We support the overall goal of the proposals to ensure that freshwater systems are healthy and safe for people to swim in and gather food from. There is a huge amount of good work in the government’s proposed essential freshwater proposals that we support. We support the objective of having healthy freshwater. We support clear, science based environmental bottom lines that protect human and ecological health and frameworks that empower farmers and communities to work together to achieve these. We support the need to address issues such as sediment, e-coli and winter grazing. However, we oppose the proposed frameworks, rules, and standards which will lock in current levels of discharge into our waterways and lock-in existing land uses. This approach effectively rewards high intensity, high discharging systems (particularly high N leaching systems), while penalising low intensity, low input, and low discharge systems that work within the physical environment of the farm. Constraining low intensity farm systems will limit their capability to achieve the goals of the proposal or meet the additional costs of compliance. This would significantly disadvantage responsible farmers and proactive custodians of the land who have already sought out and achieved environmental innovations. We support a fair approach where each farmer is expected to do their bit in proportion to their impacts, in an effective and workable manner. We request that the government re-think its approach to restrictions on land-use change and to the grand parenting provisions in the freshwater module and hill country cropping. In particular, We request that there is recognition of low N leaching farms and some flexibility provided for them.

We accept that sheep and beef farms need to address their contribution to water quality issues, such as for overland flows like sediment and e-coli, the mitigation that a farmer undertakes should be in direct proportion to their contribution to the issues, rather than a broad brush approach taken across all farms within a catchment. We are deeply concerned about the potential impacts of these proposals on our farm, especially in light of the modelling by Local Government New Zealand which highlighted 68 percent of sheep and beef farms could be not viable under these proposals. We are also concerned that Ministers and officials do not believe these proposals will impact sheep and beef farmers. Independent empirical evidence from Local Government New Zealand clearly shows that our farms will bear a disproportionate share of the cost, despite being low input, low intensity, and low discharge systems. Specific impact of these proposals on our farm: 1.) All our waterways are fenced for longer than 10 years; some fences are less than 5 m from the stream. In places it is very impractical to fence out to 5 m, because of topography; there should be space for common sense to prevail. 2.) Overseers has limitations and costs involved. The charge for environmental mitigation will climb. For a small farm like ours, the costs must relate to the benefits achieved.

We support the objective of having healthy freshwater. We support clear, science based environmental bottom lines that protect human and ecological health, and frameworks that empower farmers and communities to work together to achieve these. We are broadly supportive of the setting of in stream limits for DIN, DRP, and sediment for ecosystem health. Clear numerical environmental bottom lines provide for business and community certainty in relation to the outcomes being sought and ensure equitable approaches across regions and catchments, but these also need to represent local conditions and community aspirations. We oppose the five-year audit and measurement on the programme’s success for sediment reduction in all catchments. Improvements in water quality, including sediment levels, are related to the state and trends in the health of the freshwater system and the drivers of this health. Sediment levels should be managed overtime if they are excessive to achieve the community’s aspirations for a desired level of ecosystem health, swimmability, or cultural values. They should be reduced where sediment levels exceed national bottom lines, or the current state is worse than what is indicated by the best available science. Numerical attribute states need to consider natural processes and be tailored to the specific freshwater body type in its catchment context.
The proposals to restrict any land use change, regardless of existing levels of discharge, will effectively lock in current land uses. This is essentially a form of grand parenting which will reward high intensity, high discharge systems, while penalising low input, low discharge systems. High intensity systems will be rewarded with the greatest flexibility and choice in how to adapt their farming systems, while low intensity systems will be given virtually none. It is akin to trying to reduce speeding on our roads by making everyone drive slower by the same amount, rather than the smarter approach of getting speeding drivers to reduce to the speed limit while allowing those driving more slowly to speed up within safe limits. For example, the average nitrate leaching for a sheep and beef farm is 17 kg N/ha/yr, while more intensive farming systems leaching can average 50 kg/ha/yr or even significantly more. Under the current proposals, those leaching at the higher end of the scale will be allowed to remain at these extremely high rates while adjusting to the new regulations, while low input systems will be restricted in their ability to adapt to newly created costs of implementing the proposal. Given the significant costs for low intensity systems to meet other regulatory proposals and the inability to change land use, due to being restricted to a very low base system, farmers would have no ability to adapt to the new extra costs created by the proposal. As Local Government New Zealand modelling has shown, it will result in a significant number of sheep and beef farms becoming not viable due to an external imposition. These grand parenting provisions put in place a 'de facto' allocation system that will have long term impacts beyond those recognised by the Government's analysis so far. These include changing land values based on the allocation of nitrate leaching, reducing the viability of extensive sheep and beef farming systems – as well as other low intensity systems. They will remove their ability to innovate and adapt their farming systems to match the natural capital of the land. Constraining these rural businesses would drive rural communities closer to or over tipping points to maintain social cohesion and support, as isolated communities drop below a critical mass. These policies will not improve freshwater health, as nitrate leaching’s impact on freshwater health is determined by concentration. While hill country headwaters would be ecologically healthy, further downstream the same problems would persist with no meaningful improvement to freshwater health. Extensive farm businesses would be decimated and rural communities would be isolated and socially impoverished. Any changes to nitrate leaching must bear reality to an individual farm’s nitrate leaching intensity, with allowances made within the broader context of other proposed changes, so that low input farming systems can afford to achieve the goals of the proposal. On our 200 ha farm at 768 Te Onepu Road Hawke’s Bay we have reduced the intensity of our farm by - - Reducing our stocking rate by 0.4 bulls/ha (2 su/ha) - Very rarely using Nitrogen fertiliser - Reducing P fertiliser to 16 kg P/ha from 25 kg P/ha - Changing form of P to dicalcic phosphate which dissolves slowly into soil solution. This has had a positive effect on our farm environment, particularly in long periods of wet weather, but has come at a cost of income forgone.

Clause
Farm plans - please refer to questions 54-57 on page 80 of the discussion document

Notes
We support farmers having a tailored land and environment plan, but do not support this being used as a regulatory tool or sitting within national regulations. Having a compulsory freshwater module in compulsory farm plans, with the associated support structures, will create expensive overheads for farmers which will distract and detract from on the ground environmental activities. Essentially, a tool that enables farmers to set and achieve goals based on needs tailored to their farm business becomes an expensive process that emphasises on bureaucracy, losing focus on, and commitment to achieving an intended environmental goal. Freshwater module farm plans will grandparent emissions to historic levels, without regard to impact or contribution to the state of the freshwater system, then seek reductions from this state. This is inefficient and likely to be ineffective at addressing specific freshwater issues that relate to the farm. The cost of compliance and the level of on farm action should be proportional to the environmental impact of the farm on freshwater health, and the freshwater module farm plan approach fails to take account of this. On our farm at 768 Te Onepu Road Hawke’s Bay, starting 30 years ago, we have had a strong environmental interest including - mid 1990s establishing a QE II covenant on native tree remnants, - finishing fencing off streams 10 years ago - farm with longer pasture covers (so that we don’t run out of feed), but also big bold pasture plants with associated root masses help intercept rainfall into the soil and help reduce erosion. - completed a farm management environment plan to comply with Tukituki Plan Change 6 - the LUC based system (HB Regional Council) set our N leaching limit at 20.7 kg N/ha/yr. Our N leaching result modelled by Overseer version 6.2.3 was at 13 kg N/ha/yr. - changed our fertiliser to dicalcic phosphate as it has a slower rate of dissolving into soil solution.

Clause
Other comments on the proposed National Environmental Standards for Freshwater - please refer to questions 76-78 on page 81 of the discussion document

Notes
Having made environmental adjustments over 30 years we are seriously concerned about the "requirement to demonstrate reducing all our emissions". Our farm is at the headwaters of a tributary that eventually flows into the Mangaonuku/ Waipawa + Tukituki Rivers. Water Testing Hawke’s Bay (2016) Ltd took a water sample (9/10/19) where the Dissolved Inorganic Nitrogen 0.01 g/ m3 Dissolved Reactive Phosphorus 0.019 g/ m3 Add the modelled N leaching at 13 kg N/ha/yr, we already have seriously low emissions. Where do we go from here? Will you provide flexibility for low emitting farming systems? Requiring a reduction in all emissions regardless of current levels or environmental effect is inequitable and will put significant pressure on the viability of our farm! Minister O'Connor has stated that environmentally responsible farmers will not be penalised by these proposals. Let's hope so! The decision we would like the government to make is to use a LUC based system for emissions. The LUC classification system considers the physical characteristics and limitations of land and its long term capability to sustain productive users. The LUC system allows similar properties to be treated in a similar way. It is perhaps more difficult to implement, but it is much fairer.