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Sent: Monday, 5 October 2009 10:52 a.m.

To: Raewyn Crowther; Eugenie Sage

Cc: pearcea@paradise.net.nz; ian.whitehouse@extra.co.nz

Subject: Draft CWMS - comments

Hi Raewyn and Eugenie

My apologies for the slightly late delivery of these comments - I've been tied up in other matters. I have restricted my comments to several key points.

First, my congratulations to the Steering Committee on the Draft Strategy, which I think is very good. Most of my comments relate to implementation, rather than the strategy itself.

Water management zones (page 11 and elsewhere)

In general I think the zones proposed make sense. My one concern is the separation of Waihora-Ellesmere from Waipara-Waimakariri because the inland part of Waihora-Ellesmere is potentially (likely) irrigable from a Lees Valley storage located in the other zone (Figure 4 in Annex G clearly shows this prospect). Perhaps this separation is intended tactically to enable the resolution of groundwater/surface water takes in the lower part of Waihora-Ellesmere as a first step? But ultimately there has to be consideration of the inland part of this zone together with Waipara-Waimakariri for allocation and use of stored Waimakariri water. If my inference of a two stage approach is correct then this should be signalled much more clearly. I also think there is significant political risk that the parties within Waihora-Ellesmere could see themselves as being "cut off" from Rakaia water all going to Ashburton zone, and from Waimakariri water all going to Waipara-Waimakariri zone. It would be helpful to avoid this political risk.

Governance structure (page 13 and elsewhere).

I support the three-layered approach proposed.

Key Issues - Pressure on river systems (page 23).

I think this section focuses too strongly on minimum low flows and overlooks the importance of flow variability at all time scales and flow levels. There was much material presented to the stage 3 groups that showed how important flow variability at low flow is to aquatic life and river bed forms and materials, and a requirement for better maintenance of flow variability was a key finding/recommendation of Stage 3. "Flat-lining" streams at minimum flows for significant durations is not a desirable outcome, even with some small and larger "flushing" flows. There should be some requirement in scheme design to retain the general shape and nature of the flow-duration curve (the cumulative frequency distribution of flow rates), even if at a lower overall level of flow, in order to maintain flow variability.

Land use intensification and nitrate management (page 29)

Although it may be technically and economically possible to reduce nitrate discharges by 20% there is a key issue regarding much improved monitoring and management systems in addition to improved land management practices, which seems not to have been given enough

attention. It is essential that the monitoring and management systems operated by resource management agencies are able to measure, process and report information in sufficient time and sufficiently fine-grained spatial detail that changes in land-management practice can occur in a Preventative time-scale/fashion and not in a Restorative time-scale/fashion. The need for much improved measurement and management practices by both land-users and resource management agencies was a key finding of Stage 3.

Zone Management Committees (page 44)

In order to become effective each of these committees will need to undertake a process at their own scale similar to that undertaken by Stage 3 and by the Steering Group. These processes will need careful and flexible/adapatable design and excellent facilitation in order to achieve the desired outcomes. The need for such design and facilitation could easily be underestimated.

Authority for the governance structure (pages 44-5)

I think it is certain that seeking authority under the RMA and/or LGA will be tied up by court challenges for a lengthy period, and probable that an RMA call-in process would be similarly challenged. Order in Council or special legislation seem to be the approaches which are less likely to be stalemated. If special legislation is the route followed, it would seem sensible to formulate this in a fashion where it can be later utilised in other regions, thus creating an effective tool for a national problem not simply a Canterbury one.

I trust the above comments are helpful and offer my good wishes to the Steering Committee for success in implementation of the Strategy once finalised.

Kind regards

Andy Pearce  
Chairman, Stage 3  
Canterbury Strategic Water Study