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To: [Mailroom Mailbox](#)
Subject: Submission on proposed plan change 7 to the Canterbury land and water Regional plan
Date: Tuesday, 10 September 2019 8:46:29 AM

Submission on proposed plan change 7 to the Canterbury land and water Regional plan.

Introduction

My name is Greg Anderson and have lived and farmed in the upper region of the OTOP zone all my life. Currently I live and farm next to the North Opuha and have done so for the past 19 years. I farm a predominately sheep with a small percentage of beef animals. I am also privileged to be an irrigator out of the north opuha on a relatively small area of 48 ha. During the past 2 years I have played an important role in being involved in the opuha catchment group giving community feed back to the OTOP zone, also I have been the representative for irrigators on the north opuha on the (FAWP) flow and allocation working party. I was also a meat and lamb monitor farmer for 4 years from 2005-09 which gave a insight to good farming practises in my area plus I am also the South Canterbury chairman of meat and wool for federated farmers which gives me a good understanding of the issues facing many farmers.

I am submitting on three areas of the plan.

Tributary minimum flows Table 14(m) I oppose the including of the AN allocation in the pro-rata calculations for the partial restrictions for AA & BA permits operating in the water users' group under table 14(m)

Background-

Over the last 19 years of irrigating out of the north opuha under a summer minimum flow of 850L/sec and winter flow of 1000L/ sec I could see no logical reason for change. On joining the (FAWP) the initial information supplied to me to report back to fellow irrigator's was that the north opuha was in good shape. The initial hearing in Jan. 2000 on minimum flows which F & G, DOC, NZ salmon angler's ass. And the S.C anglers club submitted on reported that the minimum flows were considered appropriate to protect instream values for native fish, fish passage and trout spawning habitat. Also, during the consultation period with the zone committee, they believed the status quo was the best option for the north opuha. Technical staff who reported to both the zone committee and the FAWP group reported that the opuha was one of the few under allocated rivers in the OTOP zone and was meeting national guidelines into minimum flows. IN fact, NIWA who were commissioned to do a report for the OTOP zone committee found that based on the current hydrological characteristics and instream ecological values the north opuha rated 1st among the nine sites in table 8 pg. 32 of their report for catchment flow and periphyton. Invertebrates relative to guidelines were not available due to lost data but the north opuha ranked 4th for angling usage which would confirm good invertebrate populations for fish food. Also, my own personal experience living next to the river It is regularly visited by professional fishing guides and their clients who have good catches.

Also the peer reviewed report by Melissa Robson-Williams and Dan Clark for the OTOP zone to support the OTOP limit setting process concluded that the 7DMALF for the North Opuha was 821L/sec Table 3-6 under national guidelines the minimum flow should be 90% of

MALF on rivers less to or equal to 5000L/sec which means a minimum flow of 738L/sec should be set on the North Opuha .

But like all processes where there are outside input logical decisions are changed. The zone committee through pressure from ECAN decided we needed to have a pro- rata regime included with our minimum flows. Meaning the allocation would be stacked on top of our minimum flow and restricted down as the river dropped and a water users' group would manage it to stay above the minimum flow. AT this time it was agreed that only the AA and BA allocation would be included because they are the only abstracters who are governed solely by the minimum flow at the north opuha recording devise and have shares in the opuha dam and contribute to augmentation to the lower opihi catchment.

Unfortunately, when the zone committees zippa came out the AN allocation had been included. This creates an unfair anomaly for the AA and AB abstracters.

The reasons I oppose AN allocation being included for AA & BA pro-rata calculations for the North Opuha are-

1. Clearly, we are looking at a river which is in good health supported by the information I have supplied which is also supported by reports tabled with the FAWP submission by Dr Greg Ryder a technical advisor to the FAWP.

The ecological state of the river has not justified an increase in minimum flows but after consultation and a desire by north opuha abstractors to be seen to be doing the right thing in relation to other rivers in the catchment we agreed to a pro-rata regime but not one that puts us in a worse situation than we were in before due to the including of the AN allocation.

2. The independent panel of commissioners reading this are properly wondering how we are in a worse position when our minimum flow has been decreased. When we agreed to a pro-rata regime it was put to the zone committee that if that was to happen, we needed to have a true reflection of the draft NES standard of 90% of malf which showed that our river could have a lower minimum flow and as mentioned before the river under draft NES could sustain a minimum flow of 738L/sec .For some unknown reason the zone committee came up with the arbitrary figure of 815L/sec. But when the AN allocation was added in to the partial restriction regime it took our allocation to 243L/sec from 67L/sec this has created an unfair position which is backed up by the opihi river regional plan which states under-

5. Water Quantity Policy 8.- those who abstract from the opihi river and its tributaries and from hydraulically connected ground water and who are not augmenting the river flows will only be able to abstract based on the unmodified flow in the opihi river.

ECAN explanation- those who provide the augmented flows are given first call on them over other abstractions and the principal reason is to provide for an equitable abstraction regime associated with higher river flows and ensure that the benefits which come to abstractors from augmentation go to those responsible for the augmentation.

If AN allocation is included this principle will be overridden at certain times e.g.

North opuha flowing at 1020L/sec , unmodified flow at state highway 1 is 8250L/sec (AN new minimum flow in table 14(u) allows a minimum flow of 2600L/sec plus an allocation of 5600L/sec on pro-rata) .Plan change 7 table 14(m) min. 815l/sec plus allocation 243L/sec pro-rata starts at 1058L/sec hence abstractors who are augmenting the opihi are on pro-

rata restrictions at flows that were higher than the previous minimum winter flows. Which goes against the principle that augmenters have first call. I believe this situation will occur regularly early in the season and later when rain fall keeps the rivers higher this is based on previous experience of river flows. Also it is going to last longer due to the AN abstractors being on a pro-rata regime , not sure how this will work, plan doesn't state whether it is a water users group or stepped, water users group would struggle due to the AN users spread over the whole catchment.

If the original proposal of just AA and AB allocation was included 67L/sec plus min. 815L/sec augmenters of the mainstream will not be on restrictions in line with the reasons for ECAN explanation of policy 8 in the opihi management plan.

3. Abstractors are being asked to form water user groups to make the pro-rata work including the AN allocation in the north opuha user group will create difficulties by the fact that AN has a different minimum flow site (state hwy 1) to the AA and BA (north opuha clayton bridge) abstractors, also the three consents that make up the AA and AB consents (67L/sec) are of relative comparable size 21.3L/sec, 21.3L/sec and 24.4L/sec whereas the AN consent is 176L/sec this will be hard to restrict fairly among users which could cause the user group to become unfunctional.

In regard to 14(m) I would like the definition of pro-rata restrictions so that AA & BA permits operated as part of a water users group are subject to pro-rata partial restrictions that commence when the flow in the North Opuha correspond with the minimum flow, plus the sum AA & BA allocation

Adaptive management of the main stem of the Opuha and Opihi rivers Tables 14(v) & 14(w)

All though it is difficult for the lay man to follow in the plan changes without a good understanding of the technical side of lake opuha 's augmentation. The Stepped restrictions in tables 14(v) & 14(w) are too restrictive and don't consider of the community input through the OFRAG group which takes a collaborative approach to advising on when restrictions should apply, to protect the water in the lake in exceptionally dry years. Opuha Dam company and OFRAG have built up considerable experience in managing flows for all users remembering that 50% of the lake is used for recreational values. As stated in the media in 2015 when the lake got down to its lowest level due to a very dry spring , Ecan monitoring and compliance team leader Jo Field stated that they could not offer more praise to OWL and OFRAG for its protection of flows ,It's not in the best interests of consent holders to take total takes because they're really just cutting of their nose to spite their face Field said.

Plan change 7 needs to reflect community understanding of a scheme that benefits that community , Ecan planners hiding behind ridged rules as an excuse against collaborative management by the community that clearly wants it, is highly undemocratic and has no place to play in a community plan on how to manage our environment.

I seek Ecan to consider the numerous submissions on a flexible adaptive management regime which takes in community input into the management of the main stem of the Opihi and Opuha rivers

High nitrogen concentration areas the Fairlie basin HNCA

As a farmer in the Fairlie HNCA I support the intent of the plan to protect our water ways from further increase in nitrogen levels and even where practical try to reduce them. But I do have some serious concerns on the figures you are using supplied by the OTOIP zippa.

The plan states that the Fairlie HNCA exceeds the recommended guidelines in the NZ Drinking Water standards maximum acceptable value of 11.3mg/L and the national bottom line for ecosystem health for freshwater management of 6.9mg/L which it clearly doesn't. The Fairlie HNCA has been set at 6.9mg/L based on monitoring of 5 shallow wells in the Fairlie area which are mainly position on Ashwick flat 4 and 1 at the northern end of the catchment. The ones on Ashwick flat are in a highly intensive farming area and should give a good indication of trends. Some further monitoring wells are being suggested 3 existing wells are going to be added to the monitor wells mainly in the Ashwick Flat area and 3 new ones 1 in the north and 2 in the south of the area. To get a real feel for where the trends are, we need more.

I believe the boundaries of the Fairlie HNCA are too simplistic there needs to be changes made that reflect ground types, stocking densities and the different water catchments, there are three distinct areas -above Lake Opuha, Ashwick Flat and Fairlie.

The Plan has set a goal of 5.3mg/L ½ the MAV for these monitor sites which maybe aspirational but not practical.

Surely it would be better to set a goal that see's levels dropping from the national bottom line which we are at and not going above it. A downward trend would certainly make the community happier, but they need to be informed we are at the required level now.

IT should also be noted that the major surface water bodies in the Fairlie HNCA are in good shape regarding nitrates backed up by technical reports given to the zone committee and the FAWP.

I seek Ecan to push for more monitoring sites in the Fairlie HNCA and to also set more attainable nitrate levels which are achievable backed up by good science not just figures based on limited monitoring and aspirational goals.

From: gregsandyanderson@gmail.com
To: [Mailroom Mailbox](#)
Subject: plan change 7 to the LWRP submission
Date: Tuesday, 10 September 2019 8:54:30 AM



Submission on Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan

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Submitter ID: _____

File No: _____

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

Return your signed submission by 5.00pm Friday 13 September 2019 to:

Proposed Plan Change 7 to the Land and Water Regional Plan
Environment Canterbury
P O Box 345
Christchurch 8140

Full Name: Gregory William Anderson. Phone (Hm): 036854846

Organisation*: _____ Phone (Wk): 11

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RD 17 Fuirie Postcode: 7987.

Email: greysandyanderson@gmail.com. Fax: _____

Contact name and postal address for service of person making submission (if different from above): _____

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:

- I could not gain an advantage in trade competition through this submission; or
- I could gain an advantage in trade competition through this submission.

If you have ticked this box please select one of the following:

- I am directly affected by an effect of the subject matter of the submission
- I am not directly affected by an effect of the subject matter of the submission

Signature: _____ Date: 8/9/19.

(Signature of person making submission or person authorised to sign on behalf of person making the submission)

Please note: (1) all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.

- I do not wish to be heard in support of my submission; or
- I do wish to be heard in support of my submission; and if so,
- I would be prepared to consider presenting my submission in a joint case with others making a similar submission at any hearing