

DEPARTMENT OF CULTURE ARTS AND LEISURE

-Note of Proceedings-

MINUTES OF THE FOURTH MEETING OF THE *SALMON AND INLAND FISHERIES FORUM* NI HELD AT DCAL FISHERIES, MAHON ROAD PORTADOWN ON **WEDNESDAY 08 December 2010 AT 2PM**

Present

Mr Robert Murtland
Mr Patrick Mc Neill
Mr Francis Conlon
Mr Jerry Mc Nally
Mr Martin Mc Neill
Mr J Haughey
Mr Mark P Horton
Mr Edward Montgomery
Mr Michael Crilly (Chairman)
Mr Pat Close

Apologies

Mr Allan Kilgore
Mr Gary Houston
Mr John Morton
Mr J Mc Williams

In attendance

DCAL Ms Fiona Lavery (Minutes)
DCAL Mr Marcus McAuley (Presentation)

1.0 Minutes of previous meeting held on 29 September 2010

The minutes of the last meeting held on 29 September 2010 were accepted by members.

1.1 Matters arising from the minutes of the meeting held on 29 September 2010

Mr Haughey queried point 1.3 which mentioned that DCAL would meet with Anglers. He requested an update. Marcus Mc Auley advised that a recent Biomass survey of the Erne catchment would be available in the near future and discussion on the survey findings would be useful. Following some clarification it was identified that the survey findings were not the issue but the licence regime required for Lough Erne. Mr Crilly felt that a meeting in Fermanagh would be useful and should include all interested parties. Marcus McAuley outlined the Game licence requirement and clarified the location of the DCAL waters on Lough Erne. Mr Crilly advised members of the recent issues his club had had on

Lough Islandreavey which can now be coarse fished during the closed season. Marcus Mc Auley advised that a leaflet and map showing the designated areas, had been produced by the Department for Lough Erne and is available for members. It was agreed that members would be circulated with a copy of this leaflet and map. In conclusion Marcus McAuley stated that the Department would welcome discussion in relation to the resolution of acceptable angling methods for Lough Erne. It was also agreed to hold the meeting in February 2011 in Enniskillen and that the Department would present the findings from the Biomass survey in Spring 2011.

Mr Haughey referred to point 1.5 and to Mr Montgomery's comment in relation to Response to Waterways Ireland Public Consultation on Legislative Proposals. He felt that concerns did exist on the use of jet skies. Mr Murtland advised that he had personally sent in a response to this document.

1.1 Report from Hydro Electric Power sub committee

Mr Haughey advised that no meeting had taken place as the Group were awaiting the publication of the NIEA guidelines document and asked if possible could the Forum receive a copy of this document. Marcus McAuley advised that DCAL had produced a set of Guidelines for water abstractions a number of years ago, but was unaware of the NIEA document. It was agreed that a copy of the DCAL guidelines on abstraction of waters will be circulated to members.

1.2 Presentation by Marcus Mc Auley DCAL in response to issues surrounding Hydro Electric Schemes and Lough Neagh stocks.

Marcus McAuley thanked members for the invitation and commenced the session by outlining the DCAL roles and responsibilities and the roles of other Departments and Agencies involved in water management, conservation and protection. The current structures and differing areas and responsibilities do not allow of a cohesive and constructive approach by all to addressing the impacts on fisheries and habitat of H E P sites. This has created a very fragmented structure where each Department and other Agencies can only work within its own remit. Within this environment, DCAL operates under the Fisheries Act 1966 and can only discharge its functions as part of a much bigger picture. Marcus McAuley then outlined the role of DCAL in relation to Hydros and then opened the floor for a question and answer session. Mr Mark Horton felt that DCAL had very limited powers. Discussion moved to the role of the Abstraction and Impoundment Unit – NIEA. Mr Haughey advised that he felt that NIEA did not address the issue of fisheries when considering a Hydro application and outlined the decision making process for members. He referred to the Fisheries Act 1983 Amendment - Section 25 and highlighted the responsibilities that FCB had passed to DCAL in June 2009. Marcus McAuley clarified the context of the Fisheries Act as it applies now and the powers within which DCAL can operate. He clarified that DCAL could only comment on the aspects of a Hydro application within the area of their responsibility. Discussion continued and Mark Horton suggested that the Forum should request a presentation from NIEA. Pat Close outlined a similar disjointed approach to the eel stock issue on Lough Neagh in relation to the passage of elvers upstream. Stating that "No single agency could be persuaded to control flows

during the critical window of elver migration. This was in spite of numerous approaches by eel fishermen.” It was agreed that questions would be prepared on the elver situation by Pat Close and on fisheries protection and compliance with fishing regulation in areas not covered by DCAL by Jim Haughey. It was also agreed that the Forum (Mr Crilly) would write to NIEA and request a presentation at the March meeting, sending copies of the questions and topics to be discussed. Members would be circulated with a copy of the DCAL Abstraction Guidelines.

1.3 Status of fish stocks on Lough Neagh

Marcus McAuley outlined the data collated by the Department under the Salmon Management Plan and also noted the collection of data from Dealers registers. He highlighted the Interreg funded study which will study the man made impacts on Lough Neagh. Continuing Marcus McAuley summarised the enforcement data in relation of patrols etc on Lough Neagh. Members were circulated with a copy of this information. Mr Montgomery queried the decline in the number of prosecutions based on previous data he had received. In response Mr McAuley suggested that this could be due to a greater presence on Lough Neagh. Discussion was held on the approach taken by other Departments and Agencies in relation to acceptable methods, techniques and validation of data. Mr Mark Horton felt that the main issue was the diminishing fish stock levels. Mr Haughey requested a copy of the data collected from this year’s electro fishing. Marcus McAuley agreed to provide this for circulation. Mr Crilly thanked Marcus McAuley for the presentation.

1.4 Any other business

- Members received a copy of some details of a rapid response alert – *Dikerogrammarus Villosus* (the Killer shrimp) which has been found in waters on the mainland.
- Members agreed that a separate meeting should be held in relation to the licensing issues in the Fermanagh area. The following members agreed to participate in any discussions, Mr J Haughey and Mr R Murland. It was agreed to arrange the meeting for **Wednesday 16 February 2011 in DCAL offices in Fermanagh.**
- It was agreed that NIEA would be approached in writing to request a representation to the Forum to address the matters of Hydros and Elvers. (end of January 2011).
- It was agreed that a letter would be written to DCAL stating that the Forum were unhappy with the degree of protection on Lough Neagh. It should be stated that anecdotal evidence demonstrated that illegal activity was a partial caused of the decline in fish stocks and that the degree of data collection and monitoring was not acceptable.
- It was agreed to request that the DCAL Enforcement Officer attend the June Forum meeting.

1.5 Date of Next meeting

Members agreed the date of the next meeting will be on **Wednesday 2 March 2011**
at Mahon Road Portadown.

Signed _____

Date _____