

Upper Foyle Catchment Stakeholder Group

Minutes

Thursday 30 April 2009

Venue: The Grange, Omagh DC Offices, Mountjoy Road, Omagh

Present:

Peter Archdale (Chairman)
Jake Gibson (NIEA)
Gabriel Nelson (NIEA)
Joanne Livingstone (NIEA)
Stephen Annesley (NIEA)
Deirdre Spillane (NIEA)
Alvin Wilson (NIEA)
Mark Livingstone (NIEA)
Brian Montague (NIEA)
Laverne Bell (Quarry Products Association)
Michael Mc Alary (NIW)
Nigel Armstrong (NIW)
Angela Halpenny (NIW)
Norman Henderson (NIEA)
Noel Melanaphy (FS)
John Mc Cartney (LA)
Seamus Cullinan (LA)
Gareth Greer (RA)
Alan Johnston (Trout Farm)
Robert Rodgers (Omagh Angler)
Brian Johnston (Trout Farm)
Cllr. Bert Wilson

Apologies

Alan Morrow (DARD)
Robbie Marshall (UAF)
Jim Haughey (UAF)
Ian Irvine (FS)
Godfrey McRobert (DARD)
Art Niven (LA)
Allan Rainey

1. Welcome and Introduction

Peter Archdale (PA) opened the meeting as chairman and welcomed everyone

2. Minutes of previous meeting

These were agreed to be an accurate account and are available on NIEA website.

3. Matters arising- Action points

Ref	Action Point	Action	Update	Comment
6.2	6	Alan Morrow to give an update at the next meeting on the new CMS with regard to water quality options and an update on the rational for variations in the closed period in Northern Ireland, England, Scotland and Wales.	Carried over from previous meeting.	Water Quality options in NICMS- by Alan Morrow to be carried forward to next meeting.
6.2	7	Mark Livingstone to provide an update on the Nitrates Effectiveness Programme at the next meeting.	Carried over from previous meeting.	JL gave an overview of the statistics from cross-compliance visit from 08/09. ML added that there was a favorable audit by EU.
8	8	Joanne Livingstone to invite someone from IPPC and Waste and Contaminated land Unit to the next meeting to give a presentation on their role as industrial regulators.	Carried over from previous meeting.	To be considered for the next meeting.
4.6	1	NIEA to provide answer on whether new hydro-schemes licensed will change the status of the water body to 'heavily modified'.		No rivers in Northern Ireland have been designated as heavily modified purely because of a hydro scheme
4	2	JL to ask for volunteers to sit on the RBP working group.		Completed
7	3	SC to inform JL when the 'public consultation meetings are being held. JL to inform the group.		Completed.

a) IPPC and Waste Contaminated land Unit attendance – ongoing ask for attendance next meeting. PA raised issue of landfill sites and their monitoring. Mark explained that there are currently 55 landfill sites which are problematic and may lead to infraction.

AP 1: ML to take this forward. Formally request from Council landfill sites on record or tract through local stakeholders.

b) New Hydro Scheme and Heavily Modified Water Bodies – to be discussed later in agenda.

4. Deidre Spillane (DS) - Regional update on pollution incidents and investigations in Upper Foyle catchment.

4.1 Deidre detailed the number and severity of pollution incidents since the last meeting and highlighted proactive surveys of poor quality streams. The presentation is available on the link below:

http://www.ni-environment.gov.uk/water/wfd/public_partic/catchment_stakeholder_groups.htm

Questions and Discussion

4.2 It was asked raised what selection criteria were used to select the targeted catchments. It was explained that areas which have been downgraded were selected based on historic monitoring data. It was suggested that this information should be compared to the findings in the electro fishing data.

4.3 There was a discussion on why 6mg/l Dissolved Oxygen was the level used to trigger point for investigations and it was explained that this is the critical level stipulated in the Freshwater Fish Directive (FFD).

4.4 It was asked if there any proposals for real time monitoring of oxygen levels during low flows. DS replied during the Summer months sampling staff use Dissolved Oxygen meters to monitor sensitive sites on a daily basis. DS added that use of Loughs Agency aeration equipment can be deployed when necessary.

4.5 It was asked if advisory visits on pollution prevention by NIEA could be extended to farmers and it was explained that NIEA have a 'policing' role and DARD offer guidance and pollution prevention advice.

4.6 A project to promote fish spawning in the Creeven Burn by farmers was highlighted which should be encouraged. It was suggested that help is available through the CMS for groups of farmers.

AP 2: JL to consider how this project could get support from the group.

4.7 Concerns were raised about fine silt in local rivers during last summer suggesting the Gold Mine may be a possible source of contamination. It was explained that the Gold Mine has an Industrial Consent which is routinely monitored and any pollution incidents reported are investigated. It was added that monitoring of the Mine by the Loughs Agency showed part of the problem was due to lorry traffic which had now subsided.

4.8 Concern was expressed at the possible impact of the A5 Road works on water quality particularly after the problems encountered during the Ballygawley section of construction. It was suggested that there should be a joint management programme between Loughs Agency and NIEA during the road building. ML replied he would share thoughts on the Ballygawley issue.

AP 3: ML to discuss a joint management programme with JMcC for the A5 Western Corridor.

5. Update on local issues.

5.1 River Derg – JL gave an update on the continued investigations on the Derg ammonia peaks which impact on the Drinking Water Abstraction Plant. Although the frequency and concentration of the peaks were less this year than in previous years, the use of auto samplers in the Derg detected high concentrations upstream of Castledearg. Further proactive work is required in this area.

5.2 Abstraction and Impoundment Licensing – ML explained that he has recently taken over this team within the WMU is working to develop a policy with other agencies that fits into the WFD. PA raised the issue of transparency of NIEA decisions regarding the Omagh Hydro Scheme and suggested that legacy of the Omagh Hydro Scheme raised the wider issue of Abstraction and Impoundment generally. ML replied when the process is finalized it will be open to consultation and he is keen to include all river users.

5.3 Heavily Modified Water bodies – JG opened the discussion outlining the classification process using the UK tag definition of HMWB. JG said the nature of classification is subjective as the SEPA model showed hard classification is not possible and a rapid model is used to determine if the overall water body had been significantly modified. The issue of Stakeholder Group involvement in the process was raised. NIEA have engaged with a number of agencies to issue a draft report and recognize there is need for further input and HMWB designation information is open to Stakeholder Groups. The definition of HMWB and it was asked if a presentation was necessary to outline the process and criteria in terms of the EU Directive.

AP 4: JL to organise a presentation on the HMWB at a future meeting.

5.4 It was asked why we use the UK TAG and develop more specific technical advice for Northern Ireland. GN explained that these systems have to be consistent and agreed at a national level. It was queried how our approach which differs from the ROI approach would align in the RBMP.

AP 5: GN to ask at the cross-border working group how they will align in RBMPs.

6. Draft River Basin Management Plans (dRBMP) Consultation- Introduction and Scene Setting – Alvin Wilson.

AW gave an introduction to the dRBMPs and set the scene for the break-out groups to discuss the 6 consultation questions. The full presentation is available at the following link.

http://www.ni-environment.gov.uk/water/wfd/public_partic/catchment_stakeholder_groups.htm

6.1 The size criteria used to define lakes was questioned. JG said lakes are over 50ha and under is classified as 50ha. He added the sampling program monitors water bodies between 10- 50 ha PA said lake sampling programme should be prioritised.

The following is a note of points raised during the break-out sessions:

Catchment Stakeholder Group meeting - please tick					
Belfast Lough & Lagan	7.4.09	<input type="checkbox"/>	Bush & Glens	5.5.09	<input type="checkbox"/>
Strangford & Lecale	21.4.09	<input type="checkbox"/>	Carlingford & Mourne	12.5.09	<input type="checkbox"/>
Lower Foyle	23.4.09	<input type="checkbox"/>	Erne & Melvin	13.5.09	<input type="checkbox"/>
Lower Neagh Bann	29.4.09	<input type="checkbox"/>	Upper Neagh Bann	20.5.09	<input type="checkbox"/>
Upper Foyle	30.4.09	<input checked="" type="checkbox"/>			

- Do you agree with the objectives and level of improvement set for Northern Ireland's water environment?
 - Will sufficient resources be made available?
 - Prefer 100%, though not achievable
 - How to address natural conditions e.g. elevated copper*.

* AW explained that copper levels are under investigation to prove if the elevated levels are natural and a derogation may be given. It was asked what the natural levels of copper in rivers are. AW explained that there is mandatory monitoring of Copper and Zinc as the FFD sets levels which are potentially harmful to fish.

- Have we identified the most significant pressures affecting the water environment?
 - Closed Landfill and septic tanks not included
 - Local survey along Cappagh Burn very localised effects of tanks.
 - Insufficient information on issues like emptying of septic tanks to answer the question of impacts

- Have we identified all the important existing measures that are being used to address these issues? Please identify any important existing measures we have missed.
 - Lack of data on fish may mean additional measures required.
 - Links to freshwater pearl mussel plans.
 - Reference barriers to fish migration.

- Bring in self monitoring at catchment level - water users.
- Disposal of sheep dip mixed with slurry not mentioned query over derogation.
- FEPA dealing with dredging.
- Control of culverts needs addressed - lead is planning service.
- Forestry guidelines - reference to planting needed.

4. Can you identify new or existing measures or initiatives, at a regional or local level that you or your organisation can help deliver?

- Loughs Agency Restoration Programme.
- CMS scheme - prioritised catchments (Rural Development Programme)
- Links to Regional Operations local actions.
- Development of future forestry planning programmes.
- Aggregates Levy Programme ends 2011
- Floods Directive & Flood Risks Management Plans.

5. What suggestions do you have to improve the linkages this plan has with other relevant plans and programmes?

- RPA & planning reform - potential to miss significance of RBMPs.
- Cross border mechanisms to deal with possible cross border water body issues.
- Education programme to promote "bag it and bin it".
- Links to operational problems.

6. Do you have any suggestions to further develop and enhance arrangements for all interested parties to work together on the implementation of the plan?

- Funding priorities and level of funding.
- Litter removal
- River trusts? Good way forward.

7. Have you any other issues regarding the wider environment which may be impacted on by the River Basin Management Plans?

Any other comments on the draft Plans ?

- Titles? Clarity over fishing rights.
- Countryside access.

This consultation runs from 22 December 2008 until 22 June 2009

We will use your comments and suggestions to help us revise our proposals and we will publish a response document on our website to show how we will do that. We will publish the first River Basin Management Plans in December 2009.

We encourage you to participate in this consultation. Please respond online at www.ni-environment.gov.uk/wfd or send your comments to:

- email riverbasinplanning@doeni.gov.uk
- post
Jo Campbell
Northern Ireland Environment Agency
Water Management Unit
17 Antrim Road, Lisburn, BT28 3AI
- phone 028 9262 3100

7. Close

PA thanked everyone for attending and arranged the next meeting provisionally for 14 October 2009. It was agreed that prioritisation of waterbodies would be the theme of the next meeting.

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