DEPARTMENT OF AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS SALMON

AND INLAND FISHERIES FORUM

-Note of Proceedings-

MINUTES OF THE QUARTERLY MEETING OF THE SALMON AND INLAND

FISHERIES FORUM NI HELD AT DAERA FISHERIES, MAHON ROAD

PORTADOWN ON **WEDNESDAY 14 March 2018 AT 2 PM**

Present Mr Edward Montgomery (Acting Chairman)

Mr Gary Houston

Mr John Mc Williams

Mr. Aiden Hannon

Mr. Francis Conlon

Mr Maurice Parkinson

Mr Pat Close

Dr Paul Johnston

Mr Jim Haughey

Mr Jack Tisdall

Mr Albert Keys

Apologies

Mr Robert Murtland

Mr Michael Crilly

Mr Robbie Marshall

In attendance

DAERA Mrs Fiona Lavery (Minutes)

DAERA Mr Seamus Connor.

DAERA Mr David Mann

Mileage sheets were distributed to members for completion.

Presentation by Dr Gareth Greer NIEA and Oonagh Mc Cann NIEA - Memo of Understanding (MOU) with Ulster Farmers Union.

*Topics:*

1. *Water Quality in NI*
2. *Nitrates and Phosphorus Regulations 2006*
3. *Main NAP Regulations and measures*
4. *MOU Farming for a healthier environment. –*

***Aim*** *- deliver “higher levels of environmental compliance”*

*The MOU is not a weakening in any way of our protection of the environment. NIEA will continue to fulfil its statutory functions, operate within all legislative requirements and will continue to apply its enforcement and prosecution policy.*

*Targeting enforcement at the worst offenders and helping others to comply*

Following the presentation the floor was open for questions. Mr Albert Keys queried if NIEA intended to prosecute pollution offenders and gave examples from the Erne catchment of clear infringements such as slurry being dumped in rivers. It was suggested that NIEA need to be proactive when pollution occurs, not react later.

Dr Gareth Greer outlined the pollution hotline function and the prosecution process. Given existing resources, NIEA focussed on medium to high level cases of pollution for prosecution. Slurry export arrangements were just a ‘paper exercise’. Drinking water was at risk from polluted catchments. Closed season spreading inspections were discussed, noting that NIEA took a risk-based approach aiming at the most problematic 400 farms out of 23,000 in NI. Discussion moved to the implications of Brexit on targets and that there should be no dilution of standards from the Water Framework Directive. John Mc Williams suggested the need for a greater link to the environmental standards. Maurice Parkinson queried the percentage of farmers taking samples and voiced concerns about the extent of slurry spreading in his area at unsuitable times and in bad weather, this was a major problem and there were issues around contractor’s responsibilities. Dr Gareth Greer noted that education of young farmers was important. Gary Houston queried if farmers found to be in breach of regulations lost their Single Farm payment. Oonagh Mc Cann advised that there was a reporting mechanism on this to Orchard House. Pat Close noted that UFU only represented a small proportion of farmers in NI and there were many farms which might not therefore be covered by this MOU. Continuing, he suggested that land conditions should be used when deciding when and where to spread slurry, rather than using fixed closed periods. Discussion continued on the desirability of environmental restrictions and Mr Haughey voiced general concerns on the current processes and lack of management in a joint approach. He was constantly in receipt of complaints about slurry spreading in breach of current rules. In reply, Gareth Greer highlighted the current use of joint resources in Government by using other agencies. NIEA only had 12 inspectors for this work. Gary Houston highlighted issues with the response to the use of the Pollution hotline. The Chairman requested copies of the presentation and thanked Dr Greer and Ms McCann for attending.

**Presentation 2 - NIEA Bio Digester Waste – No one available for presentation.**

**AGENDA**

1. Apologies - As listed above.
2. **Minutes of the last meeting –13 December 2017 for approval** – No amendments. Members accepted the minutes.
3. **Matters arising from last meeting –13 December 2017 – None**
4. **Correspondence.**
5. Letter to the Chief Planner re sand dredging on Lough Neagh. – No response, reminder to be sent.
6. Sperrin’s Forestry Plan – for circulation.
7. Referring to the letter from Stephanie Miller, Mr Haughey noted the mention of monitoring plans and suggested a meeting with NIEA re Crumlin Weir

* **Meeting with NIEA Water Regulation Team to be arranged**.

1. Following on from the presentation Mr Haughey suggested that a letter (draft included in SIFF papers) should be sent to the DAERA Perm Secretary. Mr Haughey again outlined the background re the serious impact of slurry spreading. Gary Houston agreed to provide a link which should be included in the letter. Mr Keys noted that Nitrate poisoning is having a worldwide impact.
2. **Sand Extraction – Lough Neagh.**

Seamus Connor advised that the PAC public inquiry was forthcoming. Pat Close suggested that it may need an extended timeframe. Members referred to the DAERA Inland Fisheries response circulated to members and Pat Close queried the reference to ES and Seamus Connor noted the lack of data required for evidence. Pat Close queried the precautionary approach by DAERA and the lack of an AFBI report. Seamus Connor clarified this matter and discussion was held on the use of a precautionary approach. Pat Close raised concerns regarding the lack of fisheries information in the Environmental Statement but was disappointed in the response from the Department, verbal discussion only was not appropriate. Albert Keys queried the DAERA role in fisheries protection. Seamus Connor clarified that DAERA input to Planning Service who are ultimate decision makers. Continuing, Albert Keys highlighted the detrimental changes on Lough Neagh over the last 20 years. Discussion continued on the lack of legislation and procedures due to no NI government being in place. Mr Haughey supported Pat Close’s views on the lack of progress and outlined the historical court proceedings and lack of action by Government to halt the sand dredging. It was felt that the Public Enquiry outcome would be ‘advice’ to the Minister and nothing stronger. Kicking the can down the road. Mr Pat Close felt the significant role that the sand dredgers play in the local economy is possibly why the government do not want to act. It is not deemed in the public interest to make a change. In conclusion, Mr Albert Keys made comparisons with the Dams in the US. In support, Mr Conlon outlined the lack of regulation of the Sand Traders and the continued destruction of Lough Neagh. Mr Aiden Hannon queried the areas on the Lough the sand traders were working in. Mr Pat Close clarified the areas on the Lough and the number of boats in use. Mr Gary Houston raised the issue of sediment not being treated as pollution. He noted that the Fisheries Act 1966 refers to deleterious matter as a pollutant. In reply, Seamus Connor clarified that the Act requires the alleged offender to “knowingly” commit an offence. The issue of sediment deposition was highlighted by Dr Paul Johnston. Mr Haughey suggested a letter to the Permanent Secretary recommending that DAERA attend and contribute to the Public Inquiry.

* **Letter to the DAERA Permanent Secretary recommending that DAERA attend the Public Inquiry and contribute to it.**

1. **Weirs**

Mr Gary Houston queried if the Department has any funds available for restoration or removal of Weirs. In reply Seamus Connor advised that there was not a budget for this at present, but he will keep the SIFF advised.

1. **2019 International Year of the Salmon**

Mr Paul Johnston advised members to watch out for up and coming events. Mr Seamus Connor advised that NASCO were considering programmes and seminars, possibly approaching schools to visit old salmon sites to recount the historical past. Other suggestions are open days and a DVD on the life cycle of the salmon. Currently DAERA are involved in producing an animated film for schools, also Causeway Council are keen to run events. Mr Jim Haughey advised that there was a meeting on 26 March 2018 in Edinburgh for NGOs. It was agreed that Mr Haughey would provide a report for SIFF members. Mr Albert Keys noted the destruction of salmon on Lough Erne and asked for a copy of the Lough Erne report. Seamus Connor advised the report was not complete yet. Discussion was held on stock levels. The report will be circulated later by Mr Haughey.

1. **Pig Farms**

It was agreed to move this agenda item to the next meeting which would fit in with the presentation which did not take place today.

* **Include this in the July 2018 Agenda**

**9 Any other business.**

1. **Brexit**

Paul Johnston noted that very few papers exist on the potential impact of Brexit on Inland Fisheries; he suggested that it seems to not have a value in the eyes of government, and Inland Fisheries are being ignored. In reply, Pat Close clarified that a value for commercial eel fisheries had been given to a stakeholder group (Sea and Inland Fisheries) organised by DAERA Permanent Secretary. Seamus Connor advised that work was ongoing between DEFRA and DAERA.

1. **Lough Neagh Scale Fishery**

Pat Close outlined the management of the Lough Neagh scale fishery for 2016 and 2017 and the move to fish processing. Noting the general lack of data in the Inland Fisheries industry he acknowledged that decisions cannot be made without data. Continuing, he noted that the DAERA Section 14 Permit allows data to be obtained but recently there had been a problem with the by catch and now a revised Section 14 Permit had reduced boat numbers and included other restrictions. Pat Close queried the timing of the revised Section 14 Permit which had raised the level of interest by other fishermen in the volume of fish taken under the Section 14 Permit. Pat Close said he was content with some aspects of the revision of the Section 14 Permit, but felt that it demonstrates a lack of trust as Toome Eel Fishery were now counting fish. He assured the meeting that he had no problem with the reduction in boat numbers on the revised Section 14 Permit, but his concerns were all the other matters around it, asking who else had input to the Section 14 Permit revision, as by catch was only of interest to DAERA and Toome Eel Fishery. In response, Seamus Connor advised that any stakeholder can contact DAERA on fisheries matters and the Department can take cognisance of it but stressed that the Section 14 Permit is legally enforceable, noting if FPOs raise issues then DAERA are duty bound to review the Section 14 Permit. Seamus felt that the SIFF was not the forum for discussion and the Chairman agreed he should meet with Pat Close outside the meeting to address these matters further.

**( c) Water Course maintenance**

Mr Haughey noted that the Department of Infrastructure was undertaking routine water course maintenance and had produced an extensive list of waters and proposed works. Mr Haughey asked Seamus Connor if the Department had had any input to this list. Seamus Connor advised that each river has agreed works detailed, continuing he gave examples of shoal removal/restoration work and consequent beneficial fishery impact on the rivers. He advised that individual Angling Clubs are contacted to advise DAERA in advance but there is invariably little or no response.

( d) Mr Haughey requested that Dalradian Gold is added to the next Agenda.

* **Dalradian gold to be included as an item in next Agenda.**

1. **Date of next meeting.**

**The next SIFF meeting will be held on Wednesday 4 July 2018 in DAERA Inland Fisheries at 1 Mahon Road Portadown at 2pm.**

As there were no other items for discussion, the meeting ended at 4.05pm