

Upper Foyle Catchment Stakeholder Group

Minutes

Wednesday 20 April 2011

Venue: Castlederg Valley Leisure Centre, Castlederg

Present:

Peter Archdale (Chairman)
Diane Black (NIEA)
Sam McCracken (NIEA)
Stephen Annesley (NIEA)
Angela Halpenny (NIW)
Gareth Greer (DARD Rivers Agency)
Jim Haughey (UAF)
Alvin Wilson (NIEA)
Julie Corry (Omagh DC)
John Corry (DOE Development Planning)
Dick Blakiston Houston (Beltrim Estate)
Alan Morrow (DARD)
Art Niven (Loughs Agency (LA))
Wallace Kennedy (LA)

John McCartney (LA)
Michael McAlary (NIW)
Angela Halpenny (NIW)
Norman Henderson (NIEA)
Margaret Gourley (NIEA)
Noel Melanaphy (FS)
Gary Irvine (Derg Anglers Club)
Jake Gibson (NIEA)

Apologies

Bob Davidson (NIEA NH)
Robert Scott (Abercorn Estates)
Seamus Cullinan (LA)
Terry Smithson (Omagh Anglers)
Robert Bailie (NIEA)

ITEM 1. WELCOME AND REVIEW OF ACTIONS FROM LAST MEETING

1.1 Peter Archdale (PA) opened the meeting and thanked everyone for attending. The group were asked to look to the minutes of the previous meeting. They were agreed to be an accurate account and would be published to the NIEA website.

1.2 Matters arising - Action points

Action 1 – DB - Send RM details of HMWB in Derg & Mourne CSG - **Sent**

Action 2 – ALL – Forward details of those HMWB designations which are challenged to NIEA for examination - **none received**

Action 3 - DB - Circulate proposed new Upper Foyle HMWB paper to the group - **Sent**

Action 4 - All – Forward comments on proposed new Upper Foyle HMWB paper to DB -**received**

Action 5 – PA – Discuss further to find a way ahead - **complete**

Action 6 – RM – Encourage angling clubs to feed into the local CSGs - **Sent**

As agreed Diane Black sent details of HMWB in Derg & Mourne CSG to UAF and the proposed new Upper Foyle HMWB paper to the group. Comments on the proposed new Upper Foyle HMWB paper had been received by DB. R Scott, Loughs Agency, Omagh Anglers, P Archdale have returned comments. The comments were all collated and the paper is being updated by the NIEA Hydromorphology Team. Further local knowledge and input is still welcome. Jake Gibson (NIEA) attended the meeting to provide the CSG with more background on HMWB designation and focus on the proposed Drumragh waterbody.

Action 7 – DB – Follow up list of landfill sites with Omagh DC and Strabane DC

Omagh and Strabane DCs have agreed to investigate this action is ongoing. John McCartney (JMcC) noted that Loughs Agency (LA) have noted an increase in the number of small-medium sized illegal landfill sites. The incidents have been reported to NIEA.

JMcC also raised concerns over older municipal and the effectiveness of their closure plans which LA are not consulted on. LA are anxious that some sites in the Foyle catchment are discharging leachate. LA would like to see a summary of the municipal landfill sites for both Upper and Lower Foyle as invertebrate suppression may be linked to these sites.

PA summarised that there are 3 issues surrounding waste – historical landfill sites; licensed landfill sites closed under IPPC conditions and extent of fly-tipping in CSG area i.e. asbestos roofing and agricultural waste.

Michael McAlary (MMcA) described the types of issues causing a strain on works, particularly from waste from hotels and carry outs i.e. oil and grease; farm effluent impacting on small rural works; diesel laundering (especially in Lower & Upper Bann).

PA indicated that fly tipping be raised at the Stakeholder Forum and Agri-waste to the Departmental board. This was supported by UAF.

Action 1 – Action on all organisations attending – Those dealing with fly tipping to set out examples and cost of dealing with them to allow PA to collate and raise at next board meeting.

Action 8 – DB – Request date for reissue of paper on ‘Information and Assessment Requirements for Inclusion in an Environmental Statement for Major Road Schemes’

DB told the group that since drafting the initial Road Scheme Guidance document WMU has used the draft guidance as a working document in liaising with the consultants and contractors of the proposed A5 and A8 road schemes. Environmental statements have subsequently been produced for both the A5 and A8 schemes and Public Inquiries are scheduled for May and June. WMU will review the draft guidance after the Public Inquiries have been finalised at which time the effectiveness of the guidance document in producing desirable outcomes at the EIA stage can be reviewed.

JH requested that this document is made live and updated on a monthly basis. It was felt that the attitude from Roads Service (RS) is one of complacency and nothing is in place to prevent the same problems occurring again. NH advised the group that NIEA have met with RS on many occasions however concerns were raised by the group that contracts are being let and nothing is then in place to prevent pollution. One suggestion was that each road contract should include clauses ensuring protection for the environments e.g. provide an environmental bond. PA agreed that as this affects more than this catchment it should be taken to the Stakeholder Forum.

Action 2 – PA – Raise issue of environmental protection in road contracts to ensure protection is passed to contractors

Action 9 – DB – Request more detail on timescale for Forest Service felling plan consultations in September 2011.

Action 10 – PA – Raise issue of FS felling plan consultations at Stakeholder Forum.

Action 14 – FS - Provide comment on the ROI guidelines for forest operations in FWPM locations

Action Point 15 – DB – Discuss further good status of Glenlark waterbody with Loughs Agency.

PA clarified that this was not solely an issue for Forest Service (FS) but included private landowners too. Noel Melanaphy (NM) explained to the group that they had completed a full rotation of the Fermanagh plan and now were moving to the Sperrin Plan. NM talked about the mechanisms now in place having learned from experience of last year. FS plan to have draft felling plans ready by end of October for consideration by the strategic stakeholders. JMcC had concerns that these comprehensive documents were weakened by subcontracting of work and agreed to explore further with Forest Service.

PA raised item for discussion on privately owned forests and how their felling and operations are managed. NM explained that with the advent of new byelaws and regulations, now in consultation, this sector would be regulated. Under the Forestry Act 2010 private forestry owners require a

felling licence from FS for proposed areas >1ha. Felling licences stipulate that redesign and impact of felling is taken into account with the aim of sustainable forestry in mind. JMcC mentioned Glenlark forest and invited discussion in connection with the water quality of Lark Lough which has a pH of 4 and is not in good condition.

Action 3 – NM – Provide update on progress of draft felling plans for October meeting

Action 11 – G. Nelson – Raise the issue of impact from site development on waterways with the Implementation Board.

Carry over to October CSG meeting; AW agreed to discuss further with G. Nelson

Action 4 – GN – Raise the issue of impact from site development on waterways with the Implementation Board.

Action Point 12 - All – Feedback to DB on meeting format and future topics for discussion.
Some topics have been raised and will be considered for the Autumn meeting

Action Point 13 – AW - Provide update on details of workshop and correspondence with UFU.

NIEA, UFU, NIW and CAFRE coordinated a workshop on raising awareness on pesticides at Loughry College on 15th March 2010. Various groups including Forest Service, Loughs Agency, FWTF, DARD and Donegal County Council attended the workshop to hear presentations. Speakers emphasised the importance of establishing methods and good practice to reduce exposure of water bodies to contamination by pesticides. A workshop session gave delegates the opportunity to discuss the issues in NI and debate potential ways of further improving best practice in the use of pesticides by all sectors. AW gave an update on progress of outcome of the workshop – comments collated on the day have been reviewed and actions are to be agreed amongst the various organisations who participated.

ITEM 2. HEAVILY MODIFIED WATER BODIES – POTENTIAL DESIGNATION OF DRUMRAGH AT OMAGH - Jake Gibson (NIEA)

2.1 Jake Gibson (JG) gave a presentation on Heavily Modified Water Bodies (HMWB) and focussed on the proposed designation of the Drumragh. The presentation is available at the link:

http://www.ni-environment.gov.uk/water-home/wfd/public_partic_3/catchment_stakeholder_groups/upper_foyle.htm

2.2 PA thanked JG for clear presentation on the subject and asked if there were any examples of waterbodies that had been re-delineated. JG explained this has not been possible as the Programme of Measures (POM) is based on the delineation agreed at the outset.

2.3 PA asked what the formal link is between the WFD HMWB examination and the Floods Directive. Gareth Greer (GG) explained that they are looked upon as Sister Directives and there should be a cross over as part of the POM

2.4 Art Niven (AN) asked what proportion have been surveyed using the RHAT - JG explained that a 500m section and 2 spot checks are completed and this was supported by a desktop survey of the area most representative of the waterbody. AN added that to use the POM and other actions to dedesignate having the HMWB identifier may be useful.

ITEM 3. REGIONAL UPDATE FOR UPPER FOYLE CSG - Stephen Annesley (NIEA)

3.1 Stephen Annesley (SA) gave a presentation detailing the number, source and severity of pollution incidents in the Upper Foyle area and also focussing on the Derg. The presentation is available at the link:

http://www.ni-environment.gov.uk/water-home/wfd/public_partic_3/catchment_stakeholder_groups/upper_foyle.htm

3.2 It was noted that the figures for the Derg appeared high for agriculture and reflected the predominance of this sector in the LMA. SA agreed however noted that this had dropped in the past 6 months. It was also noted that there was some good practice being demonstrated in the catchment e.g. trailing shoe. Gary Irvine asked if the incidents were localised and responsibility of particular individuals SA described how the team had narrowed down particular issues to one area.

ITEM 4. Owenkillev Local Management Area Action Plan – Diane Black (NIEA)

4.1 Diane Black gave a presentation on implementation to date for the Owenkillev LMA action plans. The presentation is available at the link:

http://www.ni-environment.gov.uk/water-home/wfd/public_partic_3/catchment_stakeholder_groups/upper_foyle.htm

4.2 PA raised point on the Water Resource Strategy and encouraged NIW to assist as this is a major issue in the Derg. Alvin Wilson (AW) added that the team had learned from this process and reminded the group that the LMA action plans were live and the process was a rolling programme.

4.2 Jim Haughey (JH) referred to the published LMA Action Plan stating that wording such as 'Encourage', 'Monitor', 'Investigate' are not actions, 80-90% are for information gathering not actions. JH added that there are no linkages between the problems and the actions and there is a need to link between the problem, what is going to be done give a timescale. He stated that these are not action plans as they stand and requested to see change for the Derg LMA action plan to give targets, what can be done and by when.

4.3 JH felt that there was no link between the actions shown and the action plan. PA agreed the points were well made. AW explained that it was not always possible to directly link the failing element to a single action. AN added that the action are ongoing and that to be successful the angling clubs needed to take action too.

4.3 JH pointed out that the moderate status due to the Freshwater Pearl Mussel gave cause for concern

4.4 PA noted there was scope for other organisations to publicise their work and encouraged working together e.g. NIW campaigns and publicity tied in with this NIEA work.

ITEM 5. ARRANGEMENTS FOR WORK ON LOCAL PLANS TO BE CARRIED OUT NEXT YEAR

Covered under item 4. Details were received from Derg Angling Club to arrange the implementation meeting.

ITEM 6. ANY OTHER ITEMS FOR DISCUSSION

None offered. PA drew the meeting to a close and thanked everyone for attending. The next meeting will be October and the group wished for the date to be circulated 3 months in advance.

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