Submission to the Proposed Swimming Categories in the Ministry for the Environment’s Clean Water Package.

Name: Paul Elwell-Sutton

Statement:
1.) I live in Haast, where I have lived since 2001, and am a retired DOC trapper.
2.) I have a B.Sc from Aberdeen university and am an environmentalist.
3.) I have no pecuniary interest in the outcome of this consultation.
4.) I make this submission on my own behalf, and do not represent any group, organisation or party.
5.) I do not wish to be heard.

Submission/Comment
I oppose the proposed swimmability standards.

Reasons
1.) The proposed standards are too complex, and will be costly and difficult for cash-strapped local authorities to monitor and administer without significant rate increases and/or financial assistance from central government.
The proposals are also a license for polluters to continue polluting while externalising the costs of pollution onto society, and therefore amount to a hidden subsidy to the sectors most responsible for faecal contamination of waterbodies.
2.) The threshold swimmability level of 540 E.coli/100ml is too high as it translates to an unacceptably high risk level for Campylobacter infection of up to 5%, or 1 in 20 immersions for a random person on a random day, and fails to account for children and the elderly who may have weaker immune systems. The Campylobacter infection risk must not exceed 1% for truely swimmable water bodies.
For genuinely swimmable rivers and lakes that threshold must be reduced to 260 E.coli/100ml, with the level not more than 130 E.coli/100ml for 95% of the time for A or Blue grade, with sampling at least on random days and weekly throughout the year in all weathers.
Any readings above 260 E.coli/100ml must carry a warning, irrespective of the swimmability grade.
Only the proposed Blue (A) and Green (B) grades could qualify as swimmable, and the threshold for both grades should be 260 E.coli/100ml, the difference being that Blue grade would have to meet the 130 E.coli/100ml for 95% of the time and could never exceed the 260/100ml threshold, whereas the Green would have to meet the 260/100ml standard 95% of the time, and could exceed the 260/100ml threshold for 5% of the time.
The Yellow (C) and (D) grades should be abolished as swimmable.
3.) The proposal for sampling to take place most frequently (daily or weekly depending on E.coli recordings) during the ‘bathing season’, while only monthly outside of that season is an encouragement and license to pollute ‘out of season’ and for farmers to withhold pollutant discharges until then.
The perverse result would be that faecal pollutants could be unmonitored and potentially reach exceedingly high levels outside of the ‘bathing season’, with predictable effects on freshwater biota, and a compromised recovery to swimmable standards in time for that season.
Furthermore, the setting of a ‘bathing season’ by local bodies may be arbitrary, and take little account of real recreational use of freshwater outside of the traditional holiday seasons.
4.) There needs to a ‘sanitary inspection’ provision in the proposed policy in order to assess catchments according to their risk of waterbody faecal contamination, and this should determine the required frequency of sampling, thus potentially reducing the costs of monitoring compliance. In the event of faecal contamination exceeding the threshold, a preceding sanitary inspection will facilitate locating and controlling the source(s).
Additionally, water bodies close to populated centres should receive more frequent monitoring for swimmability due to their likely greater recreational use.
5.) The complexity of the proposed “Clean Water” swimmability standards will be confusing for the general public. Under its standards, all 5 grades (Blue, Green, Yellow, Orange and Red) are technically ‘swimmable’ at least some of the time.
This will lead to considerable public misunderstanding and suspicion and place an unmanageable burden on local authorities tasked with administering these standards.
As previously stated, there has to be a simpler and more restrictive grading system which leaves no doubt about swimmability, that is: two grades Blue and Green, both having a safe threshold of less than 260 E.coli/100ml.
Any figure greater than a 1% chance of Campylobacter or other water-borne infection for an average person swimming is, in my view, completely unacceptable for New Zealand.
6.) For the Yellow grade to have a median of 130 E.coli/100ml and still be only fair for swimming, implies that it will be highly contaminated at times, but below the 130 E.coli/100ml for most of the time. This is an unlikely and difficult scenario to realistically visualise.
Essentially, the Yellow grade is suspect and should be treated as unswimmable, especially by children who tend to swallow more water than adults.
7.) Limiting the application of the swimmability standards to 4th order rivers is arbitrary and unrealistic. Many swimming spots are in rivers which are not 4th order. There has to be a more nuanced approach subject to local, decentralised knowledge of swimming spots.
4th order rivers form only a small proportion of rivers used recreationally in New Zealand.
8.) Therefore I request that there be only 2 classes of swimmable lakes and rivers, Blue and Green, the difference being temporal, and the threshold being 260 E.coli/100ml.

End of submission.
24 April 2017
Haast.