

From: [Peter Brunt](#)
To: [Jo Gascoigne](#); [Lillian Fougere](#); [Sophie Lord](#)
Subject: Fwd: Problems with the proposed National Policy on Indigenous Biodiversity.
Date: Wednesday, 11 March 2020 1:48:11 pm

Jo / Lillian - see below for your meeting this afternoon.

Lillian / Sophie - can we add this to the virtual submissions pile too.

Peter

Begin forwarded message:

From: Michael Orchard <orchards@xtra.co.nz>
Date: 11 March 2020 at 1:35:23 PM NZDT
To: Peter Brunt <pbrunt@doc.govt.nz>, "JulieR Collins (Julie)" <JulieR.Collins@mpi.govt.nz>, Libby Kemp <Libby.Kemp@mpi.govt.nz>, Oliver Hendrickson <Oliver.Hendrickson@mpi.govt.nz>
Cc: Hamish Levack <hlevack@xtra.co.nz>, Egon Guttke <egon.guttke@outlook.co.nz>
Subject: RE: Problems with the proposed National Policy on Indigenous Biodiversity.

PERSONAL INPUT OF MICHAEL ORCHARD under the above heading.

Attention : Peter Brunt - DOC Policy Co-ordinator (and others above or
needing to know – please forward on to MfE thanks Peter),

Also MfE

..... Policy Manager
Sophie Lord Submission Review

And MPI

Julie Collins Deputy Director General
Oliver Hendrickson Director Forestry and Land Management

(copied also internally within the FFA/FOA)

Hi Peter,

We spoke privately then in meetings, at the NPS-IB personally at the Friday special skype Agricultural Meeting at MFE, and then later at the FFA/FOA Environmental Group meeting. You asked me as a West Coaster, how I felt the Draft Policy principles and text were focused – “a good central structure, or too much either way?”. Below I have included some more detailed factual site information to strengthen my answer. Thank you for being so approachable.

1.0 I am an Executive Member of the NZ Farm Forestry Association (and on the Biodiversity

Submission writing team with Egon Guttke) and additionally a Member of its special Indigenous Forest Section (with members and their forests spread the whole length of New Zealand). I have had a 50 year career in Forestry and Forest Management (including working for the Department of Conservation). It began at Canterbury University (BForSc), then to Rotorua (centre of NZ Forestry and newly established Te Uru Rakau), on to Gisborne and the East Coast ('Blue Line erosion control plantings and Tolaga Bay –incidentally the most denuded indigenous area of NZ , study the John Nichols forest type maps). After a year of overseas travel and forestry study, then 5 years as District Forester at Whirinaki Forest, Minginui (writing the Management Plan and developing the Podocarp Forest Sustainable Indigenous Management and Harvesting Techniques), before coming to the West Coast over 30 years ago as the NZFS Indigenous Senior Forester (undertaking a wide range of roles and employment types), 6 years working for the Department of Conservation and eventually forming my own Forestry , Conservation and Environment Advisory firm 'The Tree Centre'.

2.0 One of the MAIN THINGS it the Draft Biodiversity Policy needs to strengthen up more please is the Indigenous Forest Management provisions, especially about those areas currently protected for harvesting by Government's own legislation, ie Sustainable Indigenous Forest Management Plan Areas (and extra similar designations) under the Forest Act. Additionally there are a large number of Registered Indigenous Sawmills, who should be able to expect a continuing supply of legal native timber to be made available to them.

At the next level, then we also need to protect native forest owners' rights at some future date, if economics determine, or if they want to cut some timber for their own personal use (as allowed under the Act), to be able to retain that forest for that purpose and not have any SNA designation override this. Many West Coast landowners have sizable areas of undesignated native forest in this potential category. Importantly too, good forest management of native remnants (where not prioritized for stock shelter) might likely be fencing and supplementary planting of both exotic and native species on a block to strengthen overall structure and for production forestry. [I have previously presented these concepts ,with example maps, to previous Select Committee hearings on Forestry on the West Coast (Chairperson then Jeanette Fitzsimmons)].

Here it is mostly the readily managed and fast growing Beech Forest (especially Red and Silver Beech), which the famous botanist Leonard Cockayne said " If They are Properly Conserved and Managed NZ's Beech Forests represent a Source of Great Perpetual Wealth".

Throughout NZ and on our Indigenous Members land there is a continuing sustainable cut of valuable podocarp forest, especially of the premiere species Rimu.

Additionally there are the new young and middle aged Totara forests being actively managed in The Far North (60,000 hectare in the Northern Totara Working Circle) and

elsewhere (possibly including even some recently planted young stands, or where silviculture is being practiced).

There are many other examples also, including Beech Silvicultural Stand Improvement, mixed in with sustainable uneven age Exotic forest stands (ie John Wardle's Black Beech forests at Woodside in Canterbury), but there are likely many as yet unregistered areas or unrecorded areas on farms throughout NZ, that have great future potential, with all tree areas significantly benefiting biodiversity in general.

3.0 This NPS –IB draft is in direct contrast to the existing Government Biodiversity Policies, for example which Grey District Council successfully implemented in the 2010's, where the Govt paid for the original potential area mapping, then through the Biodiversity Fund paid for Ecologists to write detailed Ecological reports for each site, which were then discussed confidentially and negotiated with owners by the Council Environmental managers and staff. Positive outcome were large areas purchased at market value directly by the Govt's Biodiversity Fund, or in one case directly by DOC using Mining Fund Royalty Reserves. Owners volunteered some areas directly as QEII Open Space Covenants, or agreed to sign the Councils' own SNA Retention Documents. A big opportunity for all owners was the potential to fence off recognised areas with part fencing funding again from the Biodiversity Fund. Field inspections were all part of the plan process, and some areas of insufficient quality (modified, gorse regrowth etc) were equally excluded. Only a few remained as possibly contentious for further negotiation.

I have a privileged insight into this programme (as little is publically known or released) as for 3 years I was employed by the Grey District Council as their "SNA Landowner Liaison Manager" (until funds ran out with still much work to do). Emphasis then shifted to Wetland sites through the West Coast Regional Council. Yes this is an important programme still to do for much of the West Coast, but it is totally unrealistic to expect it to be financed by ratepayers and struggling councils. Instead the Biodiversity Fund must be repurposed and fully funded to work through property evaluation, side by side with the landowners (who are all environmentalists at heart).
WORK WITH LAND OWNERS - NOT AGAINST THEM !

4.0 If you want to give a CLEAR EXAMPLE we can quote FFA Member Ken Fergusson's property, which has been through the Grey District Council's original SNA Evaluation and Designation Process; viz:-

Potential SNA's were identified to the Grey District Council on the large Ferguson Farming/Forestry Property at Waipuna in the Grey Valley (3 from the Aerial Survey and one "kahikatea area" identified to the Ecologist by Ken himself). Additionally Ken has been protecting natural regeneration of forest and fencing off stands directly along the Grey River riverbank edge for a large number of years. This now forms another protected area. However the main forest area on the property is 800 hectares Of Sustainable Indigenous Management Forest, being managed on a 100 year working plan, under the .Forest's Act.

Within this large matrix the SNA process identified 3 small to medium areas of (i) lowest alluvial terrace beech, (ii) beech with a regenerating totara component. (iii) a kahikatea dominant area on wetter ground within beech forest. In negotiations with the Council, Ken happily agreed to separate these out as SNA's 3 areas (now designated further as QEII covenant areas I believe), and to have his Forest Manager reduce his calculated permitted Sustainable Cut slightly by calculation, registering this with the Indigenous Forest Unit of the then Ministry of Forestry. He additionally with the help of the Council was able to obtain substantial fencing assistance for these areas by application to the Biodiversity Fencing Fund. As a result he now continues to manage the majority of the remaining several hundred hectare of tall Beech Forest sustainably for native timber production on his 100 year plan, without any further SNA impediments.

WHAT WILL THE EFFECTS Of the New Biodiversity Proposals Be? OUR CASE IS, that Every Native Forest Owner in NZ deserves the right to be able to do the same! (and unlike the land management experienced Grey District Council team, how well-equipped will the dozens of other local councils without forest management experience or good land managers plus practical working ecologists, be to make sensible Biodiversity decisions?

And there is the Cost! The entire process above (apart from about a 40% share of fencing cost paid by Ken) was supported and paid for by the Biodiversity Fund! There is no way Councils and their ratepayers can afford the cost of planning and ecologists without substantial Govt. assistance!

5.0 Finally I will address the Proper Place I believe for SNA's on Conservation Land. This is an especially important aspect that will reflect back on the status and value of all existing SNA types on private and public land.

As an introduction it is important to know my background in for example is that for over half my life I have been an active and financial member of the Royal Forest and Bird Protection Society. I had/have a passion for all things natural and was a member for many years in my younger day from about age 17. Once Youth Study Group Co-ordinator in Canterbury (lots of field visits with young people), Co-founder of the Gisborne Branch when I moved there, and Secretary of the Rotorua Branch, later involved in the Whirinaki Forest "Action Days." (I was District Forester then at Minginui). have then been a member of the West Coast Branch for periods of time.

BUT I totally disagree with their "Mass Petition" to members to sign and send in to you that includes "Make All Conservation Land an SNA" !

This will totally DEVALUE the Status of SNA's. Significant Natural Area's are meant to be what they say they are **-Significant**. Maybe we are spoilt on the Coast, but to include any piece of native forest, shrubland, water or wetland body AS CAN BE POTENTIALLY CAPTURED BY THE NEW DEFINITIONS cannot be justified. SNA's should remain only those iconic places where a multitude of values are really special, or all owners with a say QEII Forest Covenant (implies SNA

value to be accepted in this category by the Trust), will feel really devalued if say for example “a bit of scrubby stewardship land “ next door is given the same status. Find other kinds of retention mechanisms for this type of land if necessary. But yes you could include all or most National Parks, Scenic Reserves, Ecological Areas, Bird Corridors, etc., and Other Special areas in that designation if you wish.

AND IMPORTANTLY IT MUST BE DOC’S TASK to go through and identify all designated (or potential new ones on their land).

For a Case Study in the same area as the Ferguson Example above, let us look at the Grey Valley. Right from the earliest days of native forest management and protection, important Representative Areas of each Ecological Type were identified by a rigorous process by the then Scientific Coordinating Committee. The detailed maps and descriptions for these for example “the Roaring Meg Ecological Area” and others running down the Paparoa mountain chain, are really important to identify in the DOC system (but increasingly hard to locate and access as the report locations are on single copy hand covered maps). They definitely qualify as important SNA’s and the public should be told about them in detail to help them identify and buy into the whole process. Above them are vast areas of what was once called Indigenous Protection Forest by the Forest Service, and as that is often steep and still in its original extent, it generally does not qualify as being especially “Significant”. Between these Lowland Special Reserve’s mentioned may be other ordinary land of varying shrubland and vegetation qualities OR it may be re-designated TIMBERLANDS land added to the Conservation estate, in the controversial decision of 1982. This land type had already been excluded at the formation of the department and was being actively managed as for timber production (comprises the whole range of cutover forest, young stands under silvicultural management, tall and senescent old forest (in which lots of windblow has occurred lately). There was some 100,00 hectares in this category and it should not automatically be just called SNA quality (includes areas where current mining and sphagnum moss production occurs, and should be recognised for what it is, “Healthy Previously Managed Regenerating Beech Forest” as distinct from Unmanaged Stands on the original DOC estate.

[Suggestion is you second in Kit Richards for his special knowledge, now Environmental Manager of PF Olsen Ltd on the FFA/FOA Environmental Committee, to explain to you the detailed process of the original allocation categories of The West Coast Crown Lands as he was the Forest Service’s Representative on the Allocation Team, and subsequently a Manager in Timberlands West Coast Ltd. This would be beneficial in this draft planning process].

While SNA Landowner Liaison Manager for the Grey District Council (and with other Consultancy Resource Management experience I have had), I have recommended to Grey District Council (and will approach the new Mayor in due course), that they prepare “Grey District Environmental Maps’ incorporating the Total Of All Public and Private Land, using GREEN LOCATION dots (in the same way that all their Resource Consent areas are identified in the ORANGE dot locations). This (if also done too throughout NZ , on photograph quality aerial maps), is a PROCESS that would give a GREAT BOOST to this Biodiversity Recognition Process, would greatly increase public and council understanding of “What Is Where And Why” and equally importantly as “What Is NOT There and Why”! It will be a revelation to the general public, councillors, Government agencies, and to parliamentary representatives themselves. It might likely show that in ‘Native Forest and Vegetation Conserved’ , the Grey District Council is one of “the most Green local bodies in NZ”. Similarly for Buller and Westland District Councils.

For the West Coast, the Government should provide SPECIAL EXTRA FUNDING to allow Council's and DOC together to put together these Accurate Combined Maps (in a progressively updateable format), as a basis for further SNA reporting or evaluation.

I recommend the PROVINCIAL GROWTH FUND be approached to stimulate this area, unless BETTER STILL the Government finances and makes it a 'Key Plank' of its Biodiversity Plan launch throughout New Zealand.

6.0 Private QEII Covenants and Other privately Protected Land are important part of the current Biodiversity Value Protection values and options. It is important to work with owners of potential SNA land in a one on one basis, respect their private land rights, and not impose regulation from above. The Carrot, Not Stick approach still works very well and will give you the best results in the end.

For example I am just Covenanting my own incredible piece of tall indigenous Kahikatea Forest along the Fox Creek, with attached regenerating wetland (about 100 year old tall young forest regenerated from tram logging at the turn of the century (and contains 5 giant original trees -2 dead and 3 living). SEE ATTACHMENT PHOTO showing typical land use for the area. It will Be Known as the ORCHARD KAHIKATEA MEMORIAL FOREST

Within that mosaic you will see pasture and forest blocks to the south, the green DOC marginal strip through the centre (always undefined on the ground), in the top right had corner a piece DOC land which is in fact a tiny corner of a whole Forested Range of Virgin Podocarp Forest. [By implication in 5.0 above thereby conserving a sizeable portion of the region's Biodiversity value, allowing development and management of other areas for productive use.] Little corners of forest occur adjacent. The land is generally grazed. Once my block is registered it is my intention to start chatting with other owners to see if they may add to it, as this forest type extends onto other properties downstream.

Specifically on my block at the left end is another small wetland (which will always remain – topography) and in the top left is a more open area of kahikatea forest arbitrarily excluded from my QEII boundary, because it is an optimal house building site. I would not want anyone or any council telling me these bits had to become an SNA as well, because I have already spent a long time studying and sorting out the best areas for protection – **a true SNA**. Additionally above the watercourse above the exotic trees (actually a drainage ditch I dug myself), is a raised area once to have been part of the lower boundary of my reserve, but in exotic stand logging I had to use it as a haul site and log storage area (going back through gorse regeneration now). This is just to illustrate how land management operations and designations on the ground have to be completely flexible, and if it had already been a QEII or other SNA, I would not have been able to possibly log the block by the most efficient and stream impact minimization method.

