

Gay Gibson

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Submission on Proposed Variation 2 to the Proposed Canterbury Land and Water Regional Plan

Submitter ID:

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Form 5: Submissions on a Publicly Notified Proposed Policy Statement or Regional Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991

Return your signed submission by 5.00pm Friday 24 October 2014 to:

Freepost 1201 Variation 2 to pLWRP
Environment Canterbury
P O Box 345
Christchurch 8140

Full Name: <u>Phillip Graham Everest</u>	Phone (Hm): <u>03 3026 893</u>
Organisation*: <u>Peter Lase, Deane Taylor, William Kingston</u> <small>* the organisation that this submission is made on behalf of</small>	Phone (Wk): _____
Postal Address: <u>1030 Foods Road</u>	Phone (Cell): <u>0274 323 965</u>
<u>RD4 Ashburton</u>	Postcode: <u>7774</u>
Email: <u>p.everest@xtra.co.nz</u>	Fax: _____
Contact name and postal address for service of person making submission (if different from above): <u>* Ian Mackenzie, Stuart Wilson, Gordon Guthrie, Mark Webb,</u> <u>John Waugh, Barry Smith, Murray Hackett & Craig Fleming</u>	
Trade Competition	
Pursuant to Schedule 1 of the Resource Management Act 1991, a person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that:	
a) adversely affects the environment; and	
b) does not relate to trade competition or the effects of trade competition	
Please tick the sentence that applies to you:	
<input checked="" type="checkbox"/> I could not gain an advantage in trade competition through this submission; or	
<input type="checkbox"/> I could gain an advantage in trade competition through this submission.	
If you have ticked this box please select one of the following:	
<input type="checkbox"/> I am directly affected by an effect of the subject matter of the submission	
<input type="checkbox"/> I am not directly affected by an effect of the subject matter of the submission	
Signature: <u>[Signature] for the Group</u>	Date: <u>24-10-2014</u>
<small>(Signature of person making submission or person authorised to sign on behalf of person making the submission)</small>	
<small>Please note: (1) all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.</small>	

<input type="checkbox"/>	I do not wish to be heard in support of my submission; or
<input type="checkbox"/>	I do wish to be heard in support of my submission; and if so,
<input type="checkbox"/>	I would be prepared to consider presenting your submission in a joint case with others making a similar submission at any hearing

Submission by Ian Mackenzie farmer, and others with interest in the Ashburton Hinds Drainage district.

This submission is supported by Peter Lowe, Dean Taylor, William Kingston, Stuart Wilson, Gordon Guthrie, Mark Webb, John Waugh, Phil Everest, Barry Smith, Murray Harbutt and Craig Fleming

The members of the Ashburton Hinds drainage district working party believe that there are various ways in which the Hinds Plains sub regional plan could enable the district to achieve the aspirations of the Z I P. in terms of:

1. lowering the nitrate concentrations in the drains [the modified water courses and artificial water courses that make up the drainage network].
2. Increasing the flows in the drains
3. Providing for aquatic habitat for native species and in some drains habitat for trout
4. Providing for mahinga kai
5. Maintaining and enhancing economic and social well-being of the district
6. Increasing the area of irrigation

However the proposed plan [variation 2] prevents, makes difficult or does not enable most of these options.

Variation 2 picks one option [MAR] for achieving the aspirations of the Z I P. but because there was little or no discussion with the local community and the major stakeholders within the drainage district, several viable alternative or additional options have been made difficult or impossible by the proposed rules. We are proposing several changes to the rules to enable a wider range of actions that should be used to deliver the sought after outcomes.

The Zone Committee set up the working party after they had made their decisions for the future management of the drainage district. They were unwilling to change their proposed rules but did concede to set up the working party. [see last paragraph page 2].

The working party consists of 4 local farmers from the drainage district, 3 zone committee members, a representative from DoC, F&B and F&G, and Ngai Tahu.

The working party has met several times and has reviewed Ecan's information on drain flows, water quality, and aquatic species trends, minimum flows and current allocations. It has collected information on the source of nitrates in the drains, the nature and habitat of the drains and the experience of the residents of the drainage district.

On reviewing the information to date, the working party has concluded that:

1. The nitrates coming into the drains are consistently high [9 to 11ppm], and are similar at the point the springs feed the drains as they are at the seaward end of the drains. This indicates that it is not the drainage district that is the cause of the elevated nitrates in the water. The nitrates are the same or more coming into the drains as they are leaving. It also indicates that the water quality is not conducive to healthy fish life.
2. Since 2006 most of the main drains have become intermittent over the summer for periods of up to 3 to 4 months. The hydrographs provided by Ecan clearly show that the flows in the drains are directly related to aquifer pressures [not abstraction] and are highly responsive to rainfall events.
3. There are significant differences between the nature of flows in the drains on the north side of the Hinds river to those on the South side. On the north side of the river, the hydrographs indicate that a significant increase in abstraction from ground water up gradient from the spring country is likely to be the major influence on aquifer pressures and therefore reduced drain flows. While on the south

side a change from border dyke irrigation to spray irrigation is likely to be the main influence in lowering drain flows. It is not however related to abstraction

4. The abundance of fish species collapsed in the period from 2006 on. It is our view that this is highly likely to be correlated to a lack of water, and then the high nitrate levels that prevent repopulation of the drains, other than some resilient native species. The hydrographs provided by Jen Ritson [Ecan] clearly show the drains going dry for periods of up to 4 months from 2006 on and this coinciding with the collapse of fish life in the drains. The only drains to retain significant fish life being those associated with the Hinds river, the ECGIS or the southern drains that have not gone dry
5. The physical habitat [the form of the drains] has not materially changed since the drain network was rebuilt in the late 1940's, and although is not ideal as aquatic habitat, is not the limiting factor as we know that fish life flourished in these same drains before 2006.
6. The characterisation of the drainage district in the section 32 report is not an accurate description and misrepresents the nature of the problems the drainage district is facing, the nature of the drains themselves and the cause of loss of bio-diversity from the drains. This is exemplified by a report that Mark Webb of F&G has done on the average depth of the drains. His work showed that for 93% of the length of the drains, the depth of water is likely to be less than 300mm.

This information has led us to consider the proposed post 2020 management regime, the existing management regime and how best to achieve the outcomes sought by the community.

We believe there are much more effective ways to achieve the community outcomes than those proposed in variation 2

The Eiffelton Community Group Irrigation Scheme [ECGIS] has been operating a form of targeted stream augmentation [TSA] since its inception in 1986. The basis of the Scheme is to supplement the flows in 3 drains from a series of ground water wells so that the members can abstract their irrigation allowance from those drains while collectively maintaining environmental flows in the drains so that the in-stream habitat is protected. Diluting the nitrates in those drains has been a co-benefit.

ECGIS has consents to pump about 913 l/s into three drains and take about 1000 l/s out subject to meeting minimum flows on these 3 drains at Poplar road. All abstraction consents for taking water directly from these drains are held by the ECGIS. Most of the bores are deep and the nitrates in the bore water are low [3ppm]. This means that when the scheme is operating [usually October to March/April], the drains are carrying substantially more water in them than in their natural state for about 90% of the length of the drains. The bore water cools, oxygenates and lowers the nitrate levels in the drains making for significantly better habitat for fish

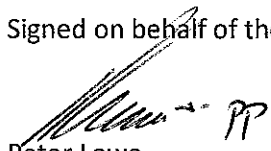
We believe that the ECGIS provides a template for how to address water quality and quantity issues in the drainage network with more certainty than the proposed use of managed aquifer recharge [MAR]. The drainage network is concerned that for MAR to work in terms of diluting the nitrates in the ground water, such quantities of water would be needed that there is a significant risk of elevated ground water resulting in wet farms. This not only increases the risk of flooding with subsequent property and crop loss, but also rendering the farms too wet to farm efficiently. We understand this risk as we farmed through such conditions through the 1980's

As proposed by Variation 2, we believe that MAR will give no direct benefit to the drainage district. However we do not want to set ourselves against those farmers above us who need MAR to mitigate their nitrate losses, and so we propose some changes to the rules and policies

1. We support policy changes to 13 4 5 but note that allowing surface water takes to transfer to ground water in itself does not enable that transfer

2. We are concerned that full regard has not been given to the risk that MAR imposes on the drainage district in terms of elevating ground water levels and the consequent damage done to our farms as in 13.4.9 d
3. 13.4.10..... we are concerned about what is referred to here as a drain.
4. 13.4.12we are concerned that the target load of 3400t is unrealistic as the current catchment load is calculated as being 4500t, and yet the 2 RDR schemes within the Hinds plains have been allocated 4300t until 2019
5. 13.4.13 .. We are concerned with the grand-fathering of land use and associated nutrient loss allocation. We oppose the concept of being held to baseline land use and we favour the approach proposed by the LWP nutrient management guidelines.
6. 13.4.14we are concerned that this policy is skewed towards MAR and does not give sufficient weight to TSA as a solution. This policy should include retaining the use of the existing infrastructure used by the ECGIS to run their irrigation scheme. We propose that it be changed to..... "by enabling various mitigations that will achieve this purpose". These would include using groundwater [sourced from surface water permit transfer] and/or river water for TSA; MAR; encouraging the use of drains as conduits for supplying irrigation water to farms;
7. 13.4.16 .. we oppose this policy as being too restrictive in preventing the use of some sensible and existing ways of improving flows in spring fed water bodies See above
8. 13.4.18 and 13.4.19..... we propose that 13.4.18 should delete the reference to 30 June 2020 and read from "..... table 13[e] until there is a collaboratively developed flow and allocation regime that has been included in the plan through a schedule 1 RMA process" This new flow and allocation regime will seek to accommodate those that still use water from the drains, will reflect those who wish to resign their surface consents, those who can successfully transfer to ground water and will reflect an intention to share additional flows [as a result of TSA and/or MAR] in the surface water bodies so that in stream values can be enhanced and existing water uses can be maintained.
9. 13.5.31..... this rule does not do enough to enable transfer of surface takes to groundwater Condition 1 needs to say that water should be used on the same property but the take may be elsewhere. Many of those who still rely on surface water for their irrigation supply cannot get good ground water due to sand intrusion or no ground water. Allowing the ground water take [bore] to be put where it is known there is good ground water and using the drains as a conduit for delivering that water to the property where the water will be used may be a more pragmatic solution in some cases. This will also have a beneficial effect on the flows in the drains used as conduits. Condition 3 [well interference] needs to be more enabling. It is unlikely in many cases that neighbours will agree to new bores being drilled Well interference rules may need to be modified to enable the intent of these rules
10. 13.5.33 and 13.5.34.....oppose these but support enabling conditional transfer to allow permits to be transferred to irrigation schemes/collectives to enable surrendered permits to be used to supplement flows in surface water bodies for the dual purpose of enhancing aquatic habitat and providing for irrigation takes.
11. 13.5.36..... oppose.. the conditions for this rule suggest a significant bias against some current activities that are known to have no adverse environmental or human health effects and specifically exclude the supply of irrigation water as a purpose for such discharges. The ECGIS relies on such discharges. We oppose 4 and would include irrigation in 5.
12. Table 13 [e] refers to the minimum flow site on the Windermere drain as being at Lower Beach Road. It is at Poplar Road and is the only minimum flow site referred to for any of the Consents to abstract water from that drain
13. In schedule 24a we oppose the 3m uncultivated vegetative strip required for cultivation for all drains. This is a very significant impost on arable farmers in the drainage district and we believe there are other ways to manage soil loss.

Signed on behalf of the submitting group


Peter Lowe