under: the Resource Management Act 1991

in the matter of: submissions and further submissions in relation to proposed Variation 1 to the proposed Canterbury Land and Water Regional Plan

and: Fonterra Co-operative Group Limited
     Submitter

and: DairyNZ
     Submitter

Rebuttal evidence of Ian Kevin Goldschmidt (in relation to groundwater nitrate limits)

Dated: 8 September 2014
REBUTTAL EVIDENCE OF IAN KEVIN GOLDSCHMIDT

INTRODUCTION

1 My name is Ian Kevin Goldschmidt.

2 My qualifications and experience are set out in my statement of evidence dated 29 August 2014.

SCOPE

3 In this evidence I provide a brief response to the request put forward by Dr Alistair Humphrey (in his paragraph 6.4) to amend the groundwater nitrate-N limit in Table 11(m) to 5.6 mg/L.

GROUNDWATER NITRATE LIMIT IN TABLE 11(M)

4 As set out above, on the basis of Dr Humphrey’s evidence it appears that the Canterbury District Health Board is seeking to amend the groundwater nitrate-N limit in Table 11(m) to 5.6 mg/L.

5 As outlined in my evidence in chief, Fonterra is supportive of the vision for the Selwyn Te Waihora catchment. However, I consider the limit proposed by Dr Humphrey does not reflect the likely existing nitrate-N levels around Darfield and is simply too restrictive given what is occurring, and can reasonably occur, in the existing environment.

6 In this regard, the data and commentary presented in the attached letter from Golder Associates, which has been agreed by ECan staff (see Annexure A), demonstrates:

6.1 the existing nature of nitrate-N around Darfield; and

6.2 the fact that the elevated nitrate-N levels in the Darfield area have not been caused by Fonterra Darfield’s operation.

7 The proposed limit would make it very difficult to operate the Darfield site in the future as the limit proposed by Dr Humphrey may already be exceeded\(^1\) in the vicinity of Darfield. As Fonterra is not the reason for the existing nitrate-N levels it would also be impossible for Fonterra to bring the wider area back into compliance were exceedances to be confirmed.

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\(^1\) The existing data record covers less than five years and is therefore not long enough to confirm compliance with the proposed limit.
8 Fonterra considers that it is more appropriate to address the Canterbury District Health Board’s concern by:

8.1 retaining the groundwater nitrate limit in Table 11(m) of Variation 1 as notified; and,

8.2 including an adaptive management policy as outlined by Mr Gerard Willis in his paragraph 201 - 207 (of his evidence in chief) to allow limits to be amended over time, as knowledge of the groundwater resource improves and the requirements of Variation 1 are given effect to.

9 As set out in the evidence of Mr Mike Copeland, significant economic benefits to the Selwyn District and Canterbury region would be lost if the Darfield site was unable to operate.

Dated: 8 September 2014

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Ian Kevin Goldschmidt