



South Island Eel Industry Association

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Submission: Proposed amendments to National Policy Statement for Freshwater Management 2011

This submission has been tendered by the South Island Eel Industry Association Inc (SIEIA). The name and address for service is:

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If a hearing occurs, **SIEIA would like to be heard in support of this submission.**

SIEIA, on behalf of the commercial eel fishers of the South Island, makes this submission to “Ministry for the Environment. 2013. *Proposed amendments to the National Policy Statement for Freshwater Management 2011: A discussion document*. Wellington: Ministry for the Environment”, as outlined in the MFE document dated November 2013 (hereafter referred to as the Proposal). This document provides proposed amendments to the National Policy Statement For Freshwater Management (2011) and a National Objectives Framework.

SIEIA represents commercial eel fishermen who utilise the eel resource in the South Island. Our members comprise the majority of eel permit holders, and take the majority of the sustainable shortfin and longfin eel catch in the South Island.

SIEIA supports the submission of Seafood NZ, and in particular endorses their comments on the addition of references to the connections between freshwater and coastal water.

From reading the discussion document, we have a number of concerns relating to what is being proposed. Our concerns are as follows:

1. The discussion document states “*regional councils shall account for all water takes and sources of contaminants to inform decisions on the setting of freshwater objectives and limits*”.

There is little discussion on how non-point sources of contaminants will be accounted for. Indeed, there seems to be little intent to deal with this problem, which has magnified significantly over recent years as a result of the dairying boom.

2. The existing requirement in the NPS-FM to maintain or improve overall water quality within a region will remain. This is not good enough. The NPS should require overall water quality in a region to be improved.

3. The discussion document states *“For waterways that currently breach bottom lines, regional councils and communities can plan to improve the quality over time. Timeframes for adjustment may be long”*.

There is no justification for long time frames. Waterways can be improved rapidly if there is a will to do so. The NPS should require Regional Councils to provide clear time frames for improving water quality to achieve their stated bottom lines. In areas where groundwater lag times are not significant, this should be no more than 5 years.

4. The discussion document states *“The science around ecosystem health for groundwater is in its early stages. As a result, no attributes have been defined for groundwater. Thus the primary control for groundwater will be through how it impacts on ecosystem health for rivers and lakes, and councils will set freshwater objectives for groundwater regionally.”*

This is not good enough. Groundwater nitrate pollution from dairy farming is the number one issue relating to overall water quality throughout New Zealand. The NPS must clearly state that bottom-lines for groundwater quality shall be set, and met within meaningful time frames

5. We agree with the statement *“Where freshwater management units are below national bottom lines, they will need to be improved to at least the national bottom lines over time. It is up to communities and iwi to determine the pathway and timeframe for improving freshwater quality to the required level.”*

However, we disagree with *“Where changes in community behaviours are required, adjustment timeframes should be decided based on the economic impacts that result from the speed of change.”*

This is unacceptable, considering the economic impact that has already been imposed on eel fishermen and many others as a result of considerably reduced water quality. Polluters have absolutely no right to indulge in foot-dragging because of any impact on their profitability.

6. We disagree with the statement *“Improvements in freshwater quality may take generations depending on the characteristics of each freshwater management unit.”* In nearly all cases, improvements to water quality can be made almost immediately. Where groundwater lag-times cause water quality to remain in a poor state for a prolonged period, this should be calculated by Regional Councils, and Regional Water Plans should then clearly state the time frames required to reach groundwater bottom lines.

7. We have some difficulty in the concept of using “Freshwater management units”. Water quality should be managed on a catchment basis, so all issues can be dealt with together. Community involvement is better managed on a catchment scale. If the “Freshwater Management Unit” is too broad-scale or loosely-defined, then some discrete water bodies can fall through the cracks and end up being inappropriately managed. Lowland spring creeks would be an example of this. These are often very

good eel fisheries, and can make up the bulk of the commercial and/or customary catch in a small community.

8. We disagree that water quality can be managed through setting environmental flows. This is a “dilution solution” to the problems of pollution, rather than a direct management solution, and does not belong in modern environmental management documents.

9. We have some concerns re the setting of the human health value at the level of secondary contact (such as wading or boating). That seems to be a fairly low level value. We feel the value should be higher, perhaps “total immersion” (e.g. swimming) but not necessarily as high as drinking quality.

10. The concept of “ecosystem health” is poorly defined. It needs to list the water quality attributes for key species within a catchment. The New Zealand shortfin and longfin eel require good water quality for suitable habitat, and these species would be well-suited as part of a suite of key species which could be used as indicators of “ecosystem health”.

11. We are concerned with the terms “significant values” and “outstanding water bodies” in the proposed NPS. The NPS provides little definition of exactly what is “outstanding” or “significant”. Again, this could be better defined through the presence/absence of habitat for key species (such as eels). Overall, Objective A2(a) is not well-defined enough to provide any degree of certainty that important areas will be preserved. For example, wetlands have declined to the extent that all remaining wetlands should be classed as “significant”.

12. SIEIA supports the proposed NPS amendment CA1(f) (v), requiring Regional Councils to consider *any implications for resource users, people and communities arising from the choice of freshwater objectives and associated limits including for actions, investments, ongoing management changes and any social and economic implications.*

This would most definitely include commercial eel fishermen, who have invested considerable sums into the development of a sustainable eel fishery, only to have this taken from them through inappropriate water management.

13. We note the definitions in Appendix 1 of the proposed NPS. Commercial eel fishing (also whitebaiting) could be listed under various “additional national values”, such as “Fishing”, “Food security” (eels are exported), and “Commercial and Industrial Use”. SIEIA prefers a separate “national value” being “commercial and recreational harvest”.

14. SIEIA believes that Appendix 4 of the proposed NPS is inappropriate and should be deleted.

Yours faithfully



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SOUTH ISLAND EEL INDUSTRY ASSOCIATION INC.