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To: [Plan Hearings](#)
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Subject: Plan Change 7 evidence - Submitter 238
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Attachments: [Final Upper Opihi-Opuha Catchment Group PC7 evidence.pdf](#)

Please find attached the Plan Change 7 Evidence, for the Upper Opihi – Opuha Catchment Group (Submitter 238)

Kind regards

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**BEFORE INDEPENDANT HEARING COMMISSIONERS
APPOINTED BY THE CANTERBURY REGIONAL COUNCIL**

UNDER: the Resource Management Act 1991

IN THE MATTER OF: Proposed Plan Change 7 to the
Canterbury Land and Water Regional
Plan – Section 14: Orari-Temuka-Opihi-
Pareora

**STATEMENT OF EVIDENCE IN CHIEF OF JASON AARON GRANT ON BEHALF
OF THE UPPER OPIHI – OPUHA CATCHMENT GROUP
(SUBMITTER NO. PC7-238)**

Dated: 17 July 2020

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1. INTRODUCTION

- 1.1 My full name is Jason Aaron Grant
- 1.2 I am the Managing Director of a dairy and dairy support business running three farms in South Canterbury. One of our properties “Leslie Downs” which we have owned since 2001, is located in Sherwood Downs, in the Opuha catchment. Leslie Downs is a 1200ha property which was converted to dairy in 2014 and now milks 1000 cows.
- 1.3 Other roles and achievements; I am, Provincial President of South Canterbury Federated Farmers, Director of the South Canterbury Chamber of Commerce, Deputy Chair Timaru Boys High School BOT, Director of Rangitata South Irrigation Ltd. I have a Diploma in Farm Management from Lincoln University and I am Kellogg Rural Leadership graduate.
- 1.4 During my Kellogg course we were required to complete a research study project. I chose to do a study on the financial impacts of the draft nutrient reduction rules for the Rangitata high nitrate zone. For the study I modelled what the nutrient restrictions would look like for one of our farms in the which is situated in the Rangitata zone. What the study confirmed was the financial implications of restrictions of nutrient use have flow on effects far wider than just the on farm financial impacts. The effects on stocking rates and production in turn restricting gross farm incomes showed flow on effects that were felt right through the regional economy. Time and good science is needed to find solutions to these problems not blanket restrictions.
- 1.5 I am a member of the Upper Opihi – Opuha Catchment Group [the ‘Catchment Group’] and have been the Chair of the Catchment Group since October 2015.

My evidence focuses on the parts of the Catchment Groups submission on PC7 relating to the Upper Opihi and Opuha catchments.

2. SCOPE OF EVIDENCE

- 2.1 My evidence provides an overview of the anticipated impacts of PC7 and the Section 42A Report recommendations on members of the Catchment Group and the likely role of the Catchment Group in the future.

3. THE UPPER OPIHI-OPUHA CATCHMENT GROUP

- 3.1 The formation of the Upper Opihi-Opuha Catchment Group was driven through the drafting of the Orari-Opihi-Pareora Zone Committee's¹ (OOP ZC) Zone Implementation Programme (ZIP) in 2012. One of the two overarching priorities of the ZIP was to 'Support and facilitate catchment level initiative, to protect and enhance water quality and biodiversity, on which so much else is dependent'. In line with this priority, a key recommendation of the ZIP was to encourage local leadership in the Zone by "Establishing and supporting vibrant catchment groups" as a means to facilitate:²
- (a) The protection and enhancement of local waterways; and
 - (b) Assist farmers to develop comprehensive on-farm management plans that demonstrate they are monitoring and managing nutrient and water uses and (where relevant) activities to retain, protect and restore wetland.
- 3.2 With support from the NZ Landcare Trust, the Zone Committee was successful in securing a grant from the Sustainable Farming Fund in 2014 to set up and support a number of Catchment Groups in the Opihi Catchment as part of the 'WOW-Working for Opihi Water' project. The desire was that the catchment groups would drive the implementation of the on-the-ground changes required to implement the ZIP. It was acknowledged early on that NZ Landcare could not facilitate all catchment groups in the catchment, therefore the Zone Committee approached a number of industry support organisations, irrigation schemes and rural service providers to contribute 'in-kind' support for the project, via the facilitation/co-ordination of the groups. DairyNZ agreed to facilitate the Upper Opihi Catchment Group, and Opuha Water Ltd (OWL) agreed to commit staff resources to facilitating the Opuha Catchment Group. Both catchment groups were established in mid-2014.
- 3.3 The Upper Opihi Catchment Group was focussed largely on understanding the water quality in the Upper Opihi River, particularly the high nitrate levels that

¹ Subsequently renamed the Orari-Temuka-Opihi Pareora Zone Committee (OTOP ZC)

² Orari-Opihi-Pareora Zone Implementation Programme, Recommendations 1.2.1 and 1.2.2, at page 13.

were being observed in the river downstream of Fairlie and in some of the tributaries flowing into the Opihi. The group funded a monitoring programme to help improve their understanding of the current state of the waterways.

3.4 After a period of facilitator roll-over in the Upper Opihi Catchment Group, the two catchment groups met together and decided there were efficiencies to be gained from merging into one group, and as such the Upper Opihi-Opuha Catchment group in February 2017. The OWL representative who facilitated the Opuha Catchment Group continued on as (and still is) the facilitator of the merged group. This Catchment Group is largely made up of irrigated and dryland farmers from a range of farming types, as well as some recreational users of the waterbodies in the catchment.

3.5 The agreed purpose of the Upper Opihi-Opuha Catchment Group is as follows:

Greater community awareness and understanding of our interaction with the local catchment to ensure that:

The quality of the Upper Opihi and Opuha Rivers and Lake Opuha are maintained and improved to a swimmable state and the river flows protect instream values, while maintaining profitability, farming and recreation.

3.6 It has been disappointing, though somewhat necessary, that over the last 2-3 years the Catchment Group has been consumed by the Plan Change 7 (PC7) process, rather than facilitating and implementing on-the-ground initiatives that will protect and enhance water quality and biodiversity as the OTOP ZC had anticipated. The process has left the Catchment Group fatigued and sceptical of just how much the 'community voice' is actually listened too in processes such as this.

3.7 As the Chair of the Catchment Group, I believe the Catchment Group has an important future as a vehicle for community discussion around good management practice (GMP) and water quality and biodiversity enhancement at a farm and catchment scale. However, I am deeply concerned that if PC7 is implemented as notified, or as recommended in the s42A report, that the community of the Upper Opihi/Opuha catchment will be polarised and any potential gains that the Catchment Group could make will disappear.

- 3.8 These concerns are expressly related to the PC7 recommendations for:
- The proposed changes to minimum flow regimes for the upper catchment tributaries of the North and South Opuha Rivers and Upper Opihi River
 - The extent of the Fairlie Basin High Nitrogen Concentration Area and the speed at which the % reductions in N are required.
 - The proposed changes to the flow regime for the mainstem of the Opihi River and implications for OWL's operation of the dam and irrigations scheme.

4. CATCHMENT GROUP CONCERNS WITH PC7

Tributary minimum flow regime

- 4.1 As a Catchment Group, formed to work through issues relating to water quality and biodiversity in the catchment, we fully appreciate and support the approach that the Opihi Flow and Allocation Working Party (FAWP) have taken to devise a flow and allocation regime for the Opihi tributaries. The FAWP should be congratulated for the hours of time and energy they have put into this process. Some of the FAWP members are also Catchment Group members and we understand it has been a long and at times frustrating process for the FAWP due to the lack of any robust analysis from ECan. The FAWP were understandably upset when the Final ZIPA was released and PC7 was notified, with the insertion of 'Step 2' flows which had not been discussed at all with the FAWP or wider community.
- 4.2 The Catchment Group have been privy to the on farm economic analysis undertaken by Mr Grant Porter for the Flow and Allocation Working Party (FAWP), and is genuinely concerned about what this will mean for Catchment Group members and the wider Fairlie community to which we all belong.
- 4.3 The Catchment Group submit that any changes made to the current minimum flow regime need to be very carefully considered using factual information, as the current ECan recommendations will have massive implications for not only the directly affected farmers, but also the Fairlie and wider communities without any proven environmental benefits.

- 4.4 The Catchment Group fully endorse the FAWP's position.

Fairlie Basin High Nitrogen Concentration Area and % reductions required

- 4.5 The Catchment Group covers the area under the Fairlie Basin High Nitrogen Concentration Area (HNCA). The Catchment Group also understands that the groundwater flows in different directions within this area – some moving towards Lake Opuha and some flowing towards the Upper Opihi River.
- 4.6 The Catchment Group wish to reiterate that the quality of the Upper Opihi and Opuha water resources is of paramount importance to the Catchment Group, however, sometimes it is appropriate to distinguish these as separate areas and test/monitor these separately.
- 4.7 The Catchment Group are unclear which groundwater well data have been used as 'representative' to arrive at this HNCA status. The Catchment Group firmly believe a review of all available groundwater monitoring data is required determine which wells should be monitored against the outcomes of the ZIPA, to ensure they are representative of the groundwater zone in which they lie.
- 4.8 In our submission, the Catchment Group used the example of a well in the Upper Ashwick Flat/Sherwood area (J37/0073) that has, until very recently, been geographically located above any intensive farming operations. Yet this well has consistently exceeded the ½ MAV limit/outcome recorded in the recommendation. The Catchment Group questions whether this well can be deemed as 'representative', and suggest it should not be monitored against the PC7 limits.
- 4.9 In the time since PC7 was notified, farmers are now required, under the Canterbury Land and Water Regional Plan (LWRP) to be operating at Baseline GMP. Given the lag between what happens on farm and what is seen in groundwater, the Catchment Group anticipate that improvements in groundwater quality will be seen as a result of farmers operating at this Baseline GMP level.
- 4.10 Rather than assume that Baseline GMP won't meet the outcomes required (an assertion that has been based on a modelling exercise), the Catchment Group submit that it would be more appropriate to evaluate what Baseline GMP

achieves first to nitrate concentrations in groundwater, and then decide if further reductions are warranted.

Opihi mainstem flow regime

4.11 The Catchment Group have spent some time understanding and discussing the operating regime of the Opuha Dam and the flow regime of the Opuha and Opihi mainstem. In October 2015, the Catchment Group listed the following 'recommendations/wishes' for how the Opuha Dam should be managed:

- That more variability is built into the flow regime, particularly the introduction of more regular flushes.
- That the flow regime minimises the opportunity for phormidium and didymo growth
- That flushes be coincided with natural high rainfall / flow events
- That any flushes – 'piggyback' or regular – are to come out of the environmental flow 'bucket'.
- That flexibility is built into the sub-regional, to allow it to be adaptable to different seasons, weather conditions etc, in order to maximise both the irrigation and environmental benefits of water.
- That a stakeholder group is retained within the plan to oversee/guide this adaptability
 - The role of this stakeholder group is formalised
 - The stakeholder group has bottom lines / principles that it must work to.
- That the operation/implementation of the variable flow regime does not impact on irrigation, recreation or the river environment

4.12 The Catchment Group had a high level of confidence through the ZIPA development process, that the formation of the Adaptive Management Working Group (AMWG), to draft a proposal for the management of the Opuha Dam and the Opihi River, would be able to 'tick these boxes' due to the level of experience and expertise around the AMWG table. The AMWG did not disappoint and the

Catchment Group were (and continues to be) supportive of the recommendations put forward by the AMWG.

- 4.13 The Catchment Group are deeply concerned that ECan has decided to go off in a completely different direction, largely driven by a lack of understanding of the Opuha scheme and the way the Opihi system works. Many OWL shareholders are active participants of the Catchment Group and we share their concern that their significant investment in the Opuha Dam infrastructure (which provides environmental flows and community supplies as well as irrigation), has not been at all recognised in PC7. The Opuha Dam has been a significant part of the Fairlie Community and we value this asset and the benefits it provides to both the river and South Canterbury.
- 4.14 We understand that PC7 is likely to drain the lake more regularly than the AMWG proposal. The Catchment Group fails to understand how such a regime can be put forward as being better for the health of the Opihi River system – without storage in the lake there is no river downstream.
- 4.15 The Catchment Group fully endorse the AMWG's position.

5. IMPLICATIONS FOR THE CATCHMENT GROUP

- 5.1 Many farmers within the Catchment Group will face significant challenges if PC7 is implemented as notified, and even further challenges if the s42A recommendations are adopted. The changes to the tributary minimum flows, % reductions in nitrates, and amendments to the Opihi mainstem flow regime will all impact the farming and wider community. These impacts cannot be considered in isolation from each other. The cumulative impacts are also extremely important to consider.
- 5.2 Faced with these possible extra burdens on-farm, I have little confidence that the Catchment Group will continue to operate into the future. It will become a situation of the 'haves' and the 'have nots', and there is potential for the close-knit community we have to unravel. The on-farm and community investment in water quality and biodiversity improvements will dry up as farms struggle to retain their viability, and the outcomes the ZC were seeking through the original 2012 ZIP will be compromised. The PC7 process has been drawn out to the extent that it has not only fatigued participant, but it has also allowed key points

to become diminished and at worst, forgotten. Somewhere ECan have lost sight of what the OTOP ZC is wanting to achieve, to the betterment of no-one.

Jason Grant

17 July 2020