment. NI water is no longer immune to Crown Prosecution Immunity since 2007.

The number of low intensity and no action medium pollution incidents outlined in the Connor's report was queried. Conor explained that were medium severity incidents cannot be traced it would prove very difficult to prosecute. This sometimes happens and therefore the incident statistics will show no action. In relation to low severity incidents, if action needs to be taken then warning letters etc are used to follow up.

The use of warning letters and other systems such as fines for pollution used in California was discussed.

In cases where there is an overflow in NIW infrastructure due to blockages will not result in court action because these incidents are due to dumping/inappropriate use of the system and are not caused by NI water infrastructure or management problems.

Conor was asked how NI Water avoided payment of a 15K fine. Conor explained that NI Water were not present at the court hearing and the judge levied the 15k fine in their absence. This was then overturned on appeal to a 4k fine. RM requested a breakdown of low severity incidents at future meetings.

ACTION 2: NIEA to provide low severity incidents breakdown at future meetings.

Slurry spreading and cross compliance were discussed. Clear guidance is available in relation to slurry spreading and storage etc.

20.05 Tea served

5. Presentation by Alison McCaw (NIEA) on the Ballinderry Action Plan

Discussion

A question was asked regarding the Anglers Monitoring Initiative (AMI), was it based on biology or chemistry or both? MH replied that it was biology based and involved limited fly larvae monitoring. The Environmental Agency in England has been involved in AMI projects since 2007. Trigger levels are set by the regulatory authority. The AMI provides monthly monitoring data which complements NIEA's monitoring. The pilot was discussed and progress will be reported to the group.

Data outputs on electro fishing surveys on the Rock River were discussed. Some areas on the Ballinderry River have been enhanced this year. It was suggested that it would be useful if before and after comparisons survey could be conducted on these enhanced stretches.

AK said that the Rock River was electrofished before being enhanced this year. It would be interesting to know if the enhancements made a difference.

GG added that the baseline of the stretch of river is important. GN agreed that building up this kind of information is important

A comment was made querying whether the WFD was a strong enough driver to improve water quality. It was acknowledged that other Directives are in place to support the WFD.

The importance of acknowledging that all waterbodies surrounding Lough Neagh are interlinked to Lough Neagh is needed. GN said that the River Basin Plans will act as a means of coordination.

RM stated that there is no baseline study in Lough Neagh at present. GN replied that NIEA would be happy to liaise with DCAL regarding a baseline survey. There is an Interreg project that will include a survey of fish in Lough Neagh.

WM asked if there was data on Lough Neagh water quality. GN replied that the AFBI have completed work in this area. The work has shown that P levels have gone down. Significant drops in P and N are evident. This is most likely due to Nitrogen and Phosphate reduction due to changes in agricultural practices i.e. zero P fertiliser, closed spreading periods, increased slurry storage capacity etc. It is a bit too soon to confirm this though.

6. Any other Business

RM asked about the Ballygawley River, A4 roadworks pollution. DCAL said there had not been a fish kill. RM said that there probably was but it was not confirmed due to the very poor condition of the River. RM asked who would pay for the clean up of this river?

GN said that this was unknown at present. IN explained that the first case was due on court on the 9th November 2010. GN asked if costs will be incurred. IN replied that he was not in a position to discuss at present. It depends on the outcome of the case. GN asked if angling clubs would be seeking compensation. RM replied that they may do.

ACTION 3: Gabriel Nelson – Agreed to provide clarification on the issue.

RM said that the company involved in the road building project may leave in December with no comeback.

He suggested the use of environmental bonds should be explored.

GN said that he was not sure if this was feasible, but lessons from the A5 works include proper consultation.

Environmental bonds were called for at the Foyle CSG. 2500 houses are planned to be built in Ballygawley in the near future and concern was raised over the potential impact of this development on local water quality.