

Erne Melvin Catchment Stakeholder Group

Minutes

Wednesday 1 October 2008

Venue: Castle Archdale Country Park, Irvinestown, Co Fermanagh

Attendees:

Kerry Anderson (NIEA, Regional Operations - chair)
Michael McAlary (NI Water)
Denis Wilson (NI Water)
George Butler (NI Water)
Gabriel Nelson (NIEA, River Basin Planning Team)
Alvin Wilson (NIEA, River Basin Planning Team)
Tom Adamson (NIEA, Water Utility Regulation Group)
Peter Archdale (Environmental Interest)
Gareth Greer (Rivers Agency)
Alan Morrow (DARD, Countryside management Branch)
Michael Spillane (Water Quality Inspector)
John Gilmore (Water Quality Inspector)
Gerry Blake (Water Quality Inspector)
Alan Murphy (Senior Water Quality Inspector)
Joanne Livingstone (NIEA, NW Catchment Officer)
Mike Kingston (Inland Waterways)
Thomas Noble (Farmer)
David Morrison (Fermanagh Angler)
Phil Cargill (Waterways Ireland)
Adrian Hurst (FDC)
Martina Magee (FDC)
Cllr Bert Johnston (FDC)
Cllr Stephen Huggett (FDC)
Emma McLaughlin (Biodiversity Officer)
John Griffin (Forest Service)
Douglas Rowe (Farmer)
John Kane (DCAL, Inland Fisheries)
Andy Wilson (Farmer)
Bertie Swan (Farmer)
Albert Foster (Farmer)
Derek Thornton (Farmer)
A Veitch (Farmer)
Jack McVitty (Farmer)
Cllr Paul Robinson (FDC)
Robert Northridge (CNCC)
Richard Turner (L Erne & Melvin Enhancement)
Haidee Chamberlain (NIEA, Natural Heritage)
Chris Boomer (Planning Service)

Apologies:

Robbie Marshall (Ulster Angling Federation)
Des Burke-Kennedy (Irish Water Ski Association)
Stephen Hey (Kesh angler)
Christopher Noble (Manor House Marine & Cottages Limited)
Cllr Thomas O' Reilly (Fermanagh District Council)
Cllr Frank Britton (Fermanagh District Council)
Insp Rory Hoy (Police Service of Northern Ireland)
John Cunningham
Stuart Jennings (National Trust)
Noel Foley (Forestry Service, Department of Agriculture Fisheries & Food)
Frank Macken (Dept of Agriculture Fisheries & Food)
John Houston (Killesher Community Development Association)
Leslie Craig (Ulster Farmers Union)
Woodrow Acheson (Road Service)
Mary O'Donnell
Ian Henderson

1 Welcome and Introduction

Kerry Anderson welcomed everyone to the meeting and invited everyone to introduce themselves. The terms of reference were circulated for review as any comments are to be sent to Joanne Livingstone. The chair of the meeting is available if anyone is interested contact either Kerry or Joanne.

2 Minutes and action points from last meeting

Table 1: Summary of action points from meeting.

Ref	Action Point	Action	Update	Comments/ Actions
1	1	Joanne Livingstone to invite NI Water to give a presentation at the next meeting on the work and plans of NI Water.	Completed - Michael McAlary to give a presentation on NIW Waste Water Compliance for the Area.	Completed.
2.1	2	Joanne Livingstone to invite someone from the ESB to discuss the issue of salmon and the hydro-scheme at a future meeting.	Under the WFD, a comprehensive fisheries study has been recommended by the CFB & Regional boards on the Erne estuary. This will take place between now and 2012 and recommendations will be implemented between 2012 and 2015. A presentation on this work can be arranged for a future meeting.	Joanne to invite someone from ESB to the next meeting.
2.3	3	Organisers of water based events or those	On-going	On-going

		with a particular interest are encouraged to discuss with Rivers Agency the likely impact of water level management and where possible Rivers Agency will take these concerns into consideration.		
4.1	4	Alan Murphy to arrange proactive advisory visits to these sites.	Completed - 15 Boat Yards, Marinas & Hire Cruiser bases were inspected since the last stakeholder's meeting and where appropriate, advice given on bunding of above ground oil storage tanks.	Completed.
5.4	5	Joanne Livingstone to invite cross-border stakeholders.	All stakeholders in the Lough Melvin project have been invited and also officers from Co Leitrim and Co Monaghan.	John Kane to circulate the Eel River Basin Management Plan which looks at cross border fishery management, to the group. Kerry to provide update at next meeting on how cross-border issues in the IRBMP will be implemented and circulate the cross-border working arrangements to the group.
6.2	6	Joanne to discuss with Planning Service attendance at future meetings.	All Divisional Planning managers have been written to by the head of NIEA to obtain representation at future meetings.	Planning Service in attendance.

2 Local Water Quality issues update – Alan Murphy (AM), Senior Water Quality Inspector

Since the last meeting 229 consent applications were processed, 819 monitoring sites were sampled, 212 industrial premises were visited, 62 cross-compliance visits were carried out and 68 pollution incidents were investigated. 3 of these pollution incidents are being taken forward with the

view of prosecution. 43% of the pollution incidents were discovered by the field staff.

Boat yard survey – 16 Boat Yards, Marinas & Hire Cruiser bases were inspected since the last stakeholder’s meeting and where appropriate, advice given on bunding of above ground oil storage tanks.

2.1 AM was asked if there is information available on pollution incidents where fish kills occur as this would help in re-stocking. AM said that the information is available.

Action 1: Alan to inform John Kane when a fish kill occurs so re-stocking can occur.

2.2 AM was asked where the fish kills have occurred in the past and what type of fish have been killed. AM explained that fish kills have occurred in both Upper and Lower Lough Erne and course fish and trout have been killed; restocking has taken place in Rosslea area. This case is being prepared to be put forward for prosecution.

2.3 AM was asked if field staff were aware of the sensitive sites were e.g. Freshwater Pearl Mussels are present and AM said they often do proactive visits to these sites.

2.4 The question was asked if there is any legislation to ensure that tanks in boatyards are bunded. AM explained that there is legislation due next year called the “Oil Storage (NI) Regulations” which will mean that all non-domestic tanks must have suitable containment. There is also the Pollution Prevention Guidelines on “Above Ground Oil Storage Tanks : PPG2”. If there is a potential pollution threat then a notice can be issued at any time.

3 Presentation on the draft River Basin Management Plan – Gabriel Nelson (GN), NIEA, Head of River Basin Planning Team.

GN gave a presentation on the draft RBMP, outlining the timescales, classification of rivers and lakes and asking the group for ideas on how NIEA can engage and allow full participation during the consultation phase. A copy of the presentation is available at the link below¹

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

3.1 GN was asked how are NIEA going to deal with the cross-border nature of source rivers especially coming into Upper Lough Erne? GN explained that the plans require collaborative work both at a policy and technical level. County Councils have responsibility and if recognised that pollution is coming from across the border it will be dealt with.

3.2 GN was asked what will happen if targets are not met in 2015? GN explained that NIEA will have to report to the Commission by 2010 to review delivery. The plans need to ensure that each member state is taking effective action – it’s the same across Europe. If member states don’t take action to help neighbours it would be frowned upon.

¹ If you require a hard copy please contact Joanne Livingstone – 028 9262 3248

3.3 GN was asked how the lakes are classified as poor when the rivers are classified as good. GN explained that they are classified differently because we are using different parameters, they are different waterbody types with different factors affecting them and there is a need to reach a balance.

3.4 There was a discussion on the impact of the power station with 2 opposing opinions expressed. If the power station was not continuously abstracting water the water quality would be worse because the lough would be more stagnant. Another opinion was that if the power station was not abstracting water the river would just flow naturally and there would be less pollution in the Lough as it would be flushed out more naturally.

3.5 There was a comment on the complexity of lake ecology e.g. nutrients being held in the sediment, wind turn-over, stratification and also the impact of zebra mussels in the lough could be masking some aspects of the problem.

3.5 GN was asked if the fact that the Lough is classified as Heavily Modified gives NIEA 'get out' clause so that good ecological status is not necessary. GN explained that the reason it is classified as heavily modified is because of the physical impoundment and the terminology changes to 'good ecological potential' but this is not a 'get out' clause. The lake still has to be as good as possible; the modification shouldn't stop the objectives of the other parameters being met.

3.6 Catchment models and pollution – if look at pollution sources is this the type of model that NIEA is using or does it need to be more sophisticated? GN explained that the more simplistic models look at nutrient budgets.

3.7 GN was asked where is the enrichment coming from and what needs to be done to address it? GN explained the most common source is sewage and agriculture sources. We need to take informed decisions on what needs done e.g. may need to look at phosphorous removal at sewage treatment plants etc.

3.8 GN was asked if diffuse pollution from septic tanks was adding to the problem as Fermanagh has a high rural population. GN explained that all the pressures in the catchment would be looked on a site-by- site basis.

3.9 GN asked the group how we can engage effectively and improve communication to allow everyone the opportunity to input into the River Basin Plans.

Suggestions: The Lakeland Forum could be used for a week long roadshow.
Castle Archdale could be used for different exhibitions.
Public displays during the day, travelling exhibitions.
Catchment Stakeholder Group meeting.

4. Presentation on “Northern Ireland Water Waste Water Compliance for the area – Investing for the future” – George Butler (GB), NI Water and Michael McAlary (MMcA), NI Water, Western Area.

GB gave an overview of the capital works expenditure for the next 3 years and compliance records and targets for NI Water. MMcA gave a detailed

account of the works in the Erne Melvin catchment. Both presentations are available on the link below.

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

4.1 GB was asked when are NIW going to charge for water? GB explained that the decision to have water charges is a political decision. There was a comment that some of us are already paying for water – non-domestic payment. It was added that 38% of rates is for water, domestic and otherwise.

4.2 MMcA was asked when using contractors are these set separately or is it sub-contracted from one contractor? MMcA explained that they use 4 contractors in the 4 areas, these are local companies.

4.3 GB was asked if privatisation is the next step? GB replied that only the assembly can make that decision.

4.4 NIW was asked if we are having to paying for cost apportionment mistakes that NIW made? GB explained that these cost apportionment issues happened before any of them where in post and that 'mistake' was paid for by the resignation of the Chief Executive.

5 Presentation on the Regulation on Northern Ireland Water – Tom Adamson (TA), NIEA, Head of Water Utility Regulation Group.

TA gave a presentation on how the consenting process works and compliance within the Erne Melvin area. The presentation is available on the link below:

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

5.1 There was a discussion on how hamlets should be linked to the main sewers rather than individual septic tanks. There needs to be more coordination between the regulator, service provider and the planners. There needs to be more 'joint –up' Government.

5.2 TA was asked what happens to the end product in phosphorous removal. It was explained that Ferrous Sulphate or other chemicals are added, the sludge is taken to a de-watering plant, and then to an incinerator in Belfast.

6 Questions and Open floor

6.1 There was a disagreement expressed on minutes of the last meeting on 19th Feb 08 in para 2.2 which said "Jack McVitty expressed concern with regard to waste, sewage, bottles, plastics and other deposits on the land from the Colebrooke River after high rain fall and floods. There was a query over responsibility of disposal of this rubbish. There was a discussion on this issue and it was explained that ultimately the land owner has the responsibility to properly dispose of this rubbish."

This issue was discussed again and concern was expressed that the rubbish that is being disposed on land is a serious issue and farmers would like some guidance and help on how to deal with this. Does it impact on their single farm payment if there is a lots of rubbish deposited on their land at the time of a cross-compliance visit.

It was agreed that the minutes of the meeting would be changed to say that this item was discussed but not resolved. It will be discussed again at the next meeting.

Fermanagh DC is currently carrying out a pilot study in Enniskillen to deal with the issue of rubbish and if this is successful, then it will be widened to the whole of Fermanagh.

The issue of tackling litter needs to be addressed and the financial cost of this anti-social behaviour should be highlighted more.

Action point: Joanne to add as agenda item for next meeting

7 Any Other Business

7.1 Items for agenda at future meetings carried over from previous meeting:

- EHS Water sampling – points and procedures, where and why?
- EHS's policy on diffuse pollution
- Sewage output/pump out facilities in Lough Erne for cruisers
- ESB impact on salmon
- River Basin Management Plans

8 Close

KA thanked the speakers and everyone for attending and participating. Feedback forms were circulated and returned.

Table 1: Summary of action points from meeting.

Ref	Action Point	Action	Update
2.1	1	Joanne to invite someone from ESB to the next meeting.	Dennis Doherty, ESB, presentation to follow.
5.4	2	John Kane to circulate the Eel River Basin Management Plan which looks at cross border fishery management to the group.	
5.4	3	Kerry to provide up-date at next meeting on how cross-border issue in the IRBMP will be implemented and circulate the cross-border working arrangements to the group.	
6.1	4	Joanne to add the issue of rubbish being deposited on land from rivers to the agenda for the future meetings.	

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