

Proposed amendments to the National Policy Statement for Freshwater Management 2011



Copy of your submission

Personal details

If you are making this submission as a representative for an organisation, the name of that organisation will be used in any reports on the submissions, but your name will be withheld. If you are making this submission as an individual, your name will be used in any reports on the submissions unless you request otherwise.

First name [withheld]

Surname [withheld]

Email [withheld]

Organisation

Telephone [withheld]

Address [withheld]

I give permission to publish my details No

Why do we need to amend the NPS-FM?

1. Have we correctly identified the problems currently associated with implementing the NPS-FM? No

2. If not, what problems, if any, you have faced with implementation?

Lack of political will at national, regional and local government levels to take the actions necessary to protect the mauri of New Zealand's waters and to provide swimmable quality water, at a minimum, in all rivers and estuaries. Disproportionate political power given to polluters in consultations and in government setting of regulations. All levels of government regulators and policy makers need to reverse their willingness to bend over backwards to allow existing polluters to continue to pollute. Regulators' job is to protect the people's water, not to protect the ability of polluters to continue to extract economic advantage by polluting the commons. Setting the national water quality standard at the lower level of wade-able water and then placing the burden on local people to petition their regional councils to adopt more stringent conditions for regional water quality is onerous and a regulatory sleight of hand. The entrenched economic interests of the water users/ polluters will, invariably, prevail or substantially weaken the public effort at water improvement. The water quality bar needs to be set high at the national level and then if weakening is desired at the regional level, a petitioning process with formidable hurdles needs to be set up. Keep water quality standards at drinkable and force users to comply within 10 year time periods, otherwise, government is simply being a pawn of polluters and the rhetoric about the primary importance of water quality in NZ remains just that.

Options for providing further national direction

3. Do you agree that amending the NPS-FM would solve the problems identified in section 2? No

Comment

As proposed the NPS-FM standards are too weak to solve the problems identified and changes are extended too long into the future.

4. If not, would additional guidance be sufficient to solve the problems identified? No

Proposed amendments to the National Policy Statement for Freshwater Management 2011



Copy of your submission

Comment

Water quality regulation so far has mostly been about "guidance" and look where it's gotten us. Strict, high standards for water quality need to be adopted at the national level and implemented promptly.

5. Is there another solution to the problems? Why would that be preferable? Yes

Comment

Stricter standards as mentioned in 4. above and taking on board that water treatment and pollution avoidance technologies are being implemented worldwide without economies crashing. Why aren't we researching and requiring water polluters to utilise these technologies? New Zealand is increasingly the laughing stock of developed countries with rapidly declining water quality while giving lip service to clean/ green. The solutions to this problem involve: 1. the central government and MFE truly taking on board their responsibility to protect and improve water quality as THE basis of our economic well being. 2. Realise that dairying can be profitably done on 1/4 or less the currently used levels of urea, which is THE main source of our water deterioration. Education of all farmers and restriction of urea use must be implemented immediately. Europe has done this and continues to farm profitably. If we delay further this crucial shift in regulatory focus, our international competitors on the world food market will begin to use our intransigence against us via consumers.

Proposed amendments to the NPS-FM: accounting

6. Do you agree with requiring councils to account for all water takes? Yes

Comment

7. Do you agree with requiring councils to account for all sources of contaminants? Yes

Comment

It is important that the requirements for monitoring include all antibiotics, synthetic hormones, pesticides, plasticizers and persistent hydrocarbons.

8. Do you think that the requirements in policies CC1 and CC2 of the proposed NPS-FM amendments have the right balance between national prescription and regional flexibility? No

Comment

The national standards need to be set higher and if regional weakening of standards is desired then a stringent process to involve local participation and provide clear justification must be met.

9. Do you think the time period allowed for councils to develop accounting systems is appropriate? No

Comment

The time frame needs to be shorter. Why not have a national accounting system and specified testing? This is a small country and variability in testing/ accounting is ridiculous and a waste of regional staff time and funds in setting up slightly different systems throughout the country. Impose a stringent accounting system that is uniform throughout the country. How will you evaluate/chart results if every regional council has a different system?

Proposed amendments to the NPS-FM: NOF values

10. Should there be a national set of values as outlined in appendix 1 of the proposed NPS FM? Yes

Proposed amendments to the National Policy Statement for Freshwater Management 2011



Copy of your submission

Comment

But the values assigned need to be for better water quality than simply wade-able water. New Zealand needs to return its rivers to swimmable and ideally drinkable water. Setting the aspirational water quality bar at "no more than moderate risk of infection or illness to people when wading or boating" is a travesty. That's not water quality! It is a ringing indictment of how far regulators have let our waters deteriorate. Why should you be trusted now to come up with a framework that actually improves water quality when your laxity over the last 3 decades have created this situation?

11. Are there any additional values that should be included? Why are these values nationally significant/important (recognising that councils can use other values if they wish)? Yes

Comment

The stated, ultimate goal for NZ water quality needs to be a return to drinkable water.

12. Are there any values that should be deleted from appendix 1 of the proposed NPS-FM and why? Yes

Comment

The values of secondary contact recreation used to contribute to Objective A1 and Te Mana o te Wai should be deleted and replaced with safety for primary contact recreation within 10 years and human consumption quality water within 25 years.

13. Do you agree with the descriptions of the national values in appendix 1 of the proposed NPS FM? No

Comment

The values are too weak. How can mahinga kai be honored if it's only partially safe to enter the water to harvest? How can kai growing in waters polluted to that level be fit to eat?

Proposed amendments to the NPS-FM: NOF attributes

14. Do you agree with the attributes associated with the values in appendix 2 of the proposed NPS FM? No

Comment Across the board they are too weak.

15. Do you agree with the numeric attribute states in appendix 2 of the proposed NPS FM? No

Comment

The numeric attributes are likewise too weak....how can you justify national bottom lines for medians and maximums that are 5 to 6 times greater than healthy, resilient aquatic ecosystems?

16. Do you agree with the narrative attribute states in appendix 2 of the proposed NPS FM? No

Comment

While I can see the need for narrative attributes for the state of the various water ecosystems, I vigorously object to the 'location' at which the National bottom line is set. It needs to be at least at Attribute B.

Proposed amendments to the NPS-FM: Timing of putting NOF in place

Proposed amendments to the National Policy Statement for Freshwater Management 2011



Copy of your submission

17. Do you agree with putting a NOF in the NPS-FM now, including only the attributes for which there is adequate evidence, and updating it as the scientific basis for further attributes and states become available? Yes

Comment

18. Or should the Government delay putting the NOF into place until a more comprehensive set of attributes has been developed? No

Comment

Apply the NOF now but be very clear that both funding and priority continues to be given to completion and adoption of a more comprehensive set of attributes within the next 5 years.

Proposed amendments to the NPS-FM: Processes for freshwater objective setting

19. Do you agree with having the process requirements to link values and freshwater objectives directed in policy CA1 in the proposed amendments? If not, why not? Yes

Comment

But the values and objectives need to more robust in improving water quality across the board.

20. Do you think the process outlined will work? If not, why not? No

Comment

Because those who wish to have water quality standards remain lax, Fed Farmers, some local councils, Fonterra and Dairy NZ and manufacturers in general, have a focused economic self interest to protect and their presence and pressure on regional governments will predominate.

21. Do you agree with the proposed matters in policy CA1(e) that must be considered when establishing freshwater objectives? If not, why not? No

Comment

Do you guys write these regulations and questions purposefully to obsficate and reduce public participation or is it unintentional?! I suggest you re-read CA1 e. i.-iii. and consider whether you're really doing your job adequately. Who in their right mind, other than someone paid very well to do so, would wade through what you have created here and still come out the other end willing or able to comment on the content of the document?

22. Is it clear that setting freshwater objectives is an iterative process which involves consideration of the impacts of the limits, management methods, and timeframes required to meet a potential freshwater objective? No

Comment

This may be an iterative process but we know enough from limnology science that the waters are seriously degraded and that higher standards of quality need to be adopted immediately.

23. Do you agree that regions should have discretion to determine timeframes for meeting freshwater objectives? No

Comment

Proposed amendments to the National Policy Statement for Freshwater Management 2011



Copy of your submission

24. Are there any aspects of the process that are not clear? Yes

Comment

It is not clear to me why MFE is caving into regional intransigence and water polluters whining about the impacts of limits and management methods.

Proposed amendments to the NPS-FM: Compulsory values

25. Do you agree that ecosystem health should be a compulsory value? Yes

Comment

26. Do you agree that human health for secondary contact recreation (such as boating and wading) should be a compulsory value? No

Comment That value is too weak

27. Do you think there should be more compulsory values? If so, what should they be, and why? What attributes should be associated with them? Yes

Comment

The compulsory values should be set at Attribute State B for the next 20 years and then be notified now as being changed to Attribute State A by 2034.

Proposed amendments to the NPS-FM: National bottom line

28. Should there be numeric bottom lines for attributes of the compulsory values? Yes

Comment

Numeric values need to be set now but at more stringent levels than those proposed. Otherwise, regulation deteriorates into a bun fight of scientists/ policy makers claiming that a particular body of water is or is not actually meeting the narrative attribute state criteria.

29. Do you agree with the proposed level at which bottom lines would be set for each attribute of ecosystem health? If not, at what level should they be set? No

Comment

As commented above. The bottom line for each attribute of ecosystem health needs to be set at Attribute State B or whatever delivers swimmable water now and drinkable water in 25 years.

30. Do you agree with the proposed level at which bottom lines would be set for each attribute of human health for secondary contact recreation? If not, at what level should they be set? No

Comment

The level at which bottom lives need to be set for each attribute is safety for primary contact recreation now and drinkable water in 25 years.

31. Do you agree that transitional arrangements should be provided to allow councils and communities to set

Proposed amendments to the National Policy Statement for Freshwater Management 2011



Copy of your submission

objectives below a national bottom line for a short time? No

Comment

Just get on with it now. There has already been too much dragging the chain by councils.

Proposed amendments to the NPS-FM: Exceptions to bottom lines

32. Do you agree that there could be exceptions where the natural state of the freshwater management unit breaches bottom lines? Where in your region do you think this type of exception might apply? No

Comment

I think this is simply a "weasel out" provision that needs to be removed. "Exceptions" here seems to be a nice word for 'in the local too hard basket'. Local councils need to get a grip and regulate.

Where in your region do you think this type of exception might apply? No

Comment

It is inappropriate and unwise to allow local governments to continue to ignore historic sources of pollution because they don't know how to handle them or they feel to address the problem is too expensive or that bringing the problem to the table only exposes their past failures to regulate water quality. Yes, there are some nasty examples of historic water pollution in NZ. Are we learning from them now and applying those lessons to the current proposed standards or are we continuing to 'satisfice' with compromises meant to maintain a thriving economy at the cost of our ecosystem health? How can you have a thriving economy in a sick ecosystem? Eventually what we ignore does come back to bite us in the bum - force local councils to deal with the seemingly intractable issues now - but provide them with the science, access to information on treatment options and funds. It's not entirely their fault that national standards were lax and central government was not exercising adequate oversight.

34. Do you agree that there could be exceptions for significant existing infrastructure (eg, dams), where a choice is made to manage a freshwater management unit below bottom lines? Where in your region do you think this type of exception might apply? No

Comment

Either water quality is crucially important or it isn't. Dams can be created in such a fashion to avoid deleterious impacts of fresh water. Just do it.

35. Do you agree that freshwater management units eligible under the first two exceptions above should be decided by regional councils? No

Comment

36. Do you agree that freshwater management units eligible for an exception due to the effects of significant existing infrastructure should be decided at a national level and included in appendix 3 of the NPS-FM? No

Comment There should not be options for deterioration of water quality. Period.

37. What should the criteria be for allowing exceptions based on significant existing infrastructure?

Comment

Proposed amendments to the National Policy Statement for Freshwater Management 2011



Copy of your submission

Please note that this is not a yes/ no question as stated. In my opinion there should not be exceptions based on significant existing infrastructure. A major way to do that is to review existing permits or uses and apply conditions are requirement that will collectively improve water quality in that drainage.

Proposed amendments to the NPS-FM: T?ngata whenua values

38. Do you think the proposed NPS-FM adequately provides for Te Mana o te Wai?

Comment You need to thoroughly canvas Maori on that issue. I'm a pakeha tauwi.

39. Do you agree with the way t?ngata whenua values are described in proposed appendix 1 of the NPS-FM?
Yes

Comment

I'm generally ok with the way you've described tangata whenua values - but I don't think you've come close to actually translating the spirit or impact of those values into the numerical values or bottom line attribute state of secondary human contact that has been chosen.

40. Do you support adding Te Mana o te Wai to objective A1 of the amended NPS FM as a matter that must be safeguarded? What would be the implications of adding this to objective A1 in the NPS-FM? Yes

Comment

The implications would be that you'd need to shift the bottom line values and numeric Attribute States to Attribute State A or at a minimum B.

Proposed amendments to the NPS-FM: Monitoring

41. Do you agree with the new section in the NPS-FM requiring monitoring plans? If not, why not? Yes

Comment

Other comments

42. Is there anything else you would like to tell us about the issues and proposals in this document?

I have to assume you mean well. I know a great deal of effort has been put in to consult with scientists but I think you are allowing yourself to be captured by the economic interests that you are meant to be regulating. You will have heard no end of whine stories about how higher water quality standards will adversely impact the economy and specific sectors or key businesses. As a professional environmental quality consultant and fertiliser specialist with a background in regulatory politics, I can assure you that their arguments are specious and self serving. It is completely possible to retrofit or design manufacturing or dairy processes to be minimum polluters and to do it without endangering the business or the wider economy. In fact, requiring that higher standards be met creates more business opportunities and eventually markedly reduces health costs. Your job is to protect the environment and provide for top quality ecosystem services, mahinga kai and the safe, unhampered water experience that is every Kiwi's birthright. Do you job!