Resource Legislation Amendment Bill: Multiple important law changes

The Government in early December 2015 introduced controversial legislation to make major amendments to the Resource Management Act (RMA) and important changes to the Exclusive Economic Zone and Continental Shelf Act (EEZ&CA), the Environmental Protection Authority (EPA) Act, the Reserves Act, the Conservation Act and the Public Works Act.

The legislation has been referred to the Local Government and Environment Select Committee and submissions close on 14 March 2016. Their address is Committee Secretariat, Local Government and Environment. Parliament Buildings Wellington, Phone: +64 4 817 9523, Fax: +64 4 499 0486, but they have a system for online submissions or emailed submissions.

In this article we discuss some aspects of this Bill of many parts, 38 pages of explanation, and 180 pages of amendments to the laws above. We, like other environmental organisations, will take some time to digest it, and we and others hope to provide a clearer analysis of aspects of the Bill that are of concern or worthy of support early in the New Year. We welcome analyses and comments, draft submissions and the like from readers.

Political Support

The legislation was introduced after a deal for the support from the Maori Party with the addition of enhanced provisions for Iwi participation (see Part I, subpart 2 of the Bill). Previously the Maori Party, United, and NZ First opposed National’s attempts to change sections 6 and 7 of the Bill, which would have altered the main considerations for decision makers, and they opposed other aspects too – for which we thank them.

When this Bill was introduced on 6 December 2015 and it was supported by National and the Maori Party, and by the Labour Party for consideration by the Select Committee, but opposed by the Greens, United, and ACT, while NZ First abstained.

The Bill proposes changes to several Acts that would constitute major threats to the environment and to local democracy. Like the proposals that preceded this Bill, there are many moves to favour economic development over other interests.
The changes to the RMA are described in soothing terms of efficiency, “streamlining”, simplifying, and providing for residential and business development. Don’t be fooled. Though there are enough sensible changes to serve as cover for the Government pushing its pro resource development agenda and don’t bother about local democracy and the environment stance, there are some serious nasties in this Bill.

The overall intent is to achieve the dominance of Ministers views over those of the rest of us, to give business interests the upper hand, to reduce the time and public access to specific developments and to take much of the decision making onto either fast tracks or “collaborative decision making”. That, as we all know is protracted, the government cherry-picks the outcomes, and stacks the deck of those involved.

A major route to its goals that the government has used is to alter the functions of the various decisions makers. Many of the changes steer decision making to boards or committees that the Ministers have appointed (in the changes to the RMA, to the EEZ&CA and the EPA). Fair? Really?

**Ministerial Override**

There is a strong emphasis on giving Ministers the power to direct local and regional authorities on what they must allow as permitted uses, what they may or may not include in their policies and plans.

The Explanatory Note to the Bill canvasses the Government’s intent with the Bill – some of which seems ok, but there is a strong thrust for national direction, ministeria over-ride, and national templates.

Also to n it goes on to say introduce provisions in the “EEZ Act for a tool to allow the Government to propose national direction to support decision making...”

Other text follows which deals with natural hazards. It also “amend sections 30 and 31 of the RMA to make it a function of regional councils and territorial authorities to ensure sufficient residential and business development capacity to meet long-term demand.” Further “remove the explicit function of regional councils and territorial authorities to manage hazardous substances.”

ECO will provide further information on the Bill on our website in January and what follows are some initial comments on the Bill.

**Resource Management Act Amendments**

Thanks to the work of opponents to proposed changes, Part II of the RMA would be largely unchanged apart from an amendment – which most will support – to add natural hazards as a matter of national importance: “(h) the management of significant risks from natural hazards.” (clause 5).

Part I of the Bill Amends the Resource Management Act. The significant areas of amendment include:

- The addition of national planning templates. Consistency is probably a good idea, but these templates will be determined by the Minister and may well be a vehicle for ministerial direction and override of Councils;
- Enhanced Iwi participation arrangements – the price the Maori Party extracted for their support of the loss of democracy for others;
- The addition of collaborative planning processes;
- The addition of a new fast track application procedure.

New regulation making powers are added for “fast track applications”, “notification” and for the override or direction of Council plan provisions by Ministers and the insistence that some things may or must be permitted or may not be included in plans. It is well known that the government wants to prohibit councils from trying to control genetic engineering in their areas, and it may be that we will see requirements to permit unpopular activities such as fracking and minerals extraction.

Clause 105 inserts two new sections. The regulations that permit or prohibit certain rules are embodied in the proposed new section 360D (p58 of the Bill) and need very careful consideration since they are draconian.

New requirements for “sufficient development capacity in respect of residential and business land to meet expected long-term demands” in a plan (clause 12). Clause 11 sets out definition of “development capacity”. But there it is not in the framework of other considerations of urban or community sustainable development eg open space including reserves, playing fields, etc, public transport, etc.

There are changes to the National Policy Statement (NPS) and National Environmental Standards (NES) provisions which would allow these to be considered together or to apply to a limited area – but then how can they be national standards? Other changes enable joint standards and policy.

There are also a number of changes to the charging provisions, including the removal of financial contributions.

The scope of submissions, appeals, and notifications and inclusion in processes are also proposed to be
In general these changes add new complexity to the Resource Management Act without great consideration to the environmental outcomes which are trying to be achieved. ECO has criticized successive Government’s for failing to use the national policy statement and standards provisions already in the Act and using transparent processes to establish NPS and Standards.

**Other legislation amended**

The Bill seeks to amend other legislation in addition to the RMA. This includes the:
- Reserves Act 1977 (Part 2 of the Bill) – Changes will enable the exchange of reserve and recreation reserves in relation to developments.
- Public Works Act 1981 (Part 3 of the Bill) - changes the land acquisition process and compensation procedure.
- Conservation Act 1987 (Part 4 of the Bill ) These changes relate to several aspects, particularly to do with the consideration and public engagement with applications for licences, easements, leases, concessions and other such, and will need particular scrutiny.
- Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ&CA) (Part 5 of the Bill). These are substantive changes and amend both process and substance.

Part 5 of the Bill sets out the proposed amendments to the EEZ&CSA Act. This includes amendments to various definitions, and replacement of significant portions of the current EEZ Act.

The Bill amends all of sections 35-58 of the EEZ&CSA Act. The Bill:
- sets out the activity type eg controlled;
- adds a new provisions which provides for the preparation of EEZ policy statements by the Minister;
- sets out the application process for marine consents; and
- includes non-notified and publicly notified consent processes.

These changes remove the independence of the EPA to appoint decision making panels and replaces them with Ministerially appointed Board of Inquiry. Government is responding to mining industry criticism of the EPA panels turning down two environmentally destructive mining proposals in the EEZ.

The Bill has new definitions and provisions on marine dumping and discharge, and defines the disposal of wastes or other matter from minerals activity and processing at sea to NOT be dumping – even though such wastes and material may be more environmentally harmful than many other dumping (clause 184 amends this definition in the interpretation section of the Act).

Noxious process provision amendments include the provision that regulations can declare an activity a permitted activity and no marine consent is required.

Sensibly, EEZ Policy Statements are to be introduced. This is new, and there is provision for public notification – but not necessarily when it comes to decision making in relation to specific applications, though some are to be publicly notified.

Once again, in these amendments, much power is handed to the Minister – so the independence of decision from political influence is even less than it was. This will invite lobbying and investment in influence of Ministers by vested interests. Capricious and unstable decision making is likely to result along with a general erosion in trust of government.

There is provision for some degree of aligned processes, with “marine consent authorities” replacing the EPA in many of the references. There is much to comb through in this section.

Environmental Protection Authority Act 2011 (makes additional consequential amendments). These allow the Minister to appoint decision makers, rather than the EPA doing so, and allow the Minister to direct the EPA to provide planning advice to Boards of Enquiry and other decision makers.

Other changes in the Act include amendments to the Schedule 1 of the RMA – very important regarding processes of planning and policymaking. These are extensive and warrant careful vetting.

There are many schedules to the Bill and these make many amendments, some substantial, to the main Acts discussed above but also to others, and to their processes.

ECO welcomes any help with the analysis of these proposed legislative changes – they need a lot of scrutiny. Contact eco@eco.org.nz.


Members of Parliament will sometimes provide constituents with printed copies of the Bill for those who need them.
**New Open Cast Coal Mine Proposed**

### New Open Cast Coal Mine near Mokau Proposed – What are they smoking?

Mokau South Resources Ltd has applied for consents associated with an open cast coal mine at the Panirau Plateau, Mangakara Road, Ohura. This is about 20 km east of Mokau township, north Taranaki, but is in Waikato Regional Council (WRC).

The proposal is to extract 300,000 tonnes of sub-bituminous coal per year by open cast mining. That will mean mining about 6 ha per year. The mine area and overburden stockpile could cover about 310 ha over 50 years. The application is for a 30 year consent.

The proposed mine would be on Conservation land but is subject to largely obsolete laws with few environmental controls, though they may still need to obtain a consent from DoC – unless they have that already which we have yet to discover.

The would-be miners have held a Coal Mining Licence (37089) since November 1990, covering an area of 743 hectares. This was issued just prior to the Resource Management Act taking effect, so they assert that no land-use consent is required.

The current licence expires on 1 October 2016: but a Memorandum from the (then) Ministry of Economic Development (now MBIE) of 19 December 2011, says that they have successive rights of renewal for terms of 21 years until the year 2142 under s70 of the Coal Mines Act 1979. By that time, if they are allowed, they would have had many decades of fying the climate, polluting water ways and air, and damaging biodiversity and the ambience of the place.

ECO does not believe that this project is in the public interest. You guessed it, the royalties they would pay would be half a crown per tonne! That’s about $1/tonne these days.

The land is covered by regenerating forest that belongs to the Department of Conservation. The area is south of the Panirau River and North of the Tikoputa Stream, both tributaries of the Mokau river.

A limited aquatic assessment for the proposed mine, by Wildlands found:

> “Aquatic values of the Panirau Sream are considered to be very high. It is evident that the stream is unmodified and unaffected by human activities. It contains a good diversity of hydrological conditions (pools, runs, and riffles) and an abundance of stable habitat such as large woody debris and large cobbles. The stream supports at least five indigenous fish species, including four At Risk species. The stream and its tributaries are entirely buffered by indigenous forest, which in turn will provide important inputs of woody debris and leaf litter to support macroinvertebrate communities.”

There is little detail in the application of the ecological impacts on other waterways surrounding the proposed mine or the ecological values within and adjacent to the site. The area impinges on a high risk erosion area identified by the WRC but appears to be considered.

The environmental assessment appears to be deficient on ecological, water quality, surveying, geotechnical, erosion and other details which makes it very difficult to assess the proposal. Some of these issues have previously been identified by WRC staff.

Due to the provision in the RMA that explicitly disallows consideration of the greenhouse gas emissions of projects, these will not be accepted as grounds for dismissing any resource consent application.

Why would anyone want to open a new coal mine, or for that matter any coal mine, in New Zealand after Paris climate commitments? Solid Energy made itself essentially bankrupt with wild investment in coal projects and other coal miners are in trouble. Two Sampson brothers, formerly of Taranaki, now of Auckland, appear to be the prime movers. Murray Sampson is the Managing Director and Ian Sampson is the other director. The coal they plan to mine is in seams of 3m thick or more, but it contains much ash, is sulphurous and has lots of overburden.

The promoters want their coal to be burnt for electricity production for the resilience of the New Zealand power supply – with renewables waved aside. They are also trying to entice the Taranaki Port Company to support the venture so that coal can be exported, or South African coal imported and mixed with their inferior coal.

Even the conservative International Energy Agency (Medium Term Market Report, Dec 2015) predicts a flat or downward trend in coal demand, particularly from China. Coal prices are low. As the latest IEA report states “Climate policy is more influential in longer-term coal demand” as “Coal is the most carbon-intensive fuel, and coal burning is the largest contributor to CO2 emissions: current unabated burning is incompatible with climate stabilisation.”

The report “slashed its five-year estimate of global coal demand growth by more than 500 million tonnes of coal equivalent (Mtce) in recognition of the tremendous pressures facing coal markets.”

Given the quality of the coal it is unclear who would buy or use such coal which is dirty – but the company says they want to pioneer “clean coal”. This is largely regarded as a pipe dream – but I guess if you can use public land, public water, public air and publicly...
The Ministry for the Environment is consulting on Topics for Environmental Reporting though the actual statistics to be used for this will be decided by the Government Statistician under the Statistics Act.

The Environmental Reporting Act 2015 was signed into law in September 2015. The Act requires a cycle of reporting on defined environmental domains, and a synthesis report every 3 years. The domains used are: air, atmosphere and climate; freshwater, land and marine.

In October 2015, the Ministry for the Environment and Statistics NZ which are charged jointly to produce the reports, published Environment Aotearoa 2015, the first synthesis report. That Report contains data to 2013. It contains a range of explanations. The data presented clarify where some of the topics that could be in more than one place are included. For example, glaciers could be in “land” in “freshwater” or in “atmosphere and climate”. You will find glaciers in “atmosphere and climate”.

Many of the suggestions the Ministry for the Environment in the Topics paper seem sound enough, but there are some important gaps (some derived from the legislation), some odd classifications and peculiar limitations. You can read the document (which is mercifully short) at http://www.mfe.govt.nz/publications/environmental-reporting/topics-environmental-reporting-consultation-document and make submissions yourselves by 5.00pm 23 December 2015. You may have seen the alerts about this in ECO’s weekly alert, Tieke, or in our direct email to members.

ECO is in the process of compiling our submission to the Ministry. We welcome some aspects, but we have spotted a few problems. Your comments would also be of interest to us.

One notable problem which is a result of the domains specification in the Act, is that the topics proposed omit a “coastal” domain, or coastal marine area as the RMA has it. That vital area of land-sea interaction is recognized in the RMA, precisely because it is so significant. In the Reporting definition of domains, coastal is lumped in with marine.

There is no discussion about the cyrosphere – those areas that are frozen, such as ice. The behavior of glaciers, snow and areas too cold for vegetation is significant. As above, glaciers are reported on in atmosphere and climate.

The hydrothermal areas are not singled out either – though they may be included under “land forms” or under “energy resources” but they are more than each of those.

Noise and light are also not obviously covered but we may have simply failed to spot them. Light pollution is a significant issue, and so in some circumstances, is noise. It may be that these are included in the “human activity” classification and matched with specific

owned coal, why not?

The proposal requires seven types of resource consents under the Resource Management Act. These are:

- AUTH132044.01.01 - To discharge overburden to land in association with coal mining activities.
- AUTH132044.02.01 - To dam and divert surface water in association with coal mining activities.
- AUTH134168.02.01 - To discharge treated pit water and stormwater to land and to land where it may discharge to water.
- AUTH134168.04.01 - To disturb soil and clear vegetation in association with coal mine development
- AUTH134168.01.01 - To divert groundwater in the open pit.
- AUTH134168.03.01 - To drill holes below the water table for exploratory purposes.
- AUTH136162.01.01 - To take up to 500 cubic metres of water per day from sediment retention ponds for dust suppression purposes.

Copies of the application can be found at http://www.waikatoregion.govt.nz/Community/Whats-happening/Have-your-say/Significant-applications-hearings-and-decisions/Mokau-South-Resources-Ltd---Panirau-Plateau-Mine/

Submissions close at 5pm on 2 February 2016 with the WRC - either by: Post: Waikato Regional Council, Private Bag 3038, Waikato Mail Centre, Hamilton 3240; Fax: 07 859 0998 or Email: RCsubmissions@waikatoregion.govt.nz

The submission must be on form 13 which can be found on the Regional Council website: http://www.waikatoregion.govt.nz/other-consentforms/

AND You must send a copy to the applicant as soon as reasonably practicable after sending your submission to Mokau South Resources Limited, 41 Hibiscus Coast Highway, Silverdale, Auckland 0932.
proposals, but it is worth asking that they be.

The paper refers to “land”, and land cover and use, but there are few references in the paper to potential measures of the quality (or lack of it) in the urban environment, though transport and emissions are covered, and the area of land classified as urban is recorded. Housing density and quality, access to open green space and natural areas within the urban areas, accessibility and other such measures are not used as illustrations in examples, so it is hard to know the extent of coverage such urban environmental indicators are likely to get.

The paper deals with the pressure and state of the environment and the impacts, of these on the listed matters, but not the “Response”. Response is usually a key part of Environmental Reporting but as the Framework paper explains, the decision has already been taken to exclude coverage of Response because they don’t want to get into policy.

We think the paper and reporting should cover the measures taken (or not), the formal level and classification of any protection status (or lack of it). An example of this would be the amount of land and sea under the IUCN Protected Area classifications. Any legal protection status of species or ecosystem should also be recorded. The level of intensity of carbon emissions from production and consumption and should also be recorded.

Some of the references are strangely limited in the examples presented. For instance, the proposed Table 8 in Appendix 1 which is the Proposed Topics by Domain, lists those impacts domains that are intended to be covered in all the domains.

The Topic, Economic impacts on industry and households, has an element “measurement of the economic production of New Zealand focusing on the aspects of New Zealand primary production that are strongly dependent on atmosphere and climate (atmosphere and climate domain).” It is rather odd that the economic productivity of recreation and tourism are apparently excluded here, despite these being hugely significant.

More generally, the passive uses of the environment – such as visual landscape, their contribution to well being and the arts, and sheer amenity value and beauty are also largely left out of examples provided by MfE.

“Minerals and energy resources” are NOT listed as a source of pressure on the environment, and yet are listed under freshwater, land and marine as part of the “State” of the environment. Thus oil, coal, minerals and gas exploration and mining, and hydro, and geothermal energy production, are not mentioned as sources of pressure on the environment. Similarly, methane hydrates, which are methane in solid form on the seafloor, is considered as a resource but not a risk to the environment. It is well known that these stay in solid form in a very narrow temperature and pressure range which if changed by freshening of the water or by water temperature, could be released or could slump, causing seabed gas-quakes and land slips which in turn can create tsunami.

The scope of the reporting on marine matters is stated in a background paper on the Environmental Reporting Framework to include New Zealand’s territorial sea, the Exclusive Economic Zone and the Continental Shelf that extends beyond the EEZ, but there is no clarity in the document as to whether New Zealand claimed Antarctica is also included. This is diplomatically significant. It is probable that the Ross Dependency should not be included, since Antarctica is managed by the Antarctic Treaty and State of the Environment Reporting for the Ross Dependency as been done within that framework. The Southern Ocean and its components are managed by the Convention on the Conservation of Antarctic Marine Living Resources. It would help if the paper clarified this.

There is more that could be said about this proposal, and we would be interested to hear from others what they think about the paper and its contents – as well as this analysis.


The background to this is the Framework paper is at: http://www.mfe.govt.nz/sites/default/files/media/Environmental%20reporting/framework-for-environmental-reporting-final.pdf


The Environment Aotearoa 2015 Report is on both the Statistics NZ and the Ministry for the Environment websites.

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Emissions Trading System Review – some polluters to pay?

The government has announced a two-stage partial review of the Emissions Trading Scheme (ETS). Launched at the end of November 2015 prior to Paris, the Discussion document gives summary and often vague information, but presents its purpose and focus thus:

This review of the NZ ETS is being carried out to assess the operation and effectiveness of the NZ ETS to 2020 and beyond...

The paper calls for submissions in two phases, the first for “priority” issues which may need to be changed via legislation in 2016, the second for other matters. These are due respectively at 5.00pm 19 February and 30 April 2016.

The review of the ETS is only partial because the government has refused to allow it to consider lifting the exemption of agricultural emissions, which account for roughly half the New Zealand greenhouse gas emissions.

The paper asks for submissions on a range of questions posed, and remarkably, this time, the Ministry for the Environment has provided a word copy of the paper as well as a .pdf, so submitters can easily cut and paste both the questions and parts of the text of the paper, which aids submitters greatly. A consolidated set of the questions is also provided which is helpful.

Background papers, much needed since the paper calls for submissions on the operation of the ETS but does not provide any time series, and precious few data on its operation, can be found at the Climate Change section of the Ministry’s website. The paper has some useful discussion, but by-and-large, the absence of information on what have been the volumes, sector behavior, values and prices in the operation of the ETS makes fully informed submissions difficult to provide.

The information that is provided is too often vague (such as “many” rather than specifics and percentages). At times too, the paper is conceptually muddled, such as when the paper refers to an increase in costs to businesses and households, when what is really being discussed is internalization of costs if polluters have to pay for the emissions rather than dumping the costs for emissions.

In 2011 the previous review of the ETS recommended a three year phase out of the very poor policy settings in the ETS that allowed polluters exemptions, holidays and subsidies.

The National Cabinet, having allowed these in 2009 on the grounds of the global financial crisis, then ignored advice from the 2011 review to phase out the most egregious of these.

The retention of the slate of “indulgences” and the policy instability towards forestry and emissions controls have let the New Zealand economy distort as price signals stifled. This now means higher costs of adjustment and more misallocated investment – towards coal, oil, gas and agricultural intensification – which should have gone into renewables and low input, low impact dairy farming, and new business models.

The “indulgences” that have resulted in higher costs now for decarbonizing the economy include:

• the exemption for agriculture, delays to entry to the ETS;
• the subsidy inherent in the rule that polluters in the scheme could pay only for one tonne when they emit two tonnes of greenhouse gases;
• the concessions to so-called trade exposed businesses, and
• continuing instability of policy for forestry.

Any additional delay is likely to further distort investment, to cost taxpayers big time, and to jeopardise New Zealand’s international relations. This is especially the case as our backsliding becomes more and more well known in those countries with whom we trade, and in other respects deal with.

The government’s on-going willingness to let greenhouse emitters get away with only paying for a fraction of their emissions, is coming home to roost. We have had huge liabilities for taxpayers which, until this year,
have been covered by forestry and the purchase of international units, but that has involved loss of reputation.

There has been very poor effectiveness of the price signal from the emissions trading scheme. As a consequence, there have been few incentives to reduce emissions, to pick up low carbon technologies and practices that the ETS was designed to encourage. Subsequently investments have been skewed to sunset industries and high carbon infrastructure and operations.

International emissions units were finally ruled unacceptable in June 2015 after years of emitters buying dirt-cheap “hot air” units from the Ukraine (about 95% of the imported International Units,) and exchanging these for the more valuable New Zealand Units at a great cost to the taxpayer. The price cap on New Zealand Emissions Units of $25 proved to be irrelevant as the concessions kept the price of NZUs mostly well under the present $7 per unit, often much less, except at the beginning of the scheme when people thought the government was serious about emissions reductions.

The “banking” of these low priced NZ units, means that New Zealand has 140 million emission units sloshing around, whereas the annual number of units surrendered is typically about 30 million. This amounts to a big liability for the taxpayer, and handsome profits from the arbitrage with “hot air” international units to those who have bought them. The oversupply of “banked” New Zealand Units means continued depressed unit prices and poor incentive signaling by the ETS with consequential lack of emissions reductions.

The November 2015 Emissions Trading System Review is encouraging in that it recognizes these problems. It suggests that many of the concessions be eliminated or phased out – but leaves open retaining them. Agricultural emissions are ruled untouchable, on the usual parade of nonsense about the lack of ability to adjust and of alternatives. The flaws in that argument are not explored in the paper, since clearly ministers have decreed this exemption.

The rapidity of adjustment to land use as forestry and dairy economics have changed have since the Kyoto Agreement baseline of 1990 shows how faulty the “there is not alternative” argument is: but the paper fails to chart any of these changes and makes no observations at all about how land use has changed as prices and costs have fluctuated, and how responsive farmers are to revenue and costs in their production volumes.

The paper explains a little of the background to the ETS, the intent of the Review, the context and drivers of the review, and then turns to the priority issues for the first round of submissions. These are due at 5.00pm on Friday 19 February 2016.

These Priority Issues includes and seeks views on proposals for moving to full surrender obligations (for all producers except agriculture) or various “do nothing” options and measures in between. The paper asks questions about whether, at what rate, and how to move to a fuller polluter pays ETS and about how to manage the costs of full surrender obligations – that’s code for how to cushion and/or stabilize the costs by means of subsidies, maximum price limits and other measures.

The “other issues” are outlined in the section on these which is open for submissions up to 30 April 2016.

There are two appendices to the paper. One covers the terms of reference for the paper, the other works through some hypothetical numbers for the impacts of full surrender options and a variety of carbon prices.

ECO has views on the paper and will prepare notes and analyses for others who are writing submissions, we hope by 31 January 2016. We invite comments and suggestions of points and text for the ECO submission from members and others of like mind.


Background material from the government can also be found at: https://www.mfe.govt.nz/climate-change

Amongst the smoke and mirrors of NZ ETS Huntly may finally close ending coal use for electricity generation.
To Bee, or not to Bee?

The drastic loss of honey bees world-wide is causing acute concern as these vital pollinators become confused, lose their navigation and communication powers, fail to get back to their colonies and so their colonies collapse. The plants and crops that depend on their pollination become less productive, with ripple effects through ecosystems and crops.

Scientists, environmental organisations, beekeepers and the Greens, globally and nationally, have raised the alarm at the losses of honeybees around the world. Parasites like the varroa mite, and neonicotinoid (“neonics”) containing poisons used to protect crops and gardens from insect pests have both been implicated.

Work published in January 2015 by a 29 strong expert panel established by the International Union for the Conservation of Nature and Natural Resources (IUCN) concluded that there is clear evidence that neonicotinoids - pesticides of low toxicity to humans - are implicated in these declines, that many non-pest insects and non-target animals such as birds are also affected, that the chemicals spread in soil and water, that ecosystem effects are clear and chronic, and that urgent controls are needed. The work was published as a special issue of the journal Environmental Science and Pollution Research in January 2015.

Honey Bees vs Native Bees

In New Zealand we should concerned, and the Greens’ Steffan Browning rightly urges attention to the problem. But honeybees have their downsides, according to Department of Conservation’s (DoC’s) technical and scientific officer, Catherine Beard (November 2015). Placement of honeybee hives on conservation land and elsewhere has increased considerably with the popularity of bush honey and the high prices for manuka, and increasingly kanuka honey, for its medical benefits.

The honeybees compete with other pollinators including birds, flies, beetles, moths and native bees (of which there are 28 species) and likely with some other species. Native bees are small, non-colonial, and relatively solitary.

DoC advises caution and controls on honeybee hive placement near native ecosystems because of evidence that not only are they competitors with indigenous pollinators, but also they can spread diseases and other pathogens, appear to alter indigenous plants, and are aiding the pollination of weeds.

The deadly varroa mite may have done indigenous species a favour in that most wild honeybee colonies have collapsed, so only cultivated bees have survived – but with increasing hive placement in native ecosystems, honeybees are a threat.

Neonicotinoids

The IUCN study concludes that neonicotinoids and a related chemical, fipronil, persist with regular use, find their way into soil and water, and reduce biodiversity in soils and the affected water ways.

They can be spread by dust during application and drilling and they can kill flying insects, including honeybees and other non-target species, particularly arthropods. The IUCN study concludes that they responsible for some of the colony collapses, along with varroa mite and other pressures (van der Sluijs et al. 2014). (See also ECOLink May-July 2014, p6-7)

The European Union imposed temporary bans on the use of some of the products and controls on others – there is uproar now as the EU is under pressure to suspend this ban because of crop losses from insect attacks. The Bee Defender Alliance, a coalition of 14 European beekeeping organisations, is taking Bayer, BASF, and Syngenta to court, using crowd funding to contest these large pesticide manufacturers of neonicotinoids.

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To bee or not to bee?

Tinoid insecticides and to oppose the lifting of earlier imposed controls on use of these chemicals.

**Neonicotinoids in New Zealand**

Agcarm, the New Zealand Agricultural Chemical and Animal Remedy Manufacturers’ Association, published a list of the brand names and neonicotinoids in a variety of chemicals used in New Zealand crop protection in June 2013.

The Agcarm paper, which is unreferenced, reports that the chemicals are used less on leaves than as a seed treatment. The Association provides this list of the brand names used in cropping and horticulture:

**“Foliar use”**

- *Actara* (active ingredient: thiamethoxam) for kiwifruit, pipfruit and in-furrow application on potatoes.
- *Calypso* (active ingredient: thiacloprid) for avocados, kiwifruit, pipfruit and stonefruit.
- *Confidor* (active ingredient: imidacloprid) for application on onions and as transplant tray treatment of vegetable brassicas and lettuce.

**Seed treatment application**

- *Cruiser* (active ingredient: thiamethoxam) for maize/sweetcorn and forage brassicas.
- *Gaucho* (active ingredient: imidacloprid) for cereals, forage brassicas, grass seed, maize/sweetcorn, potatoes and winter squash/pumpkins.
- *Poncho* (active ingredient: clothianidin) for cereals, maize/sweetcorn, forage brassicas and grass seed.”

The authors note that “this is not an exhaustive list of neonicotinoids available in New Zealand as there are a number of generic products based on some of the above active ingredients.”

The active ingredients with neonicotinoids to look out for include the following: Acetamiprid, Clothianidin, Dinotefuran, Imidacloprid, Nitenpyram, Thiacloprid, and Thiamethoxam.

Brand names in New Zealand may include Adjust, Actara, Confidor, Calypso, Kohinor, and Premise. Grass seed or crop seeds with brands such as UltraStrike, SuperStrke, or Poncho listed as a treatment, will all contain neonicotinoids, which may affect subsequent crops or weeds as well as the current crop.

In New Zealand, Confidor, made by Bayer, is sold by Yates for garden use as well, but there will be many other products with neonicotinoids sitting on shop and garden shed shelves. Work by Steffan Browning MP, agriculture spokesperson for the Greens, resulted in the Warehouse and Placemakers removing products from their shelves. Browning has continued to press this issue as one that needs vital attention.

ECO has not managed to find a complete list for New Zealand, but did come across an extensive list (Beyond Pesticides, 2013) that lists products sold overseas, so you may wish to become familiar with this list and the ingredients. Products may apply to soil – with some nurseries using them in soils, and seed companies also use them to coat the seeds.

Agcarm asserts that though neonicotinoids can be toxic to honey bees, it is the varroa mite, not the chemicals that are mainly responsible for colony collapse in bees. It points out that the chemicals have been used for 20 years and that Australia is varroa mite free but uses neonicotinoids and has healthy bees.

Agcarm stresses, as is widely acknowledged, that neonicotinoids are particularly valuable to horticulturalists because they are systemic - they travel right through the plant. But the problem for the bees and other species is that this means that they get dosed as they collect pollen, and other insects and some birds are also dosed as discussed in the IUCN report.

In 2014, the New Zealand Environmental Protection Authority, EPA, imposed some controls on spraying neonicotinoids near hives and on plants that are flowering, but permitted its continued use on seeds. It also said it had imposed stronger requirements for scientific evidence for the approval of new chemicals.

Recently published and reported research by research-
ers at the University of Bern, Switzerland and the University of Acadia in Canada, concludes that honeybee queens are especially susceptible to physiological damage (ENS Oct 2015).

In November the EPA rejected the Green Party’s call for an urgent and formal review of neonicotinoid use. The EPA rejected that call on the grounds that it has “stringent controls” to manage existing approvals of neonicotinoid products. (Radio New Zealand, 2015a).

The EPA has recently considered and rejected an application for a new formulation of the neonic Poncho, which is banned in Europe. In one of 19 submissions, the National Bee Keepers association raised concerns that no agency was collecting detailed data on pesticide use and that there were “at least two bee dead-zones” caused by pesticides (Radio New Zealand, 2015b).

Browning says it is vital that if any neonic-containing chemical is used in orchards, then it must precede flowering and grass swards should be mown so that there are no flowers to attract bees. Persistence means that this will only be a temporary fix.

Wasp and baits

On the positive side, wasp ecologist, Richard Toft after 25 years of patient research has perfected bait stations with protein not sweet lures with fiprinol. German and common wasps compete take and thrive on honeydew - a key food source for other native species, including kaka, tui and korimako (bellbirds).

Tests of the product, Vespex, in DoC forests show the baits provide a deadly dose to these invasive wasps that infest our native forests. Within one week of the trial, there was a 95% knockdown of wasp numbers. Since the poison is not applied to the plants and does not attract bees and other nectar seekers, the scope for wider ecosystem damage is significantly limited. Benefits from invasive wasp destruction are considerable.

Conclusion

So where does this leave us? It is clear we need to be cautious about the placement of honeybees near native ecosystems, and it is also clear we need to monitor and review the extent to which neonicos are pervading the environment – and their impacts. Neonicos are valuable under very closely controlled situations such as wasp control, but warrant a review as the evidence of harm mounts.

The usefulness of the insecticides is real – but we may be doing more damage than we have realised.

References:


COP21 - A Pivotal Agreement

by Betsan Martin

The recently concluded agreement under the UN Climate Change talks in Paris, the Conference of the Parties, COP 21, is pivotal in creating a platform for global co-operation on climate. Affirming the target of 2°C temperature rise maximum ‘and pursuing efforts to limit the temperature increase to 1.5°C’, is key to keeping stronger ambition in view.

Let us congratulate the Small Island Developing States (SIDS) for their remarkable concerted strategy to keep the Parties vigilant about a stronger ambition of 1.5°C maximum temperature rise. A limit of rises of two degrees will not avert the impact of rising oceans on Islands and low lying countries. For these Parties, survival is paramount. The Marshall Islands, Cook Islands and the Seychelles played poignant roles in showing the significance of the Oceanic regions to the viability of life on the planet. At Paris, a visual image of the Exclusive Economic Zones (EEZ) regions of the SIDS was presented, then overlaid with a map of Europe, which was dwarfed by the immensity of the oceanic regions and the scope of the marine responsibilities of the Small Island States.

The Seychelles showcased exquisite diplomacy with the innovation of debt exchange. Their negotiator engaged President Hollande in a unique opportunity for success from the COP by offering to protect one third of the area of their EEZ in exchange for cancelling €30 million of debt. This immediately opened the door to further negotiations for debt exchange for the benefit of environmental protection mechanisms between developed and developing countries.

The Paris meeting offered opportunities to engage in every facet of climate interests. One of the threads that led to a successful Paris agreement was the benefit of several decades of Intergovernmental Panel on Climate Change (IPCC) scientific evidence of the mounting climate crisis. The science is continually evolving and showing that the pace of climate destabilization is far faster than was understood 20 years ago.

For the science, a panel on the cryosphere (frozen areas) brought home the compelling prospect of crossing irreversible thresholds, with a forbidding message of a tipping point on climate. The cryosphere includes all the regions of ice: Arctic and Antarctic and Greenland ice sheets, mountain glaciers, and permafrost. Marine areas which are, impacted by ocean acidification and by freshening as the ice sheets and shelves become lubricated by melting and then break up or otherwise meltwater reaches the sea. The cryosphere is key to the stability of the climate system, and is directly linked to sea levels and the impacts of altered thermodynamics and hydrological systems. The embodied changes already underway are very significant, with decades of committed impetus of changes which are yet to play out but are inevitable.

Taking permafrost shows the scale of significance of ice, about one quarter of the northern hemisphere is in permafrost. Permafrost is below the surface layer of a few metres. It is a mixture of soil, sediment and ice, which remains frozen throughout the year. When permafrost melts, CO₂ and methane are released into the atmosphere. Models predict that 30% of permafrost will be lost if warming is held at 1.5 degrees, and 70% with a 4.5°C warming scenario. A 2°C rise would release 50 Gt of Carbon, out of a total global carbon budget of 275 Gt. The science panel noted ‘once carbon is released from thawed permafrost this carbon loss is irreversible on all but geologic time scales’.

Crucially, the most recent science on the cryosphere is not yet included in the IPCC reports. The scientists in the side event on this are set for this to inform the next IPCC assessment report. The plea in this session was for science and politics to meet – with the observation that science can’t be negotiated.

During the Paris COP there were activities and events all over Paris. These included an ‘installation’ of huge blocks of ice at the Pantheon forecourt, melting by the moment. This conveyed the forces at work with wordless eloquence.

Key issues of the ‘obligation to protect human rights, the right to health, the rights of Indigenous peoples, local communities, migrants, children, people with disabilities, people in vulnerable situations and the right to development, as well as gender equality’ are all in the preamble to the Paris agreement text, where they serve as a guide to the operational articles. The night before the final text was presented I went to a Human Rights press conference. There was high tension with a prospect of these being removed from the text, and a plea that rights articulated in the preamble, should also be in the operational articles.

Metrics, measures which are consistent and comparable across Parties, and trade are central matters for the post 2016 period, and beyond the scope of this
commentary. There is consternation over the status of climate agreements vis-à-vis the Trans Pacific Partnership and the Trade in Services agreements currently being negotiated. Are these parallel globally negotiated systems mutually enhancing or does the impetus for trade trump climate accountabilities?

The climate crisis brings an unprecedented recognition of human, biospheric and planetary interdependence, and we are embarking on a course of change at a global scale.

The group I was with at COP21, worked in the preparatory period on a “Declaration of Interdependence and Responsibility”. We drew on earlier initiatives to acknowledge the great historical moment of the climate crisis with the fundamental disruption of established economic systems and the transformations to be engaged to bring human civilizations and development interests into alignment with planetary ecosystems. Indigenous Peoples articulate world views of interdependence and guardianship, wrought from recognizing interdependence with nature. Only now, after the histories of desecration, the significance of these social orders can be recognized for the reshaping of the post industrial era.

At a global paradigmatic level we see that transformation is needed at philosophical, economic, spiritual, and social spheres. The economy that has fuelled industrial development, largely on the fossil fuels of coal and oil, is founded on theory largely premised on private property, self interest and entitlement, certain interpretations of sovereignty, and accumulation of wealth through resource extraction, all without attributing an account of environmental debt in the systems of accounting. It is a system that tolerates and perpetuates inequality.

Sovereign State interests and responsibilities shaped during the industrial period have gradually been eroded by multinational expansion and profit interests which escape the reach of accountabilities to the State, or at times, are the state.

Outsourcing of labour is a case in point. This is not to derogate multinationals, but to seek their engagement in the common agenda of humankind for climate accountability. It is significant that the President of the World Bank, Mr Kim, applauded the Paris agreement saying, the Paris agreement represents ‘the biggest shift we have ever seen on this global crisis.’ The reorientation in the economy needs a parallel shift from individual sovereign state interests towards solidarity sovereignty – as suggested by Professor of Law Mireille Delmas-Marty, Collège de France.

For the first time at a COP meeting, education was brought to the table of the Agreement process. The text acknowledges the role of education in the transition to a climate responsible world.

There was an historic meeting of mayors at the Paris COP – signaling a new level of recognition of the tremendous role to be played by cities and regional authorities. These councils role in the management of land, waters and natural resources, and in adaptation shows the significance of regional governance in responding to climate futures.

The Paris agreement gives us the platform from which to navigate the task of recalibrating economies, measures, accountabilities and converting to renewables. Working with interdependence, common good and responsibility as organizing principles offers a compass to navigate and assess systems of implementation.

We can celebrate that we have come to the moment of confidence in the new venture.

The COP21 text is itself a treat in the art of engagement and diplomacy, as was the whole of the previous year in regard to France’s care in attending to the interests and outcomes wanted by each member state. The pivotal issue of achieving universal buy-in to the Paris Agreement hung in the balance on many occasions, with a final amendment of a ‘shall’ protect human rights changing to a ‘should’, to appease the US’s refusal to be bound by the requirements of a ‘shall’. That change gained agreement but considerably weakened the commitment.

Crucially, the Paris Agreement acknowledges the ‘significant gap between the aggregate effect of the Parties’ mitigation pledges [ Intended Nationally Determined Contributions , INDC’s] in terms of global annual emissions of green house gases by 2020 and aggregate emission pathways’ to limit temperature rise to 2 degrees, or 1.5 degrees. It is now a matter for enhanced action – starting with one of the most retrograde Parties, with regard to their commitment, New Zealand.

Melting ice reminding COP Parties how fragile the cryosphere is.

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ECOlink Nov-Dec 2015 13
People’s Climate Marches in New Zealand

Just before the start of the Paris Climate Summit, over 32,000 people took part in the People’s Climate Marches around New Zealand. This was part of a global climate mobilisation calling for action in Paris and beyond, with marches in more than 2000 cities.

On the 28-29th of November, marches occurred in over 30 New Zealand locations, including over 15,000 people in Auckland, and 8,000 in Wellington. The smallest was in Raoul Island in the Kermadecs, where the entire population of seven people took part. The Auckland march up Queen Street ended with a mass haka challenging the leaders of the world to take real climate action.

The People’s Climate March organisers want to see the Government implement a real climate action plan to reverse the growth in New Zealand’s greenhouse emissions, and establish a just transition to a cleaner, fairer economy. You can see our simple plan here: http://www.peoplesclimatemarch.org.nz/climate_action_plan

Partner organisations who helped make the climate march happen: Public Service Association, Oxfam, Caritas, Generation Zero, Forest & Bird, First Union, 350 Aotearoa, Coal Action Network Aotearoa, WWF, Greenpeace, Actionstation, Unite Union, Tertiary Education Union, P3 Foundation, Rail & Maritime Transport Union, with help from many more.

Paris Agreement – a start and not the end

The Paris agreement is the start along a road to low carbon future but it will need strong commitments from 195 countries to ensure it is implemented to protect the planet and the vulnerable.

As the introductory text notes the agreement is “under the United Nations Framework Convention on Climate Change” (UNFCCC). The UNFCCC is the base agreement which finalised in Rio in 1992.

The targets in the Paris Agreement are important for the direction that countries have agreed for future global temperature increases and thus greenhouse gas emissions. Our South Pacific neighbours and other members of the Association of Small Island States (AOSIS) must be thanked for getting the reference to 1.5°C in Article 2 of the agreement. This in part states:

(a) Holding the increase in the global average temperature to well below 2 °C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5 °C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change;

This is a major step as the planet is nearly at 1°C above pre-industrial average global temperature level. It follows the recommendations of an expert Panel for the UNFCCC report in May (FCCC/SB/2015/INF.1) which set out the risks and benefits of 2°C vs 1.5°C.

The extra risks for 2°C over 1.5°C include:

- Ocean acidification;
- highly temperature-sensitive systems, such as the polar regions, high mountains and the tropics;
- low-lying coastal regions;
- food security – particularly on crops in Africa.

Further “in the light of the difficulties in predicting the risks of climate change, there is value in taking a precautionary approach and adopting a more stringent target”.

The benefits of limiting temperature rise to 1.5°C over 2°C include:

- “most terrestrial and marine species would be able to follow the speed of climate change;
- up to half of coral reefs may remain;
- sea level rise may remain below 1 m;
- some Arctic sea ice may remain;
- ocean acidification impacts would stay at moderate levels; and
- more scope for adaptation would exist, especially in the agricultural sector.”

The report further said “limiting global warming to
below 1.5 °C would come with several advantages in terms of coming closer to a safer ‘guardrail’. “ - against these risks.

Further in the preambular text Parties:
“Invites the Intergovernmental Panel on Climate Change to provide a special report in 2018 on the impacts of global warming of 1.5 °C above pre-industrial levels and related global greenhouse gas emission pathways”.

To achieve the agreement target countries will have to make greater cuts in emissions. This is clearly set out in the preambular text which:
“Notes with concern that the estimated aggregate greenhouse gas emission levels in 2025 and 2030 resulting from the intended nationally determined contributions do not fall within least-cost 2 °C scenarios but rather lead to a projected level of 55 gigatonnes in 2030, and also notes that much greater emission reduction efforts will be required than those associated with the intended nationally determined contributions in order to hold the increase in the global average temperature to below 2 °C above pre-industrial levels by reducing emissions to 40 gigatonnes or to 1.5 °C above pre-industrial levels by reducing to a level to be identified in the special report....”

Article 4 of the Agreement includes:
“In order to achieve the long-term temperature goal set out in Article 2, Parties aim to reach global peaking of greenhouse gas emissions as soon as possible, recognizing that peaking will take longer for developing country Parties, and to undertake rapid reductions thereafter in accordance with best available science, so as to achieve a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gases in the second half of this century....”

So countries have committed to limiting the increase in emissions and ensure net emissions (between sinks and sources) are zero between 2050 and 2100.

Article 4 includes countries are required to prepare national contributions and implement them:
“Each Party shall prepare, communicate and maintain successive nationally determined contributions that it intends to achieve. Parties shall pursue domestic mitigation measures, with the aim of achieving the objectives of such contributions.”

Further there is requirement to increase future ambitions and “highest possible ambition”:
“Each Party’s successive nationally determined contribution will represent a progression beyond the Party’s then current nationally determined contribution and reflect its highest possible ambition,...”

The obligations on developed and developing countries are slightly different:
“Developed country Parties should continue taking the lead by undertaking economy-wide absolute emission reduction targets. Developing country Parties should continue enhancing their mitigation efforts, and are encouraged to move over time towards economy-wide emission reduction or limitation targets in the light of different national circumstances.”

While the language uses “should” rather than the obligatory “shall”, this provision together with other text provides important direction to countries, and also to local government, business, and others.

Article 8 sets out consideration of loss and damage that was included despite solid opposition from a number of developed countries:
Parties recognize the importance of averting, minimizing and addressing loss and damage associated with the adverse effects of climate change, including extreme weather events and slow onset events, and the role of sustainable development in reducing the risk of loss and damage.

This includes reference to the “Warsaw International Mechanism for Loss and Damage” which “associated with Climate Change Impacts shall be subject to the authority and guidance of the Conference of the Parties”.

Article 9 establishes the financial resources provided by developed countries to assist developing countries in the transition. As the introductory text states:
“Also decides that, in accordance with Article 9, paragraph 3, of the Agreement, developed countries intend to continue their existing collective mobilization goal through 2025 in the context of meaningful mitigation actions and transparency on implementation; prior to 2025 the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement shall set a new collective quantified goal from a floor of USD 100 billion per year, taking into account the needs and priorities of developing countries;”

Article 14 set out the initial “global stocktake in 2023” and 5 yearly reviews. Prior to that the introductory text: “Urges those Parties whose intended nationally determined contribution pursuant to decision 1/CP.20 contains a time frame up to 2025 to communicate by 2020 a new nationally determined contribution and to do so every five years thereafter pursuant to Article 4, paragraph 9, of the Agreement;”

To come into force the Convention requires the ratification of “at least 55 Parties to the Convention accounting in total for at least an estimated 55 percent of the total global greenhouse gas emissions”.

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New Zealand belongs to the consortium of countries promoting the removal of fossil fuel subsidies: but how good is New Zealand’s record?

New Zealand received two “Fossil of the Day” awards at the recent Paris Climate Talks. The Awards are given by the Climate Action Network for anti climate change control behaviour. The “Fossil of the Day” Awards have been issued at international negotiations since 1999.

The Climate Action Network (CAN) is a worldwide network of over 950 Non-Governmental Organizations (NGOs) in more than 110 countries. CAN promotes government and individual action to limit human-induced climate change to ecologically sustainable levels.

New Zealand shared the first fossil of the day award at Paris (with Belgium) for Prime Minister John Key’s speech to the climate talks in Paris. The citation reads:

“New Zealand claimed a top spot for rather hilariously, or not, urging countries to phase out fossil fuel subsidies while shelling out big bucks to prop up fossil fuel production to the tune of $80 million.”

“Prime Minister John Key showed a degree of hypocrisy by claiming, at a Friends of Fossil Fuel Subsidy Reform event, that New Zealand is a leader on fossil fuel subsidy abolition - despite the country’s fossil fuel production subsidies increasing seven-fold since his election in 2008. His phoney grandstanding came just a week after claiming that New Zealand ‘doesn’t need to be and shouldn’t be a leader in climate change’. Are you getting mixed signals too? Or is it just us?”

New Zealand was awarded a second Fossil of the Day award “in recognition of New Zealand’s role in blocking compensation for vulnerable countries for climate change damage, in the draft text for the Paris Agreement.”

Former Climate Minister Tim Groser’s “lacklustre climate leadership was also recognized with a dishonourable mention at the event.”


Amongst New Zealand’s subsidy regimes are:

- Non-resident off-shore drilling rig and seismic ship tax exemptions:
- Tax deductions for petroleum-mining expenditures:
- Research and Development funding for the oil industry:
- Indemnity for mining land reclamation to Solid Energy for the company’s costs for environmental remediation.
- Motor spirit excise duty refunds.

ECO considers the Government should remove all fossil fuel subsidies as part of any campaign to get rid of these subsidies globally.

**Divestment meets new records**

The fossil fuel divestment campaign has broken a new record at the Paris meeting (COP21). More than 500 institutions representing over $3.4 trillion in assets have made some form of divestment commitment according to 350.org and Divest-Invest, two organizations coordinating the growing movement.

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Antarctic Marine Protection remains stalled but progress possible

The Commission for the Conservation of Antarctic Marine Living Resources’ (CCAMLR) annual meeting in October 2015 again failed to agree to protect key areas in the Ross Sea and in East Antarctica — but China, stated its support for a revised Ross Sea Marine Protected Area, subject to minor changes to allow some krill fishing.

The two proposals for Marine Protected Area status (MPAs) in the Ross Sea and East Antarctic coastal region, the former advanced by New Zealand and the USA, the latter by Australia, France and the EU, were once again on the table during this year’s CCAMLR meeting. The proposals require consensus by CCAMLR’s 24 member nations and the EU but were actively blocked. In the case of the Ross Sea MPA, a last-minute expanded proposal negotiated by the US and NZ secured China’s support. In the case of East Antarctica, both China and Russia blocked its adoption.

In the past, China actively blocked the Ross Sea proposal. A statement of commitment by Russia for inter-sessional discussion of the proposal, has given some hope for progress in 2016.

The partners of the Antarctic Ocean Alliance (AOA) highlighted CCAMLR’s fifth failure to reach consensus on this issue over a four-year period. This lack of progress calls into question CCAMLR’s willingness and ability to deliver on conservation commitments, specifically its capacity to deliver the large-scale network of marine protected areas (MPAs) it had committed to create by 2012.

The proposed MPA designations would provide needed long-term protection of many species, including penguins, seals, and whales, and their critical habitats. In addition, the MPAs would enable scientific research to occur in this near-pristine wilderness, protecting areas to allow study of marine ecosystems that have remained relatively untouched by human interference.

“China’s endorsement of the expanded Ross Sea proposal is a positive development and we are encouraged that Russia expressed interest in working on this in the coming year,” said Andrea Kavanagh, Director of The Pew Charitable Trust’s global penguin conservation program.

“What is most disturbing about this year’s failure is the systematic disintegration of CCAMLR’s ability to deliver on its mandate for marine protection. CCAMLR not only struck out again in efforts to create MPAs, but also failed to take necessary measures to improve oversight of fisheries and obtain data critical for effectively managing those fisheries in an era of climate change,” said Mark Epstein, Executive Director of the Antarctic and Southern Ocean Coalition (ASOC).

“We commend the efforts of the proponent countries, and others such as Argentina, Chile, Japan, Norway, South Korea, and Ukraine, who spoke out in favor of the MPAs and the promotion of solid Antarctic marine protection in Antarctica,” added Jill Hepp, Project Director of the Antarctic Ocean Alliance.

The AOA partners will spend the coming year working towards making progress in 2016 on Southern OCEan MPAs. The AOA has identified approximately 40% of the Southern Ocean that is a priority for lasting protection.

Background:

The Ross Sea MPA Proposal by New Zealand and the US - The revised Ross Sea Marine Protected Area Proposal is now 20% larger than the previous proposal with a total area of 1.57 million sq. km. The increase comes from the addition of 322,328 sq. km of a krill research zone (KRZ) on the western boundary, east of the Balleny Islands. Only krill fishing that meets the research goals of the marine protected area would be allowed in this area. The Ross Sea, one of the most pristine oceans remaining on Earth, is often referred to as “the Last Ocean” and was the subject of Peter Young’s film of that name.

The East Antarctica MPA Proposal by Australia, France and the EU is to create an MPA to protect 946,998 square kilometres based on three separate areas of East Antarctic waters. This proposal would allow exploratory fishing and research activities within the MPA if they are consistent with its objectives.

Fully protected marine reserves are areas that are off-limits to fishing and other extractive uses. These provide the highest level of protection to all elements of the ocean ecosystem.

Marine protected areas (MPAs) are areas where certain activities are limited or prohibited to meet specific conservation, habitat protection, or fisheries management objectives.

Consensus-based decision-making does not mean that everyone must agree, but that no one should voice disagreement if a measure is to be adopted. If they do, then one member state can effectively stop a measure from going forward.

The Antarctic Ocean Alliance is a project of the Antarctic and Southern Ocean Coalition (www.asoc.org) and is a coalition of more than 30 leading environmental organisations including ECO, and high-profile individuals. See www.antarcticoceane.org
The problems of the Karamea and northern West Coast can be addressed with more and better marketing much better than by constructing a loop road to link Karamea to Nelson. Such a road would destroy the high environmental values of the Wangapeka Track in the Kahurangi National Park. The proposal for a study to evaluate such a road, has been floated by the Buller District Council to the Minister of Economic Development and to other ministers.

Such a road might seem like a good idea on paper but the cost would be eye-watering and the road would serve a small population of residents and visitors at great environmental cost. Such a road would destroy the wilderness values of the area, kill the Wangapeka Track, the ecosystems that surround the track. The wonderful experience of walking the track from east to west or vice versa as the vegetation changes markedly from wet rainforest to drier forest, rivers to high passes and deep ravines.

This walk deserves to be a “great walk” and for more people to know about it. Marketing and publicity is needed and would cost far less than a massive and precarious road through the Kahurangi National Park.

The costs of roading would be prohibitive. Capital costs are likely to be in the hundreds of millions and maintenance would be costly and on-going. Money could be so much better spent to support marketing, to improve the information and connections to the track ends for walkers and other visitors, and for other vital services to the local community. It would cost far less than the huge costs of a road and other claims on public funds are much more pressing.

Huge taxpayer funded capital investments on roading with on-going liabilities for maintenance in high alpine passes are just the wrong solution to the problem of lack of tourist visits.

The government could spend more on promoting tourism with marketing, less damaging infrastructure, and more DoC funding for the Wangapeka Track – and for pest control there and in Northland forests and other conservation areas which are declining at a staggering rate.

Tourism can be done low impact, but roads through the very places that are most special will destroy the very values that make Karamea special.

The proposal and the map of the area (see above), accompanied by lots of spin can be also be seen at:

Buller District Council (2015) Little Wanganui – Wangapeka Link Route Investigation Summary for Minister for Economic Development,


**Wangapeka Track too precious to Road: spend money on marketing**
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# ECO Member Organisations

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