

Submission on Clean Water Consultation 2017 and proposed amendments to the National Policy Statement for Freshwater Management 2014 (Freshwater NPS)
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Introduction

Te Taiao Hawke's Bay Environment Forum (Te Taiao) formed in 2011 and is an umbrella group for a number of conservation/environmental groups in Hawke's Bay active in protecting the region's natural assets. The members seek to achieve better environmental outcomes by improved coordination and sharing of information. The principles that guide the group include:

- Strong sustainability
- Interconnectedness of our key environmental issues
- Dependence of social, cultural and economic well-being on environmental well-being

The Forum has identified the following keystone environmental issues for Hawkes Bay:

- Decline in quality of freshwater in our rivers and streams
- Increasing demand for freshwater resulting in low summer flows
- Unsustainable land use
- Declining Biodiversity
- Insufficient recognition of cultural values
- Threats to groundwater
- Inappropriate development of large -scale water storage infrastructure that is detrimental to ecosystem health and encourages unsustainable land use.

Our comments below reflect the comments and concerns highlighted in our April 2016 submission on Next Steps Freshwater

General Comments and Context:

We are encouraged that both the OECD report and the Report on Freshwater from the Chief Science Advisor raise public awareness of the extreme and urgent freshwater issues facing Aotearoa, NZ and the imperative for environmental limits, the precautionary principle and an acknowledgment of planetary boundaries. We also expect the just released Our Fresh Water 2017 Report (April 27) will further increase the public's awareness of the urgency of the problem.

We therefore support policy that strengthens limits and bottom lines and has ambitious time frames.

We are concerned with the continuing conflict and incompatibility of government agendas to double agricultural production and at the same time improve freshwater health along with legacy issues of cumulative effects. The key issue is the management of primary production and land use within environmental limits (in both the rural and urban environments).

We cannot continue to use the environment to internalise the externalities of inappropriate land use and land management.

We are very disappointed that many of the Land and Water Forum (LWF) recommendations have not been implemented yet and with the resulting loss of community and environmental voices in this collaborative process. Some of our members are part of Hawke's Bay collaborative processes and face the very same issues of due process and inclusion at a local level.

Clean Water Document:

1. Te Mana o Te Wai: We support the strengthening of Te Mana o te Wai throughout the document as a recognition of cultural and intrinsic values and a more integrated and holistic approach to the biological health of freshwater systems. It is not always clear how this translates to the Attribute Tables and implementation needs to be developed.

2. Human Health for Recreation (Swimability): We support robust standards and bottom lines for rivers and lakes to ensure both swimability and ecological health. We therefore oppose the overall weakening of the standard of swimability to a percentage time based scale and request that E.coli attributes are returned to the previous 260/100ml threshold standard.

The Consultation document's "swimming" proposals apply only to "large rivers and lakes". This excludes the vast majority of water bodies. It needs to be clear what E.coli parameters apply to these other water bodies not qualifying as "large rivers or lakes".

Te Taiao recommends that the NPSFM should make it clear that the freshwater objective for those water bodies must be set to achieve the human health national value and that maintenance of current water quality is the minimum standard.

We recommend the inclusion of smaller rivers and streams in the swimming and recreation standards as smaller order streams and tributaries cannot always be assumed to be of higher standards than order 4 rivers they drain to. Often these smaller rivers are where the population particularly children swim e.g. Northland where quality is generally poor.

3. Monitoring macroinvertebrates (MCI): We support the amendment to the NPSFM to require Regional Councils to monitor macroinvertebrates as part of the assessment of ecosystem health and support a MCI score of 80 as a minimum threshold.

LWF has done a lot of work on MCI and recommends that regional councils develop an action plan to improve the MCI score to above the threshold or when there are declining MCI trends. This proactive surveillance may prevent tipping points in ecological health. Te Taiao recommends MCI be incorporated into the NPSFM as per LWF guidelines.

4. Stock Exclusion: We support the stock exclusion requirements however we request that the timeframes for all livestock exclusion be reduced with 2030 deadlines reduced to 2025, 2025 to 2022 and 2022 to 2020. These should be achievable targets to allow for changes in infrastructure for alternative animal water supply.

Stock exclusion needs to be integrated with riparian setbacks as recommended by LWF.

However, such mitigation measures are not adequate as ephemeral streams and waterways under a metre are not included and these measures will not adequately limit nitrogen pollution from the paddock into groundwater or laterally into streams.

We see that these measures may have limited long term improvement, are costly, and that for some catchments land use change and limits on intensification would be more effective.

Land use gets a little mention in Policy C1 and C2 and needs much more development as a key factor. Many North Island dairy farms remain on historically drained wetlands and in other areas the large increases in cattle and cow numbers aided by irrigation mean areas once regarded as marginal with inappropriate soils and /or terrain are developed beyond the carrying capacity of the land and its waterways.

5. Maintaining and improving overall water quality: Te Taiao supports the requirement that water quality be maintained or improved within a Freshwater Management Unit (FMU). Te Taiao recommends that FMUs be more clearly defined and constrained to prohibit an 'unders and overs' calculation for maintaining or improving water quality.

6. Economic considerations: The "balancing" of economy with environment is flawed as this approach does not always ensure freshwater objectives and limits that achieve ecosystem and human health. It may not be possible to have some economic uses of water that are compatible within the proposed goals for water quality.

We strongly recommend that the wording which includes "while providing for economic well being including productive economic opportunities" be deleted in Objective B1. We do not see the need to add the proposed additional wording "then providing for economic well being, including productive economic opportunities within environmental limits." in Objective A2.

As the OECD report has noted NZ is approaching environmental limits. This means that degradation of the environment caused by economic activity needs to be reduced. Any economic opportunity must be within environmental limits or within the capacity of the environment to sustain itself.

7. Benefits provided by Listed Infrastructure: This is concerning as there seems to be no definition in Policy CA3 and the associated Appendix 3 contains no information. There are many more types of water related infrastructure than hydroelectric infrastructure to be considered. More work needs to be done in determining criteria that allows infrastructure to qualify for an exception taking into account adverse effects as well as benefits.

8. Urban Issues: The Clean Water document proposals do not give adequate attention to urban water issues in particular, waste water and storm water. This is a serious omission and unfairly targets the rural sector.

Also associated with urban sources of contamination are the presence of heavy metals such as cadmium (more in the rural environment from fertiliser) and metals zinc and copper. These need to be added to the attributes to be managed.

There are many potential contaminants ranging from glyphosate to human and animal pharmacological products whose long term and cumulative effects need consideration.

9. Sedimentation. It is well known that sedimentation is of great concern in NZ with its multiple effects causing significant problems in both the freshwater and receiving marine environment.

Sedimentation has not been included in the Clean Water document and Te Taiao recommends that this be addressed fully in the NPSFM including an appreciation of soil types and soil conservation measures.

Thank you for this opportunity to further submit on the development of Freshwater Policy.