Action for healthy waterways: A discussion document on national direction for our essential freshwater

This document sets out proposals stop the degradation of waterways and restore them to a healthy state. It seeks feedback on a new National Policy Statement for Freshwater Management, National Environmental Standards for Freshwater, Sources of Drinking Water, and Wastewater, and regulations under Section 360 of the Resource Management Act in relation to stock exclusion and water metering.

Auckland Zoo has a mission to build a future where people value wildlife and species are safe from extinction. Freshwater management is vital the health and sustainability of to both people and native species across New Zealand. Working together with industry and environmental partners is essential for the future management of New Zealand’s waterways.

Feedback re: farming

1) We acknowledge that farming can have a major impact on the environment. We acknowledge however, that many farmers already do amazing work, and this could be acknowledged by building on their work with a focus on catchments where risk of further damage is the greatest. We believe funding should be available for existing farmers to improve environmental processes on their farms.

2) Farm environment plans should be independently audited and mandatory. Self-regulation should be rejected and we strongly oppose any plans for self-regulation. This is because rules and standards should provide for both human and ecological health, and they need to be enforced by the Government (local/ unitary/ central as appropriate). Plans need to be underpinned by science and effective regulation and enforcement.

3) All stock must be excluded from streams including cattle, deer and pigs. As streams are connected, even small streams need to be protected. There will be critical tributaries that receive large amounts of pollution that are smaller than 1 metre. There needs to be provisions to protect these ‘critical source areas’. Stock must be kept from stream edges and we believe the five meters zone is not enough – pollution can flow right into the water. This figure must be underpinned by good, scientific best practice recommendations about an adequate buffer zone. We also want vegetation to be required to keep pollution run-off to a minimum. There should be a requirement for any setback distance from a waterway to be vegetated, weed free and not grazed. A bare patch of land won’t hold back pollution from running over into the waterway. Many farmers are doing this well, and we want to see national standards enforced for everyone.

4) We do not support the practice of intensive winter grazing. It is bad for both the animals’ wellbeing and for freshwater quality. Dirt and pollution clogs up nearby rivers and streams making it deadly for fish. Intensive winter grazing has been defined as grazing on forage crops which excludes pasture. Many of the issues we see in Southland are a result of break-feeding on pasture, this is why ‘pasture’ must be included in the definition. Winter grazing rules should be changed as a 30-hectare threshold is too high, an acceptable pugging depth of 20 centimetres is too deep, and the vegetated strip width proposed is too low.
Feedback re: wetlands
1) Wetlands are already an endangered habitat and there are only 10% of original extent and 3% in Auckland. As such we strongly support no further loss of any wetlands.
2) We do not agree with forestry being exempt from wetland provisions as we already have too few wetlands in Aotearoa New Zealand.
3) Wetland monitoring should apply to existing consents and not just new consents in order to protect exist wetlands.
4) Wetland protection is proposed for wetlands bigger than 500 square meters. Wetland protection should apply to all wetlands of all sizes including on private land.
5) We support the STAG Working Group Report (2019) recommendations about wetlands which state that the Government should “Amend the national framework for freshwater management to require regional councils to:
   a. identify the extent and evaluate the condition of existing wetlands
   b. prevent any further reductions in the extent of existing wetlands
   c. address the management of wetlands with reference to specified numeric bands, introducing a requirement to lift the wetland condition index to at least 10 and to maintain or improve the condition of existing wetlands where the condition score is greater than 10.”

Feedback re: swimming
1) We note that ‘bathing season’ is not defined in the document.
2) We also note that recreation e.g. paddling, boating and fishing takes place all year round and we should be aiming for safe levels of E.coli during the whole year.

Feedback re: hydroelectric exemption
1) We do not support the exemption of hydro-electricity dams from meeting national regulations on water quality.

Feedback re: native fish species
1) We do not agree with the protection of introduced species such as trout over the protection of native species. Indeed, “the impact of the introduction [of trout in NZ] on native fish has been apparent on in reduction of riverine and lake populations of galaxiids. Many authors conclude that the native galaxiid fauna has retreated to headwater areas where trout are absent. The native eleotrid fauna remain an important prey item of trout (Ref: McDowall, R.M., 1990, in Fishbase, 2003)” quoted in Global invasive Species Database http://www.iucngisd.org/gisd/speciesname/Salmo+trutta#. According to ‘Environment Aotearoa 2019’ report “In 2017, 76 percent of our native freshwater fish were either threatened with or at risk of extinction.”
2) More protection must be put in place for our native fish species, especially our long-finned eel and members of the galaxiid family which are increasingly impacted by reduction in water quality, loss of habitat and the construction of hydroelectric dams.
3) We support the proposal to provide safe fish passage for pumps and dams, but we must also look at retrofitting existing dams and hydropower systems to avoid the
extreme loss of life occurring for creatures like the long-finned tuna. Allowing for fish passage must not be voluntary. All hydro-electric dams must ensure that loss of life of mature long-finned eels, that could be over 100 years old when they begin to migrate, does not occur.

4) We also support the identification and removal of existing barriers in rivers so our fish can find essential food and mates. Councils must make plans and inventory existing structures with a timeline of alleviation for barriers to fish passage, and it should be a requirement for land owners to identify existing culverts on their land.

5) We also support the recommendations of the STAG Report (2019) about levels of Fish Index of Biotic Integrity (F-IBI). To “amend national direction on freshwater management to introduce a table specifying numeric biophysical values for fish biotic integrity, specifying a national bottom line of 18 when measured using the Fish Index of Biotic Integrity, including the removal of trout from the index.”

Feedback re: Action Plans

1) Proposed 'action plans' are not properly enforceable. Regional councils must be held to account. New rules must ensure councils stick to a plan and make real progress.

2) We do not support the fact that action plans have not been defined, and there is no requirement to accomplish the actions and achieve freshwater improvements. There must be guidance and accountability measures in place.

3) We agree with strengthening Te Mana o Te Wai as the holistic framework for freshwater management

4) We agree with emphasising holistic, ecosystem health and improving the mauri of our freshwater systems.

5) We agree with better management of stormwater and wastewater, including water-sensitive urban design measures in new builds, and protecting our sources of drinking water.

6) Urban areas need to invest in better separating sewage from stormwater and stopping pollution and loss of streams and wetlands.

Feedback re: values:

1) We agree with the values outlined in Te Mana o Te Wai – the health and wellbeing of the water (and its capacity to support life) should be put first in decision-making; providing for essential human needs, such as drinking water, should be second, and other uses will follow.

2) We agree with emphasising holistic, matauranga-Māori informed management which has a catchment focus from the mountains to the sea, also emphasised in the STAG to bring in “mātauranga-based indicators and facilitating better engagement between scientists and kaitiaki in freshwater monitoring and management”. Holistic frameworks already exist and include the mauriometer and the Biophysical Ecosystem Health Framework, which is recommended in the STAG report.

3) We agree with emphasising the protection of the mauri of the water, the life supporting capacity of water, as per the Te Mana o Te Wai report (2019). This is also emphasised in the STAG report which states future national direction should be
“designed to protect and enhance ecosystem health, defined as the extent to which a freshwater management unit supports an ecosystem appropriate to that freshwater body type (river, lake, wetland, or aquifer).”

4) We agree that we should embed Te Mana o te Wai principles and obligations to guide all activities, as per obligations under Te Tiriti o Waitangi.

5) We agree that we should reform the RMA in line with the directive of Te Mana o Te Wai report (2019)

6) We agree that we should implement a National Freshwater Science Strategy, that extends beyond biophysical factors and includes Māori measures of health, to underpin Te Mana o te Wai.

**Feedback re: Pollution Limits**

1) We agree that we should speed up the implementation of freshwater regulations through amendments to the RMA.

2) We agree that we should introduce a new freshwater planning process that will require councils to have new plans in place no later than 2025.

3) These limits must be in line with the STAG Report recommendations for all suggested parameters - the current ‘maintain or improve’ objective and policies are vague and open to interpretation, including values for DIN, MCI and others.

4) We agree that we should amend national direction on freshwater management to clarify the intent of the current policy expectation that the ‘overall quality of fresh water within a freshwater management unit will be maintained or improved’ by requiring:
   a) freshwater objectives to be set to maintain or improve the current state of all metrics (as opposed to maintaining metrics within a NOF band),
   b) regional councils to report on fresh water quality and the achievement of freshwater objectives alongside a wider range of information, including: pressures (e.g. changes in land use, human inputs, invasive species and climate change); higher-level measures of state (e.g. ecosystem health); the effectiveness of management plan rules and methods; and progress towards implementing management plans, and
   c) guidance on how to determine what level of monitoring is enough to inform analysis and reporting, supported by worked examples of how this should be done.

5) We believe that these results should not just be set temporally. For example, there is a higher standard for swimming in summer – this should be all year round.

6) As already stated we do not support the exclusion of hydro-electricity from requirements to clean up our big rivers.

7) We agree there need to be tighter controls to prevent sediment loss from earthworks and urban development.

8) We agree that more work needs to be done to reduce leaching of livestock urine. *Livestock urine is the dominant source of nitrate-nitrogen leached from soil.*
Leached nitrate-nitrogen can enter groundwater and waterways, potentially causing ecological harm. The amount of nitrate-nitrogen leaching from the soil varies around the country as a result of different land uses, climates, and soils. (NZIER, 2019, “Getting the Balance Right“)