

Richard Alspach

s 9(2)(a)

Tel: s 9(2)(a)

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9th of August 2015

to

MPI

e.mail: NES-PFConsultion@mpi.govt.nz

Submission on the proposed National Environmental Standard for Plantation Forestry:

There is some quite good stuff in this document. However the good work is undermined by what appears to be a cynical move to introduce acceptance of GE modified pine trees by the back door.

Specifically I am referring to clause 5.2 (what the changes will mean for existing plans).

I Object to the surreptitious introduction of this clause on the following grounds:

- It is inconsistent with the statement on P5 of the summary document, *retaining Local Decision Making*.
- It is undemocratic. It would appear that vested interests, who have been unable to convince Local Authorities/communities not to introduce precautionary provisions, with regard to the introduction of GE organisms, in their District/Regional planning documents, are now trying the back door. I guess they have lobbied hard, they may even have the tacit support of MPI, but it is demonstrably cutting across the wishes of the local communities, and as mentioned above is contrary to the provisions of the document seeking to retain Local Decision making.
- It is bad regulatory practise. The public needs to have faith in the process. When an unpopular provision is introduced by the back door, it undermines that faith. Which by extension, will undermine the effectiveness of the proposed regulations. MPI is already suffering from a lack of Public confidence in the field of Bio-security (which may or may not be justified), there really is no need to add to the sense of unease.
- Cl 5.2 demonstrates a commercial preference. It is an attempt to over ride accepted International Accreditation which prohibits use of genetically modified pine trees, and which has been signed up to by some large forest interests, e.g in

Northland.. Instead this over-riding favours companies that adopt GE Trees. Regulations are not supposed to pick commercial winners. Especially when they are supposed to be about environmental standards.

- I suspect that clause 5.2 is illegal. It appears to be an attempt to override the precautionary stance of District and Regional plans, which have been established through legal process, and upheld by the Environment Court. Regulations are supposed to be designed to uphold the law, not change it. Indeed it is my contention that to attempt to change a Law using regulation, rather than an Act of Parliament, would be illegal.

My objection would be met by the removal of Clause 5.2 and a re-write of the regulations to reflect its stated intention of “retaining local decision making”. Which would mean in significant parts of the Country adopting a firm pre-cautionary stance against the introduction of GE modified pine trees.

I do not wish to be heard in support of this submission.

Yours faithfully

Richard Alspach

11th August 2015

Stuart Miller
Spatial, Forestry and Land Management
Ministry for Primary Industries
PO Box 2526
WELLINGTON 6140

By email to NES-PFConsultation@mpi.govt.nz

SUBMISSION ON THE PROPOSED NATIONAL ENVIRONMENTAL STANDARD FOR PLANTATION FORESTRY

Contact details for this submission are:

Submitter: Clive Anstey

Submitted by: Clive Anstey

Contact address: s 9(2)(a)

s 9(2)(a)

Ph: s 9(2)(a)

In Brief:

The forest industry would do better to support the development and implementation of the NES FW to ensure that the values of forests are fully recognised in the management of soil and water. In such a policy context forests and woody vegetation are recognised as providing the fundamental framework that holds land together, a framework that delivers the full range of ecological services and defines the unique character of our landscapes. This framework transcends the limiting perspectives of conservation, farming, and plantation forestry activities. In a context of sustainable use such a framework directs the reconciliation of differing objectives within a common purpose. Plantation forestry is but a minor, albeit important, player in serving this purpose; the protection of soil and water values and the provision of essential ecological services.

Submitter background:

I am a member of The NZ Institute of Forestry and a Fellow of the NZ Institute of Landscape Architects. My work experience has been as a Forester with the NZ Forest Service, as a manager with the Ministry of Forestry, as national planning manager with the Department of Conservation, and for the past 15 years as a Resource and Landscape Planning Consultant. I am certified as a commissioner under the *Making Good Decisions* programme. I am therefore

familiar with the Resource Management Act and have experience in all aspects of its practical applications.

I have given my support to a submission by Roger May from Nelson who has focused on technical issues in the implementation of the proposed NES PF, particularly in relation to erosion and sedimentation management.

My Concerns:

In section 4.1.3 of the proposal it says “*An NES for plantation forestry was identified as the preferred option to address **the problem of unwarranted variation leading to operational uncertainty and uncertain environmental outcomes.***” (My emphasis.)

In my view the NES proposal fails to adequately explore the reasons for the *unwarranted variation* in the treatment of forestry and is therefore somewhat misdirected in claiming that certain constraints are unwarranted. As a result of this the grounds for choosing an NES as the preferred option are not convincing and there may be a stronger case for a National Policy Statement for forestry generally rather than a narrowly focused NES for Plantation Forestry.

In assessing the ‘effects’ of proposed activities such as those relating to forestry there are really two sets of separate considerations, firstly the generally acknowledged effects of the activity, and secondly, the effects in the particular place or setting. The proposed NES PF recognises generic effects as related to ‘core forestry activities’ under 8 headings. The place specific based set of effects are acknowledged as ‘*matters where councils may apply more stringent rules*’ (Table 4.) In my view it is how such place specific matters are dealt with by councils that has lead the Forest Industry to the perception of ‘*unwarranted variation*’.

In order to assess the effects of activities there needs to be a clear understanding of what is being affected, the values attaching to what is being affected, and some estimate of the resilience of the particular resource. In spite of the length of time the Act has been in force many regions and districts continue to manage resources on the basis of inadequate resource information. As a result an applicant for a resource consent may be required to provide information that, in my view, should be provided by the council. The process of granting a consent becomes fraught when the information provided by the applicant is contested on grounds of a lack of objectivity and neutrality. For example, indigenous biodiversity resources and the values attaching to such resources can be contentious, as can values attributed to landscape, social, and cultural, and historic heritage resources.

Prior to the changes in institutional arrangements in the mid 1980’s central government agencies provided comprehensive resource information covering the whole country. This ensured consistency; data gathering was undertaken in a systematic and coordinated manner and verified with scientific rigour. With central government restructuring such support was withdrawn and responsibility for data gathering devolved to local government, without the resources (financial and technical) to adequately carry out the required work. Without a national overview to ensure consistency and with much of the data gathering being undertaken by consultants, the outcome has inevitably been inadequate data and inconsistency.

There is also the natural variation in conditions from place to place so that the effects of afforestation and subsequent operational activities need to be managed in different ways and councils have a responsibility to recognise and provide for this.

The question is, “will the NES PF be taken sufficiently seriously by councils for them to accept responsibility for filling gaps in their resource information (or refining and updating resource information), and to meet the requirements of monitoring?” And, “have council’s the adequate skills and resources?”

The proposal acknowledges the requirements of the NES for Fresh Water and the need for forestry activities to comply. At this stage the implications of the NES FW for information gathering and forestry activities are unclear. As it says in the NES PF - *“As most of the quality objectives have yet to be set, however, this (the positive contribution forestry might make) is not certain.”*

In my opinion the NES PF will do little to achieve the outcomes the Industry is seeking until significant shortfalls in the provision of resource information are addressed on a national basis. The NES FW will be a significant driver in achieving this and the NES PF should be put on hold until policy work relating to the NES FW is completed and the implications for forestry become clear.

While the forest industry may have good reason to demand a greater sense of responsibility and fairness on the part of councils when dealing with its activities I am far from convinced that an NES PF in isolation of a number of related initiatives will achieve this.

Prior to the mid 1980’s the practical challenge for resource management was the protection of soil and water values. The changes in the mid 1980’s shifted the focus onto conservation management and the protection of biodiversity on the one hand, and sustainable resource use on the other. Two legislative contexts were created to reflect this separation; the Conservation Act and the RMA. Former objectives of ‘multiple use’ in land management, with primary and secondary uses, were discredited as inefficient and confused. The politics of the time demanded a clear separation of ‘productive’ and ‘non- productive’ land (or as farmers say, a clear separation of ‘effective’ and ‘non-effective’ areas.) More recently there has been an acknowledgement of the values attaching to ‘ecological services’, services provided by both ‘productive’ and ‘non- productive’ land.

The real issue for land use in New Zealand has always been and remains the extent to which pastoral farming activities can be sustained with an ever diminishing framework of woody vegetation, a framework essential to the protection of soil and water values. Our conservation estate exists primarily for soil and water protection reasons, ‘biodiversity protection’ being but a very recent justification for setting such land apart. Most of what is now ‘conservation estate’ was previously ‘protection forest’.

In my opinion a National Policy Statement dealing with forestry in its broadest sense and to include woody vegetation generally would provide the basis for the management of soil and water values across all lands. In a practical land management sense the relationships between forested and pastoral/horticultural lands would be made clear. Such a policy statement would need to be consistent with the findings of the Land and Water Forum and the NES FW. Such

a forest policy would establish forests as the sustaining framework of wellbeing. New Zealand was after all, until relatively recently, a country of largely forested landscapes.

In Summary:

In my opinion the NES PF Proposal does not make a convincing case and, on its own, would be unlikely to lead to a removal of *unwarranted variation* in the treatment of plantation forestry.

A National Policy Statement for Forests (and woody vegetation generally) would be invaluable in supporting the findings of the Land and Water Forum and the Fresh Water Management reforms. Such a statement would provide a policy context within which the full range of forest values could be recognised and constructively managed across all land, public and private. In such a policy context plantation forests would be seen as contributing to a greater and collaborative purpose rather than as a threat to (an often unsustainable) status quo.

s 9(2)(a)

From: s 9(2)(a)
Sent: Friday, 7 August 2015 1:26 p.m.
To: NES PF Consultation
Subject: Submission re Genetically Modified Trees

SUBMISSION:

To: Stuart Miller,
Spatial, Forestry and Land Management,
Ministry for Primary Industries,
P.O. Box 2526,
Wellington 6140.

From: Margaret Aylward,
s 9(2)(a)

Date: 7 August 2015

I am opposed to GE Trees being planted/grown in New Zealand because of the following:

1. High Risk to our economy – NZ is a tiny country of 4 million people – many CITIES of the world are larger than 4 million people so we are a very vulnerable economy and should not be entering into ventures that are of high risk.
2. Pollen from pine trees can spread a long distance. Even if trees were engineered not to have pollen, there is the problem of soil contamination. We now know that soil is extremely important – healthy soil means healthy food means healthy people! It has recently been found that sprays can kill micro-organisms in the soil. We thought we were doing something clever when we started to use sprays such as DDT, glyphosate(Round Up), paraquat etc etc and now find that there is evidence they have killed the soil micro-organisms and also caused cancer and diseases such as Parkinsons in people.

There have been recent Court cases in Mexico where Monsanto(one of the main pushers of genetic modification) was compelled to acknowledge that all its GM crop applications involve the use of glyphosate and it conceded that there is genetic flow between crops. Syngenta (another pusher of genetic modification) recognized seed exchange as a source of transgene dissemination.

The term “horizontal gene transfer” has been around for some time. It has been known for a long time that genes can jump between bacteria in the soil. Dr Mae-Wan Ho, a well known and respected scientist and Fellow of the US National Genetics Foundation wrote a book “Genetic Engineering – Dream or Nightmare” which was first published in 1998 and it clearly exposed the dangers of genetic engineering, jumping genes and soil contamination.

3. As a New Zealander, I am very protective of our clean green image which I believe is very important to the survival of our economy. People worldwide buy from us because they perceive us to be clean and green and our produce to be of very high quality. Our economy survives on our high quality GE-free products.

Signed: Margaret Aylward

From: s 9(2)(a)
Sent: Wednesday, 5 August 2015 5:44 p.m.
To: NES PF Consultation
Subject: Re: Submission on the Proposed National Environmental Standard for Plantation Forestry NES-PF

We oppose the Proposed Standard – NES & other relevant legislation: 6.4 – Genetically modified tree/root stock (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

Soil is already being lost due to extractive agriculture, the soil organisms being destroyed by the use of highly toxic chemicals. These organisms are not just the worms, insects, etc, but also the mycorrhizal fungi and other microscopic forms of life which nourish plants and build up the fertility of the soil. The United Nations has stated that we have only 60 years left of soil, should we carry on using the chemical approach "conquering nature" approach.

Lobbyists for the bio-tech/chemical companies would have us believe that genetic engineering will overcome the problem for feeding the world, which is blatantly untrue. 70% of the world is currently being fed by local farmers and people growing their own food. Using natural methods which work with nature results in a higher yield and more fertile soils. GE crops work well at first, then progressively the yield starts to decline, requiring more chemical inputs. This can result in desertification.

GE crops and trees have not been tested thoroughly to prove their safety. Many scientists around the world have grave concerns surrounding growing GE food or trees. Dr David Suzuki, once working in the field of GE technology, left the industry for ethical reasons, saying that it was dangerous to carry on down this path.

Trees and forests are a major part of a healthy ecological system. The trees nourish the soil, mitigate extremes of heat and cold, provide shelter for birds and wildlife, and also "breathe" in carbon dioxide and "breathe" out oxygen, providing us clean, healthy air. The idea of planting GE "trees" is abhorrent - these "trees" provide none of the natural functions of natural trees, the sole purpose being for financial gain. Natural organisms could not live in areas where these "trees" are planted, and there is a real risk that any part of these plants could contaminate natural plants, whether by pollen, or other parts, and could also contaminate waterways and soil. Not enough research by independent scientists has been done into any GE organisms - and the work done by those ethical scientists, not driven by money, has been flagrantly disregarded.

Public opposition around the world to GE crops is growing by the day. For the sake of future generations, and the health of our children and grandchildren, now would be a very good time to declare NZ GE-free.

Submission and Reasons –

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of – soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, 6) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no “duplication” between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

References:

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>

[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

Changes we would like you to make –

Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and

Retain and provide for Regional and District Councils to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions under the Resource Management Act (RMA).

Protect the Regional and District Council mandate and duty of care, under the RMA, to the existing foresters, primary producers and businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.

Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

The decision we would like the Minister to make

1. Remove all wording in the NES-PF in 6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82, referring to genetically modified trees and rootstock.

2. *Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.*

*Alan & Elaine Bainbridge
Concerned Citizens*

[REDACTED]

From: Jenny Baker [REDACTED]
Sent: Monday, 3 August 2015 3:38 p.m.
To: NES PF Consultation
Subject: Submission :NES -PF

Submission: A National Standard for Plantation Forestry June 2015
Jenny Baker
[REDACTED]

6.4 Hazardous Substances and New organisms Act 1996.

It was with grave concern that I read this section.

Allowing afforestation with genetically modified tree stock had not been part of previous discussion or drafts.

This provision has been inserted without any robust analysis or transparent process.

This completely undermines the work of local Councils to create protection against the risks of outdoor use of GMOs.

I would ask that this be immediately reversed and reads:

The NES-PF does not permit afforestation using genetically modified tree stock.

Other Matters:

Generally the NES is permissive and weighted towards enabling industry and supporting the status quo of continued industrial clear fell monoculture.

There is no consideration of cumulative effects of successive rotations or the application of a catchment based approach to plan making and harvesting

Although the issue of wilding pines has been included there is no mention of invasive (usually exotic) species that invade areas post harvest. I particularly note the wide scale invasion of Pampas grass in the Far North. In some areas forming complete coverage.

The Erosion Susceptibility Classification (ESC) has been adapted from Land Use Capability (LUC) for pastoral land and not plantation forestry. This does not allow for the synergistic effects of forestry activities with extreme weather conditions.

ESC orange zone has harvesting and planting as permitted activities. It should be controlled.

No mention is made of ephemeral streams when considering slash, planting and harvesting controls.

Sediment loss and management in sensitive catchments adjoining water bodies must be addressed more stringently and give effect to NPS FW and/or the Coastal Policy Statement.

Riparian Setbacks and margins are still inadequate. Margins need to consider the angle of the adjacent slope and the quality of vegetation within those margins.

General comment:

The forest industry could benefit greatly from a true cost accounting and ecological economic evaluation (not a simple cost –benefit analysis) of the very real environmental costs of sustained, clear felled, plantation monoculture. This could include such things as soil degradation, biodiversity loss, sedimentation, infrastructure damage, roading impacts and the carbon costs of maintenance, harvest and haulage.

Although beyond the scope of this NES such an approach must be incorporated into future planning for forestry and this would be an appropriate task for MPI.



Proposed National Environmental Standard for Plantation Forestry Template for Submitters

Contact details

Name:

Hugh Barr

Postal address:

s 9(2)(a)

Phone number:

s 9(2)(a)

Email address:

s 9(2)(a)

Are you submitting on behalf of an organisation? No ☐

If yes, which organisation are you submitting on behalf of?

If you are a forest owner/manager, what size of forest do you own/manage (in hectares):

Privacy Act 1993

Where you provide personal information in this consultation MPI will collect the information and will only use it for the purposes of the consultation. Under the Privacy Act 1993 you have the right to request access and correction of any personal information you have provided or that MPI holds on you.

Official Information Act 1982

All submissions are subject to the Official Information Act 1982 and may be released (along with the personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. MPI will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Please indicate below if you wish your personal details to be withheld:

☐ Please withhold my personal details where submissions are made public



[] Please withhold my personal details in response to a request under the Official Information Act 1982

Questions for submitters

The questions for submitters that are included throughout the consultation document are provided below. We encourage you to provide comments to support your answers to the questions below.

1. Do you think section 2.1 and 2.2 of the consultation document accurately describe the problem facing plantation forestry?

Please provide comments to support your views.



1 Farmer domination of rural councils counts against plantation forestry: Many rural councils eg Hawke's Bay reg council, are dominated by farmer interests, who see plantation forestry as an inferior land use. Getting a fair go from such councils is difficult. Any guidelines adopted need to hold the line against this farmer bias, and not let it over-ride good guidelines.

2 Regional Council conflict of interest: Wellington Regional Council owns significant regional plantation forests, though it has sold the trees to a foreign owner. It has been a poor regulator of its forests. Other Councils who have plantation forests probably can behave likewise. These situations need some overview of eg the Ministry of the Environment, to counteract this conflict of interest

3 Protect native vegetation: The standard needs much stronger provisions to protect our indigenous plants, wildlife, habitats and ecosystems, our fisheries, public participation process, and precaution around genetic engineering.

These include:

- Any new plantations in existing areas of indigenous vegetation and habitat **should be a non-complying activity which require a resource consent.**
- Prohibit the modification of Significant Natural Areas (SNA) in any planting or replanting.
- Require setbacks of at least 20 metres for streams and 30 metres around all wetlands and lakes – for water protection
- Include a new provision which requires regional councils to address the impacts of afforestation on water yields and water flows in low-to-moderate rainfall areas.
- There should be no clear-cuts on any erosion risk land, whether moderate, high or very high risk classification.
- The Erosion Susceptibility Classification must be upgraded to high resolution-definition mapping as is already technically available, and be reviewed to ensure significant sediment reductions. Increased heavy rainfall storms will occur as the developed world does little about climate change, just for climate changes already in train.
- Erosion susceptibility classifications and rules should be extended for all land uses.
- All harvest plans should go through an approval process.
- There should be permanent canopy forestry for erosion prone land, and a move from 'fire trees.'
- The NES-PF should set a high and definite/clear threshold/bottom-line against forestry sedimentation to protect fisheries.
- Communities and their councils must be able to make decisions about genetic engineering (GE) to protect their environments and health outside of the EPA process.
- GE tree technology is not proven safe or beneficial. Councils must be able to exercise precaution.
- The EPA process has a long history of failure. Councils must be able to take up the slack and exercise precaution around GE through their RMA plans.
- GE trees provision should be removed from the NES-PF.



2. Do you consider that the conditions for permitted activities will manage the adverse environmental effects of plantation forestry?

Please provide comments to support your views.

See comments to (1) above.

Recreational activity in Plantation forests: Plantation forests can provide recreational pursuits such as cycling, horse-riding, car rallying, 4WD-ing etc. These should be encouraged by the plantation owner, as demonstrating the additional value of plantation forests to the wider regional community

3. Are the conditions for permitted activities clear and enforceable (see appendix 3 of the consultation document)? Can you suggest ways of making the rules clearer and more enforceable?

Please provide comments to support your views.

Please enter your comments here ...

4. Are the matters where local authorities can retain local decision-making appropriate (summarised in Table 2 and Table 4 and provided in detail in Appendix 3 of the consultation document)?

Please provide comments to support your views.

Please enter your comments here ...

5. Will the environmental risk assessment tools (the Erosion Susceptibility Classification, the Wilding Spread Risk Calculator, and the Fish Spawning Indicator) appropriately manage environmental effects as intended (see section 3.5 of the consultation document)?

Please provide comments to support your views.

Please enter your comments here ...

6. Do you have any comments about any particular activity or draft rule (see appendix 3 of the consultation document)?

Please include reference to the rule you are referring to.



Please enter your comments here ...

7. Is the NES–PF the best option to meet the assessment criteria (in Box 13 of the consultation document)?

Please provide comments to support your views.

Please enter your comments here ...

8. Have the expected costs and benefits of the NES-PF been adequately identified (see section 4.3 of the consultation document)?

Please provide comments to support your views.

Please enter your comments here ...

9. Are there any issues that may affect the successful implementation of the NES-PF (such as decision-makers applying the permitted baseline test more frequently)?

Please provide comments to support your views.

Please enter your comments here ...

10. Please describe any risks or opportunities that you consider have not been identified or addressed in the proposal.

Please enter your comments here ...

11. Will the proposed NES-PF support regional councils to implement the NPS-FM (see section 6.1 of the consultation document)?

Please provide comments to support your views.

Please enter your comments here ...

12. What resources or other implementation activities would help you to prepare for and comply with the proposed NES-PF (see section 7 of the consultation document)? How should these activities be delivered (for example, training, online modules, guidance material)?

Please enter your comments here ...



13. Are there any other issues that you would like to raise?

Please enter your comments here ...

s 9(2)(a)

From: Maggie Barrett s 9(2)(a)
Sent: Monday, 10 August 2015 9:48 p.m.
To: NES PF Consultation
Cc: s 9(2)(a)
Subject: My Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF) 'The Greatest Threat to Native Forests Since the Chain Saw'.

10th August 2015

My Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)
'The Greatest Threat to Native Forests Since the Chain Saw'.

Stuart Miller
Spatial, Forestry and Land Management
Ministry for Primary Industries
PO Box 2526
Wellington 6140

Dear Stuart Miller,

“We’re at a critical moment in human history: our population, technology, consumptive demand and global economy are overwhelming the planet’s life-support systems — air, water, soil and other species. We’re in a global eco-crisis that demands a redefinition of our relationship with plants and other animals.”

David Suzuki

It is essential that you watch this film is: *The Silent Forest*:
<https://vimeo.com/51481514>

The tragedy is that the people who will be making the decisions about this proposal, do not have the wisdom, the understanding, nor the knowledge of ecological systems to make responsible decisions for our Country and its well-being in the long-term.

They will be “economic” decisions, based on that limited point-of-view. The hidden agenda will continue to be the desire to make money. Your comprehensive consultation document appears to be a fait accompli. It seems to me that the decision to proceed with National Environmental Standard for Plantation Forestry (NES-PF), has already been made! What notice is going to be taken of submissions made by people who have a proper understanding of the implications of this proposal? As I understand it, this government will surely be

exceeding its mandate! Exploiting Nature, now simply known as resources! As if it is possible for anyone to live on this planet, without healthy eco-systems! We have to wake up to the fact that we must begin to live simply, with a sense of belonging to the natural world. *It does not belong to us!*

As George Monbiot of The Guardian UK wrote: “It's time to shout stop on this war on the living world”!

There is so much evidence that genetically engineered “trees” are dangerous pollutants to natural eco-systems. They cause havoc when introduced into natural eco-systems! To reiterate, the production of genetically engineered “trees”, is yet another capitalist money game.

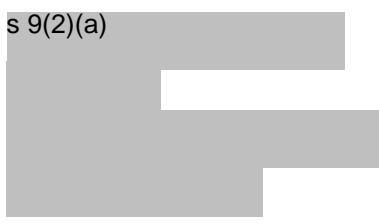
In 2007 Michael Meacher, former minister for the environment in Britain, wrote: “What we and the government, need to get our minds round is that we are at war: at war against climate catastrophe, presenting us with a far greater threat towards our survival than 1939; and that the measures adopted must rise to this unprecedented challenge. If green house gas emissions are to be cut by 90% by 2030...”. Page 22 Ecologist February 2007 Issue 1 Volume 37.

The Earth's temperature now, is 400 ppm and rising. We are heading into a pre-ice age climate - as it was millions of years ago. Scientific American Magazine. We do not need artificial trees! We need to protect and care for real ones! And we need a complete focus on transition to help bring into being a sustainable and just world!

I wish to be heard, and please keep me informed.

Yours faithfully,
Leslie M Barrett

s 9(2)(a)



I strongly endorse this submission of GE Free NZ.

Submission GE Free NZ

We oppose the Proposed Standard – NES & other relevant legislation: 6.4 - Genetically modified tree/root stock (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the

objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

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Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, Recommendation 13.1, H1, p.339) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no "duplication" between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

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Retain and provide for Local Bodies to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions' under the Resource Management Act (RMA).

Protect the Local Bodies mandate and duty of care, under the RMA, to the existing foresters, primary producers and businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.

Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

The decision we would like the Minister to make

1. Remove all wording in the NES-PF in 6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82, referring to genetically modified trees and rootstock.
 2. Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.
-



Proposed National Environmental Standard for Plantation Forestry

Template for Submitters

We would like to hear your views on the proposed NES-PF.

Please feel free to use this template to prepare your submission. Once complete please email to NES-PFConsultation@mpi.govt.nz.

As stated in section 8.2 of the consultation document, your submission must include at least the following information:

- your name, postal address, phone number and, if you have one, email address
- the title of the proposed standard you are making the submission about
- whether you support or oppose the standard
- your submission, with reasons for your views
- any changes you would like made to the standard
- the decision you wish the Ministers to make.

When commenting on specific draft rules, please be as clear as possible which rule you are referring to and provide a reference e.g. to the relevant page number, heading or text.

For more information about how to make a submission, please refer to section 8 of the consultation document.

Contact details

Name:

Paul and Jennifer Batt

Postal address:

s 9(2)(a)

Phone number:

s 9(2)(a)

Email address:

s 9(2)(a)

Are you submitting on behalf of an organisation? Yes [] No [X]

If yes, which organisation are you submitting on behalf of?

If you are a forest owner/manager, what size of forest do you own/manage (in hectares):

35 Ha



Privacy Act 1993

Where you provide personal information in this consultation MPI will collect the information and will only use it for the purposes of the consultation. Under the Privacy Act 1993 you have the right to request access and correction of any personal information you have provided or that MPI holds on you.

Official Information Act 1982

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Please indicate below if you wish your personal details to be withheld:

☐ Please withhold my personal details where submissions are made public

☐ Please withhold my personal details in response to a request under the Official Information Act 1982

Questions for submitters

The questions for submitters that are included throughout the consultation document are provided below. We encourage you to provide comments to support your answers to the questions below.

1. Do you think section 2.1 and 2.2 of the consultation document accurately describe the problem facing plantation forestry?

Please provide comments to support your views.

Yes, For small forest owners who only harvest once every thirty years. There is potential for two to three council reviews, and if land owners don't keep up with the rule changes they could feel like they have been blindsided at harvest date.

2. Do you consider that the conditions for permitted activities will manage the adverse environmental effects of plantation forestry?

Please provide comments to support your views.



Don't know, but permitted activities will only work if land has the right classification.

3. Are the conditions for permitted activities clear and enforceable (see appendix 3 of the consultation document)? Can you suggest ways of making the rules clearer and more enforceable?

Please provide comments to support your views.

For clear rules, the land owner needs to be informed, and on site one on one meeting to discuss land classification environmental risk, and would help compliance and reduce need for enforcement. Enforceability requires local authorities to employ staff with forestry knowledge to ensure they are making informed decisions rather than just being policemen.

4. Are the matters where local authorities can retain local decision-making appropriate (summarised in Table 2 and Table 4 and provided in detail in Appendix 3 of the consultation document)?

Please provide comments to support your views.

No comment

5. Will the environmental risk assessment tools (the Erosion Susceptibility Classification, the Wilding Spread Risk Calculator, and the Fish Spawning Indicator) appropriately manage environmental effects as intended (see section 3.5 of the consultation document)?

Please provide comments to support your views.

Yes but it's only as good as the science used to assess land classification.

6. Do you have any comments about any particular activity or draft rule (see appendix 3 of the consultation document)?

Please include reference to the rule you are referring to.



No Comment

7. Is the NES–PF the best option to meet the assessment criteria (in Box 13 of the consultation document)?

Please provide comments to support your views.

No Comment

8. Have the expected costs and benefits of the NES-PF been adequately identified (see section 4.3 of the consultation document)?

Please provide comments to support your views.

No Comment

9. Are there any issues that may affect the successful implementation of the NES-PF (such as decision-makers applying the permitted baseline test more frequently)?

Please provide comments to support your views.

No Comment

10. Please describe any risks or opportunities that you consider have not been identified or addressed in the proposal.

No consideration has been given to those areas that have already been successfully harvested and re-established in forestry without any erosion issues when land has been given a classification. Some land areas have been classified as high risk when they have been successfully managed into 2nd and 3rd rotation forestry.

11. Will the proposed NES-PF support regional councils to implement the NPS-FM (see section 6.1 of the consultation document)?

Please provide comments to support your views.

No Comment

12. What resources or other implementation activities would help you to prepare for and comply with the proposed NES-PF (see section 7 of the consultation document)? How



should these activities be delivered (for example, training, online modules, guidance material)?

It would be helpful for small forestry owners, who are not members of the new Zealand Farm Forestry Association, the Forestry Industry Contractors Associations etc. to be on a mailing list to receive information or guidance so we can be kept informed of any changes.

13. Are there any other issues that you would like to raise?

We only found out at the end of July, that we had until the 11th of August to get a submission to you, and also our forestry land has been classed as high erosion risk.

We class our land as Stanley Hills Soils, which is silt loams, sometimes stoney and of greywacke parent material, and we are also well into our second rotation and had been harvested and re-established without any hint of erosion problems having resulted to date, so the new classification came as a surprise.

We would like to know how our classification was formulated. And why we were not informed personally of this change to our land, as land owners we feel blindsided by your actions.

For this proposal to work, the land MUST be classified correctly, in my view the only way this can be achieved is with a joint on site evaluation with land owners or agents.

s 9(2)(a)

From: s 9(2)(a)
Sent: Saturday, 8 August 2015 3:08 p.m.
To: NES PF Consultation
Subject: submission for NES-PF.
Importance: High

Template for Submitters

We would like to hear your views on the proposed NES-PF.

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- your name, postal address, phone number and, if you have one, email address
- the title of the proposed standard you are making the submission about
- whether you support or oppose the standard
- your submission, with reasons for your views
- any changes you would like made to the standard
- the decision you wish the Ministers to make.

When commenting on specific draft rules, please be as clear as possible which rule you are referring to and provide a reference e.g. to the relevant page number, heading or text.

For more information about how to make a submission, please refer to section 8 of the consultation document.

Contact details

Name:

Kathryn Bayliss

Postal address:

s 9(2)(a)

Phone number: ss 9(2)(a)
9

Email address: s(9(2)(a)
2

Are you submitting on behalf of an organisation? No

Privacy Act 1993

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Please indicate below if you wish your personal details to be withheld:

[] Please withhold my personal details where submissions are made public [] Please withhold my personal details in response to a request under the Official Information Act 1982

Questions for submitters

- Do you consider that the conditions for permitted activities will manage the adverse environmental effects of plantation forestry?

No. I don't think the permitted activities will manage the adverse environmental effects of plantation forestry. Allowing genetically modified tree stock to be planted would endanger the environment and have a negative affect on our exports and perceived image in the world of being 'clean and green' and GE free. Indigenous vegetation, fauna, environments and NZ's biodiversity will also be endanger. Indigenous areas are shouldn't have to be specially identified in local plans to be discretionary. Councils should be able to apply more stringent rules or decline consent for any forests that could affect any indigenous areas, wetlands, rivers, natural features and landscapes. People living in the area should also be able to have input into deciding if forests can be planted nearby. Having monocultures of plantations will increase the adverse risk of disease and fires.

- Are the matters where local authorities can retain local decision-making appropriate (summarised in Table 2 and Table 4 and provided in detail in Appendix 3 of the consultation document)?

Please provide comments to support your views.

No, local authorities should be able to retain local decision-making on genetically modified tree stock. Allowing genetically modified tree stock to be planted would endanger the environment and have a negative affect on our exports and perceived image in the world of being 'clean and green' and GE free. In district like Hawke's Bay the region's GM-free status can be used as an important marketing and branding tool that helps give status and added value as high-end producers of food and other products. Indigenous vegetation, fauna, environments and NZ's biodiversity will also be endanger. Indigenous areas are shouldn't have to be specially identified in local plans to be discretionary. Councils should be able to apply more stringent rules or decline consent for any forests that could affect any indigenous areas, wetlands, rivers, natural features and landscapes. People living in the area should also be able to have input into deciding if forests can be planted nearby.

- Do you have any comments about any particular activity or draft rule (see appendix 3 of the consultation document)?

Afforestation:

Planting of genetically modified tree stock should be banned, and not allowed under any circumstances.

Setbacks from adjoining dwellings should be greater than where vegetation could shade the dwelling at any time and day of year. Dwelling should not be shaded by planted forests at any time and day of year.

Afforestation and replanting, earthworks, mechanical land preparation:

Setbacks from rivers and wetlands should be greater also, at least 10 meters. Councils should be able to impose additional, greater setbacks.

Replanting:

Damage, destruction or removal of indigenous vegetation should also be discretionary in all situations.

General conditions vegetation clearance and disturbance:

Councils should be able to apply more stringent rules or decline consents for any forests that could affect any indigenous areas, wetlands, rivers, natural features and landscapes. People living in the area should also be able to have input into deciding if forests can be planted nearby.

I oppose the standard as it is drafted.

I want all genetically modified organisms banned from New Zealand.

Destruction or removal of indigenous vegetation should not be allowed.

I want all indigenous vegetation, fauna, natural environments and NZ's biodiversity given top priority for safeguarding.

I want greater protection of NZ's indigenous flora, fauna , our rivers and marine habitats, natural features and landscapes.

Proposed National Environmental Standard for Plantation Forestry

Spatial, Forestry and Land Management
Ministry for Primary Industries
PO Box 2526
Wellington 6140

Stuart Miller

Email: NES-PFConsultation@mpi.govt.nz

Submissions must be received by MPI before 5 pm, Tuesday 11 August 2015.

Name/Organisation. Jennifer Berczely

Postal:

Phone:

Email :

Re: Submission Proposed National Environmental Standard for Plantation Forestry

Personal comments

You have a responsibility to us the people. We have a choice!

Submission

I **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

Submission and Reasons –

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, 6) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no "duplication" between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

References:

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>

[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

Changes we would like you to make -

- Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and
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- Protect the Regional and District Council mandate and duty of cares, under the RMA, to the existing foresters and primary producers businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

The decision we would like the Minister to make

1. All wording in the NES-PF in **6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82**, referring to genetically modified trees and rootstock must be removed from the NES-PF.
2. To place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

I wish to be heard. Please keep me informed.

Sincerely

Jennifer Berczely

Proposed National Environmental Standard for Plantation Forestry

Spatial, Forestry and Land Management
Ministry for Primary Industries
PO Box 2526
Wellington 6140

Stuart Miller

Email: NES-PFConsultation@mpi.govt.nz

Submissions must be received by MPI before 5 pm, Tuesday 11 August 2015.

Name/Organisation Jon Berczely

Postal [REDACTED]

Phone [REDACTED]

Email [REDACTED]

Re: Submission Proposed National Environmental Standard for Plantation Forestry

Personal comments: GMOs are privately owned, and further concentrate the power over our food supply in the hands of a few. And those few do not have an ethical track record.

Submission

I/ We **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

Submission and Reasons –

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

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The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

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- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

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1. All wording in the NES-PF in **6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82**, referring to genetically modified trees and rootstock must be removed from the NES-PF.
2. To place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

I/we wish to be heard. Please keep us informed.

Sincerely

Jon Berczely

Patrick Bethel

[REDACTED]

[REDACTED]

[REDACTED]

NES-PF Consultation

Attn: Stuart Miller

Spatial, Forestry and Land Management

MPI

PO box 2526

Wellington 6140

I am making a submission about the noise condition included in the General Conditions section of the Draft Rules of Proposed NES-PF (pg84-85). I am the Harvest Planner for Hikurangi Forest Farms

I share a property boundary with a plantation forest 10 minutes outside of Gisborne so while going over the NES at work I took extra care in looking at anything that had to do with neighbours. My partner is also the audiologist for the District Health Board so the noise rule under the NES caught my attention. You have given two noise levels that correspond with time of day, 40 & 55 dBA. These levels are just above a whisper and nearly a raised tone. You have added an exception that reads *forestry vehicles and machinery or equipment operated and maintained in accordance with the manufacturer's specifications in accordance with accepted best management practices*. I know a properly maintained chainsaw can run at 95 dBA well outside of the noise levels you have deemed acceptable. I know that would be covered in the exception, but my worry is that the act of a tree falling and hitting the ground can drown out the noise of the chainsaw. The way I read this exception a tree falling and hitting the ground is not covered and it will exceed the noise levels proposed. My hope you would add something like- *The noise created by a tree felled using accepted best practices is exempt from the noise restrictions*.

I know this may seem like a small change but here in Gisborne the local council recently harvested a large area within the city that would have had nearly 20 neighbours and from this draft rule it seems like anyone of them could have held up the harvest.

Thanks for your time,

Patrick Bethel

s 9(2)(a)

From: s 9(2)(a)
Sent: Wednesday, 5 August 2015 3:50 p.m.
To: NES PF Consultation; shane.reti@parliament.govt.nz
Subject: Submission about proposed National Environmental Standard for Plantation Forestry(NES-PF)

Attention Stuart Miller

I oppose the proposed standard. Genetically modified trees or any plant material should not be planted in the NZ environment until those authorising and doing the planting are in a position to put right ANY adverse consequences that might ensue.

I am outraged that clauses 5.1 and 5.2 specifically over- ride the decision of the Northland Councils, made after wide consultation with ratepayers, that our District should remain GE FREE.

I do not believe that the Environmental Protection Authority should have sole responsibility for decision making with regard to genetically modified organisms in our environment. Local and Regional Councils must be allowed to continue their planning and decision making in accordance with the expressed wishes of their populations.

Anne Bielby
s 9(2)(a)

[REDACTED]

From: John & anne marie Bielby [REDACTED]
Sent: Friday, 7 August 2015 1:37 p.m.
To: NES PF Consultation
Subject: Relating to the introduction of genetically modified plant material to the environment, this is my response to the MPI's proposed NES for Plantation Forestry

Dear Sir/Madam,

I was deeply disturbed to see that these proposals appear to override our existing local council's policy in Northland.

I believe that local communities should continue to have a say in what, let's face it, fundamentally impacts on their environment, for any leakage of GE material could well be as irrecoverable as nuclear waste with a half-life of 500,000 years.

I refer here to Section 5 Clause 2 "What the Changes will Mean for Existing Plans" which replaces existing council rules for forestry activities and would allow the NES-PF to supersede these, along with 6.4 on page 43 "Hazardous Substances and New Organisms Act 1996" which allows for the introduction of GMO-trees throughout New Zealand.

I am troubled by the aspect of cross-contamination in so far as the generators being unable to underwrite the cost of damage to non-GE producers.

Our living environment is perhaps the most precious thing to us and should not be risked for dollar gain.

I am certainly not against gene manipulation in other fields , such as medicine, where it can be controlled by human agency.

I would be grateful if you would take my comments into consideration.

Yours faithfully,

John Bielby, s 9(2)(a) [REDACTED]

Phone: s 9(2)(a) [REDACTED]

From: Cameron Blaisdell
Sent: Monday, 27 July 2015 3:58 p.m.
To: NES PF Consultation
Subject: GM tree/root stock

Dear Minister Guy,

We **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).

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2. Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

I wish to be heard. Please keep me informed.

Sincerely

Cammie Blaisdell

Patrick and Claire Bleakley

10 August 2015

Re: Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)

Dear Minister Guy,

We believe that Local Bodies have been very balanced in their rules around the forestry businesses in their regions and have adapted protections that are both business friendly and environmentally responsible. The MPI NES-PF document is trying to superimpose a standard that will suit every region, however this is problematic as the terrain and water bodies are all different. We are highly disappointed at the lack of detail around responsible forestry practice outlines and independent monitoring of forestry plantation working conditions that has made this industry one of the most dangerous to work in due to industry cutting corners around safe standards. We see that these standards are further undermined in the NES-PF.

We specifically **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

We would like to support the submissions of GE Free NZ, The Greens and Greenpeace. This clause is ill thought out and seriously undermines the democratic processes of communities.

These concerning additions leave a massive “gap” in GMO management as the HSNO Act does not manage GMO’s once released so by excluding Local Bodies ability to manage their natural and physical resources any adverse effects from the GMO’s, undermines or decimates the environment, communities and businesses.

The changes we would like you to make -

- Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and
- Retain and provide for Local Bodies to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions’ under the Resource Management Act (RMA).
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We wish to be heard. Please keep us informed.

Sincerely

Claire Bleakley
Patrick Bleakley

[REDACTED]

From: Andy Blick [REDACTED]
Sent: Tuesday, 11 August 2015 11:40 a.m.
To: NES PF Consultation
Subject: submission to National Environmental Standards for plantation forests

Attn. Stuart Miller

11 August 2015

The following is an emailed submission on the National Environmental Standards for Plantation Forests.....

From Andy Blick

s 9(2)(a)

email s 9(2)(a)

phone s 9(2)(a)

Tena koe,

I appreciate the opportunity to comment on this important proposed set of standards.

I have a long association and interest in plantation forests. I trained and worked for 13 years as a Forest Ranger in the NZ Forest Service before transferring to the Department of Conservation. I have lived and worked in Minginui village, on the edge of Kaingaroa Plantation Forest, for nearly 30 years. Recently moved to Wellington.

Part of my DoC work involved managing boundary activities between the Conservation Park and the exotic forest. I consider I have a very balanced view of Pine plantations and their important role in the New Zealand landscape. I am an advocate of smudging the boundaries.

So

2.3 Objectives of the Proposal

My concern here would be who decides what is unwarranted variation? In the case of the fish spawning example where does the line fall? Total restriction of logging activity during likely spawning months? Or the less restrictive requirements? Is this National Plan about lessening environmental standards or raising them to a higher level?

Does improving certainty mean that proposed activities have more chance of being approved with fewer restrictions?

Actually going back to 2.2..I think that environmental benefits of plantation forests, need to be comprehensively and much more clearly identified. They seem to be only addressed in a general way. If you are to have a National standard it needs to encompass everything thats possible.

Heres some examples;

Pinus radiata pollen in early spring has an unmeasured, but potentially large, benefit to the surrounding landscape. It contains many of the essential vitamins and elements needed for life, it also contains some of highest levels of testosterone found in the plant world.

It blows in large dust clouds for many kilometres and provides a boost to natural systems prior to the main growth and breeding period of the annual calendar.

This is a gift from pine trees that goes unacknowledged in any forest plans.

If it were noted as an environmental benefit nationally then Genetically modified/genderless trees would not be permitted.(Pine pollen is often villified as a cause of hayfever and asthma but any forestry scientist will tell you the grains are too big to permeate the nasal membranes.)

Another example is the reliance of native wildlife on pine forests.Many native species thrive in plantation forests. Bats, falcons, bush robins, kiwi and many invertebrates all do well in pine plantations.

I was involved in a kaka study in the Whirinaki Forest. One male kaka, tracked with a transmitter, fed the female on the nest entirely on pine seeds extracted from pine cones in a nearby Pine forest compartment. Without this access to supplementary food Kaka would not be doing as well in the Whirinaki valley. The planting of genetically modified trees would deny them this food source.

Kiwi, where they still exist, also do well in pine forests. There are fewer predators and more food. (Pine forests have a productivity that native forests can not compete with. While native forests have a resilience that pine forests eventually succumb too)

Two activities, as noted in the document, have the most effect on natural processes; harvesting and land preparation/planting.

I would like to see, in any national standard, a format that comprehensively identifies local environmental factors and allows the harvest planner to work through a process that ends with guidelines on best practice.

For example here are a set of factors: steep country, kiwi present and a spawning stream, might mean that logging be staged or larger than normal stream margins be left, or a different logging/harvesting model is used, that does not involve clear-cutting of large areas.

This already occurs to an extent, where topography dictates whether machine or hauler harvesting takes place.

Of course, this will mean that harvesting may cost more. This then raises the question what is this process of the setting of the National standards really about? Saving Forest Companies money or the improved integration of plantation forest activities into the landscape? There seems to be more evidence of the former than the latter.

If there was sufficient safeguards, and detail, at a National level, the factors in Table 4 would not need to be dealt with at a local level, except of course for information gathering and compliance monitoring. Wahi tapu could have national standards. Geothermal similarly. East coast erosion criteria could be part of national guidelines that are applied to that type of terrain on a national level, provided they are stringent enough. If adopting National Environmental Standards is merely an excuse to water down local government requirements, which are often inadequate anyway, then this is not the way to progress.

Increase the suite of environmental risk assessment tools that must be used by forest planners and managers.

The benefit to forestry would be that when land clearance of plantation forests for farming or other uses is proposed these same tools would have to be used.

If farming is proposed, how will these same factors be managed, such as the falcon population or kiwi or erosion?

Currently, there seems to be no regulation, other than financial, dictating changes in land use.

Another item that needs more recognition is the trees benefit to the soil they grow on. Something not often mentioned or acknowledged. Douglas fir for instance, creates a deep rich soil when grown in monocultural stands. The quality of this soil provides an excellent habitat for native invertebrates and plants. The high density of native worms I have ever seen was in a Dougals fir compartment cutover. This could be used much more as a management tool and agasins should be another huge factor when considering land use changes.

Radiata also produces its own kind of soil though not as good in depth and richness.

Finally that all important section 6.4.. While the use of glyphosphates and 1080 is said not to be covered by this plan. They should be. More and more countries are reviewing their use of pesticides. 1080 is a horrific poison and glyphosphates, such as Round Up, are being banned in many countries.

As can be seen from the examples above, the commercial growing of Genetically modified trees would have a huge impact on the "other values" of pine forests. Such activity should never be permitted in the New Zealand landscape, let alone be part of a nationally-approved set of standards.

A relatively new field of research has uncovered the effects of Horizontal Gene Transfer. This is the exchange of genetic material between living beings of different species in real time. It is a more common occurrence than ever was ever thought possible. GM trees would have the potential to gene share through their environment.

In fact having this small clause included in this plan gives cause for concern about the true purpose of this proposal to set environmental standards. Is it all just another way to stifle opposition?

I really hope that that kind of scepticism is unwarranted.

Thank you for the opportunity to be heard.

Andy Blick

Wellington 11.38 am 11/8/2015.

GPO Whangarei can record time
Sent here

3:45

11 AUG 2015

* Dedicated to Shane Jones & his friends

WHANGAREI CENTRAL

for Stuart Miller
PO Box 2526
Wellington 6140

And Our Air Supply - 9 11:00: 2015

ALL RIGHTS RESERVED

When we spoke yesterday,
you reassured the writer
that as long as the submission
was registered before 4 pm today
at the G.P.O., all would be
well.

The Understanding was agreed,
that the submission ~ [though to be
addressed to Dr. Smith as The
Minister for The Environment] (legal)
copyrights would belong, in perpetuity, to
The Maori Anglican University Extension
Te Pae Pae; of Te Tairawhiti; [but aspects of
ordinary publication can be navigated;
[with me] ~ [e.g. inter-departmental.]

Further to this, a copy would go
to Sir Eddie Durie. This is
particularly to establish the
awareness of Section 62
of The Courtroom Manual,
recognizing the imperative of clinical
translation of concepts of TIHANGA, e.g.
and MAURI, (in) restorative justice
for the mahi tahi great grandchildren. &

1. Thankyou, Kia Ora. Sylvia M Bowen.

addedum 12:30 pm.
11/08/2015

This notice of an intention
to make a film about e.g. our
G.E. catastrophe nationally ~
> if we can get the
family support
cross culturally
in a hopeful loving
forgiving viability ~ to salvage
a Global Airsupply replant kaupapa <

~ is 'the rough edition?'
Hopefully you would receive
a tidier version a.s.a.p. as back up
only: provided it is pretty much
the same material. N.B * ✓

2 We are not against Primary Industries;
recognizing that e.g. the gorse grows
quite well under pinus radiata &
from gorse soil nitrogen; eco bush thrive/
renew vitality. (Any more information
for our film from Primary Industries
may be seen as a windfall, ABSOLUTELY
cross creditworthy. Kia Ora.)

For The Great Grandchildren
of 2055 in 40 years time
who may Celebrate a new, vital
Ecological Reconciliation with
Pre-Colonialism 'as One People'.

& hopefully -
BREATHE Sea Air

10/11 08 2015
from Whangarei,
a seaport worth watching.

Dr

Smith,

this is addressed to you
personally in the awareness
of your concern for

The Ecology, rather than
to 'The Minister for Primary Industries'
~ whose focus may be commercialized,
in the normally anticipated way, as an
aspect of his job description, in a Debt concern
of gargantuan 'lost' collateral, perhaps.

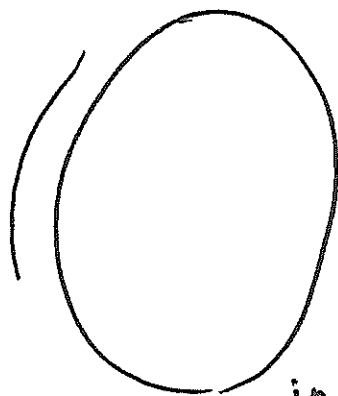
The thesis being that a healthy, i.e.
G.E. Free Ecology, properly U.N.I.C.E.F.
inspired, can support a healthier Global
Economic Growth in the longer view...
& gain debt control quicker.

Three

interviews with
culpable citizens are to begin
our submission; the first
with The Reverend Evelyn

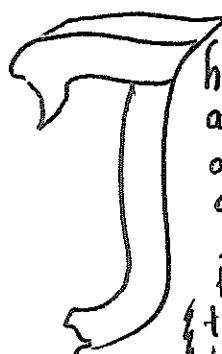
whose ancestral DEWES
line is registered in [Details in
Westminster Abbey. next

installment]



ur Treaty of Waitangi
cannot be disassociated
from Westminster, realistically.

We are 'One People', (nei?)
in a long whakapapa
on a Theological Journey
back into Genesis as recognizable
literacy, as you may confirm 'Fracking'
and 'G.E.' may be translated in 'Revelation.'



Three Interviews with men
and women of extraordinary
devotion to the Great Grandsons
and Granddaughters of Aotearoa
NZ., can introduce a thesis
that the World was bound
to get to the edge of adversity
before survival instinct would
wake us up to realism: in ethical
traditional creative integrity. ←

- (1) Reverend Evelyn Takurua became
my supervisor at Te Taopapa
ki te Tairowhiti in 2004. Her
wisdom on **FORGIVENESS** may have
at least shifted an inborn Westernism; ...
and the fact is, we want to get
over ourselves, as hedonists; if we
can hope the Great grandchildren
may survive (in Vice President
Al Gore's 'An Inconvenient Truth', (e.g.)
4 ↓ ☆ ☆ ☆ ☆ ☆ ☆ ☆ G.E.
aware
Will Implosion beat air supply collapse?

Reverend Evelyn Takurua
 of Tokomaru Bay, ^{with a great love} of ocean mana-
 [the widow of The Esteemed
 Reverend Anaru Takurua.]
 ~ was teaching Sociology
 in a Tikanga Maori traditional
 awareness back in 2004, but
 they had held The Chaplaincy at
 Te Aute College when their family
 was growing up.

She became supervisor of
 a project **REQUESTED** (agreed?)
 (in early 1983) by
 an Uncle of the writer.

(III) Jack Searle
 who is still remembered as
 'The Decimal Man' a i.e.
 a National Reform coordinator.

Jack Searle
 warned
 one about
 G.E. in
 a discussion
 in 1983.

(That was just before 1984 by the way.)
 NB * He was responsible for The Beehive
 Building Project as H.O.D. '70s
 Ministry of Works. He took us
 over The Beehive, before it was
 quite finished; showing his sisters
the view from what is now Mr. Key's
office. In 1981 he resigned as
Permanent H.O.D. Internal Affairs ...
 so his advice and guidelines in
 this submission, will be congruent
 with Global Recovery projections, back then.
 (State Services Commission may record all relevant data.)

Jack Searle had got engaged to our Auntie Joy when he was a RNZAF Wireless officer on overseas service in WW2. His communication professionalism under 'disaster S.O.S. conditioning' was azure, and they co-founded Nae Nae (State Housing) Baptist Community. I grumbled at him one day in 1978 (at Bellamys) over lunch. He then told me I would make a film one day. This is the, or an, abstract for the film in Maori Anglican final decision, [~ & 100% ethical copyright Reo Rua protection.] 'The Beehive' is central to our commission for Global Recovery planning. -

III The third interview was with Sir Graham and Lady Latimer at their home at Te Pahi Mavor in winter 1997. [May holidays I believe.] (Non G.E.) ~ [with solar power projected.] * * *

6 Sir Graham was an Observer at Hiroshima 70 years ago ~ and he reclaimed Treaty principles in Western Bureaucratic paper trail legalism, not perhaps generally comprehended at that juncture. They were Whare Tapu elders at Papatapuia (& i)...

when we were introduced by their cousin

(the Late Reverend Jim Harrison) after church one day

Sir Graham used to get
The Train down to
The Capital to do that volunteer
mahi - while Lady Emily
had to handle the milking
at home, getting the Tamariki to
school. &

He understood our Uncle's
work; and why a niece of
theirs was sleuthing out
a television serial in The
North on a Franciscan traditional
Vow of Poverty; (in Maori Anglican 100%
copyright.)

▶ In 1985 one gave birth
▶ to a kindly daughter
▶ who was affected by
▶ G. E. Soya ex utero
▶ and then via lactation.

* Details of her challenges are to enter our court system once legal assistance can be supplied

Angela Whetu as a young
mother herself today, [a printer's
assistant]
has completed a Marketing
Degree and is capable herself,
of communicating an honourable
erudition on G. E. She

is still a kindly person,
perhaps miraculously.

Our chaplains
may add to
that statement.

notably among her generations

A SOCIAL PSYCHOSIS OF SELF DESTRUCTION
OVER OUR COUNTRY MAY WELL BE IMPLICIT

who would tear down tuisong & plant a.E.?
Now - our short history (as a family)
of The Decimal Changeover
proprieties

in view of 'Think Big'
machinations - [& reform as an urgency]
may come as a surprise, to some.

In the 60s a man named
Mr Watson ... <sup>whose story
can be recorded
via archives</sup>

> was walking down a National
Treasury Corridor in the Capital,
when he ran into his first
cousin Jack Searle. <sup>His mother being
Mr Watson's father's
sister, our
grandmother.</sup>

▶ Mick Watson was then our
National H.O.D. Government
Life Assurance, in charge of weather damage
cc.

▶ He was chatting with
their cousins (his father's
Auntie Mary's last born -) ~
['The Decimal Man' - Jack Searle; <]

when along came HIS
first cousin, [our 2nd cousin]
George Searle ... THEN the
Postmaster General. ▶

Both of these men - Jack Searle & George Searle
~ were descended of the Father Line of
Sir Francis Drake AND Wilton's Bush line
via their grandmother Charlotte Watson NEE
WILTON.

AROUND THE WORLD IN 80 generations
(ask Dr Muta on Geneva Haribone...)

Lets Flag it Shall We?

Reverend Edmund Drake
of Tavistock being
our esteemed Ancestor,
along with our great

X great X
great
great
great
great
great
great
great
great
great
great
great
great
great
great
great
great
great

Did Uncle Jack
carry Prince William
on tour in
February 1983?

Not
4
Sale

KEUDE AHoy?

grandmother. I hope that is no tall story
exaggeration. Our family tree used
to extend from Auntie Theo's kitchen
across her tiny sitting room over-
looking Newtown Zoo where we
could hear the elephants
trumpeting - to her
bedroom slippers
which were fluffy, & golden.

Why did Drake study
South American Tribal anthropology on islands near
Peru?

Now, National Decimalization
Panel aware... we are planning
a reform campaign in our under
tutorial & kaupapa-
(no hidden
financial fund
raising agenda -
just heaps fun.)

> © AS JACK SEARLE AND
GEORGE SEARLE

chatted with our cousin Colin Watson's
father; [as he told Colin & Colin
told this writer, in Kaiwharawhara
in 1999, January at Gillian Shadbolt's
place in Winchester street high
above the Capital City.] [Tim Shadbolt's
uncle Maurice Shadbolt's Otaki Marae
descentents' grandmother] [Maurice's ideas are in here]
National Geographic co author...

~> © ALONG CAME MISS THEODORA WATT.
Her cousin JACK SEARLE was The Chairman
of The Decimal Changeover Panel, [ex RNZAF.]

Her cousin GEORGE SEARLE was Postmaster

General with a witnessed quality of humble
warmhearted custodial community mindedness.

Jack was a Baptist, then - and George an
Anglican lay reader. Theodora Watt was an
Anglican close colleague of Sir Paul Reeves
saintly Taranaki Rangaitiranga mother at
Newtown Anglican Church. We are calling, I suspect;

Archbishop Turu no less and his assistant,
Bishop Kiriaki Pihahu [of Parapara Marae & Taipa
longstanding devotion.] to claim a Non G.E. WAITANGI
Future for Aotearoa NZ - not least on our Te Pae Pa
Ngā Puhi firstborn mokopuna behalf. (Charlotte)
Colin's firstborn ngāpuhi behalf and our newborn
great grandson Jayce TIPIRI James Smith (Dr. Smith)

10 { of Te Aupouri uia my granddaughter 'Celia
[his mother; Te Taitokerau All tribes uia
both parents to be identified.] Is it not time
our country responded to the Copenhagen
Conference desperation beckoning ???
Mr. Key was there.

A little specific
background on our
Non G.E. preparations...

~ Jack Seavle more or less
brought me up as he was
the only person I would listen
to for a variety of predictable
reasons based in corporal
punishment and over sensitivity
in our mother's case as a fine
little person maligned educationally
being more Irish than most
Irish nationals, very likely.
and imaginative in a wonderful way
a singer, inclined to hysteria when
unscrupulously overwhelmed by bad language

Mr Key
might add
too as father
of a girl
who survived.
& a boy
who survived
Kings
college is
difficult
times

George Seavle we did not know
well but we were happy when we
met him, Angela and I, on a tour
of the country in our old car when
she was about 9. He liked her very
much and sent her a \$20 note
in a Christmas card, but suffered
Alzheimer's & we could not keep
up the association. He told me
she was a lovely child [and there
are witnesses to her goodness.]

Understood
AIR
SUPPLY
salvation,
& their
grandson
Tim is a
weather
specialist
married to
a vet.

It meant a lot to us, but
Theodora Watt was George's father's
Sister Auntie Lou's daughter. Her ^{we}
brother Harald died as an Anglican ^{were}
Priest as a young man in England. ^{very}
Theo trained as a typist secretary ^{belonged}
but was singled out as a young woman ^{Louie was}
to become Secretary in Chief to the ^{a fine}
State Secretary of The Treasury. ^{painter}

State Secrets were part of her logical
responsibility. Over the Decimal Changeover
she & her two cousins were in control
of Bureaucratic Due Process Record Keeping...))

On our Sir Francis Drake line
we were aware that Queen Elizabeth
1st had RELIED ON our ancestor's
BROTHER (there being 12 sons
of Reverend Edmund Drake, including
John, a likely ancestor -)

We were brought up to believe
God, Queen & Country were our
very reason for co existing.

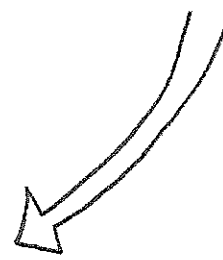
Sir Francis was never far from our minds.

The whole story is to be told
later of how bright sparks
decided to abuse my ancestry
at a Teachers College and
belittle my painting as a Calling, (notably
from The Lord.) [It is now
in Te Papa, so be it.] [Is that proof of abuse?]

Well, it is no use blaming anyone (if
if a flawed counselling specialist
became National Head of Marriage
Guidance; but we are contacting
The Mental Health Foundation
in regard to the actual process
where fools and scoundrels rob
actual artisans of their prescribed
contribution via false advice & G.E eventually
on the national debt. We can sue
the relevant departments for
false advice on the national debt,
however, and set up a multi media
Ecological T.V. programme teaching
people to love their grandchildren's
Primary Industry. [another day perhaps.]
[In a G.E. Free Fracking Free realism.]

no?
What is
???

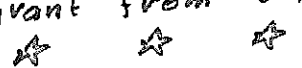
toxic
spray
free

Let it be spelt out. 

I had a sensitive youngest daughter (at age 43.) We can look at the other children later. The fact is her brother Evan died at 29 or so and I am in no mood to see any more young people lost because of

our Governmental confusions in a debt related narcissistic whizz kid policy making ethos of anti scriptural ad hoc public complacency, (which is what this G.E. Pine Forest planning seems like.)

Angela Whetu was born with something akin to my Uncle Jack's brain, sense of humour, family devotion and moral responsibility for the ecology as will be evidenced. At 15 cumulative affects via protracted use of

12 repeat >> G.E. Soya Vita HARMED HER ability to engage in restorative justice. She was only a little girl, sweetnatured. The effect on her metabolism was noticeable and Dr. Douglas Means of Jcaltala helped us survive that. His comments will be sought, as regards wider reform, as & when opportunities arise. He is a gifted Caucasian Family specialist has worked as a surgeon & understands colonialism, as a migrant from African climes, so has complex  comprehension.

Mrs Mearns is a visionary
Christian nursing tutor
as well as a mother
of their bright, competent
young people; & runs her own
condiments business, enjoyably.

Her patience as we traversed
some of the material to be
matriculated upon was seprechval.

We were caught in a monster
of modern supposition. To get
OVER the side effects of G.E.
Western / Asian inscrutability
you have to climb every mountain.
ford every stream. Well.

BUT HEAVEN ONLY knows how; ^{prayer} seems to be
winning; & and a very kindly, gifted, Paraparaumu
Medical Professional, [Dr. F. H.]

~ had suggested I take the stuff,
[back in 1977 / 1978 - as an alternative
to 'milk']

~ for a MIGRAINE condition,
[fully unaware of its composition.]
otherwise I would never have gone
there. Do we trust
our medical
officers on
G.E.?

Now. let us return to that
corridor in The Treasury
in the throes of the Decimal ^{G.E.?} ^{Thalidomide}
* Changeover, where Mr. Watson *
met Mr. Scarle & Mr. Scarle. *
(Angela's cousins in tribal sanctuary.)
and our Auntie Theo came along laden
with Treasury wisdom of the day...

Auntie Theo Watt had to have
a mastectomy later on. PROBABLY
because she smoked cigarettes
like a Hollywood Heroine. ONLY, at
a guess, because her posh Treasury colleagues
simply loved doing it. She influenced yours truly,
to take it up.

We're going to make the point that
we have changed our legal
opinion about
smoking, since then.

We know petroleum is pure
carnage on our atmosphere
but we keep doing the stuff
like the charge of the light
brigade. a technical neurosis
then if we actually know better.

(Anyone bothered by Roundup in the Tuisong?)

Auntie Theo left the writer her stairwell
electric chair by the way. We
were a close family. I got
about \$5,000 for it - to buy a
newer car, and crashed it
in Kukumaru Road, near Doubtless Bay

* (due to vague artistic temperament...
or fragmented concentration.)

We are all going to crash shortly
if we don't get real soon., goes without saying.

Colin's Dad said "Here we all are together
practically running the country &
nobody even knows we're related."

I do not rest our case there. It's barely
opened; realistically

Dr. Smith?

beav.)

(picture of Uncle Jack as a shining

We sent 3 young men
off to WW1, and grew up with
letters somewhere in France
in WW1 - the war to end all
wars.

Auntie Theo. G. E. Pines ladies
& gentlemen? She

lost her fiance,
a Nelson born fighter
pilot -
Stanley -
over France in WW2.

phoned
for 50-60
years,
alone...

She woke howling one morning
in the capital
and phoned her fiance's sister.
down in Nelson
She heard her despair.

They got the telegram, so their brother
after that. Incrementally said,

we hope to prove that tacit
evidence exists - Collin McCahon
& Ralph Hotere, Hone Tuwhare
& others like (Ian Wedde
who is still with us -) Sam
Hunt & SP

15 ~ can reveal this country
is chosen AND selected
to lead the Earth back
from the brink So let's get
our act together, Mrs Key
Dame Jiri?

God of Nations
now. The
The Reo Version
Angela can sing ...
she is not the only voice in a million -
(trillion, whatever ...) Ready?

Submission Form for the Proposed National Environmental Standard for Plantation Forestry

Email to NES-PFConsultation@mpi.govt.nz OR

Post to : Stuart Miller, Spatial, Forestry & Land Management
Ministry for Primary Industries
P O Box 2526, WELLINGTON 6140

My Name Hamish Bowling

Postal Address ...

Phone Email

Privacy Issue I do / I do not want my personal details made public

that's fine w/ me
In response to the MPI's proposed National Environmental Standard (NES) for Plantation Forestry, I would like to see a sustainable plantation forest sector that protects our indigenous vegetation and habitations, provides food and shelter for native birds, protects our soils from erosion, and our waterways and estuaries from saltation.

I would also like to see the MPI take a precautionary approach to outdoor use of Genetically Modified Organisms by preventing the planting of Genetically Engineered tree stocks in either field trials or plant releases. NO GE trees in NZ, due to the serious ecological risks of GE trees
I specifically refer to NES-PF 6.4 pages 43 of the consultation document, 64 and 82.

Please remove MPI proposal 6.4 in its entirety

These are my reasons:

I am a sharer, a farmer, a seed saver and gardner -
I do not want GE contamination that will result from
outdoor use of GMO's including transgenic pollution from
GE trees. The HSNO Act has inadequate liability provisions
and no mandatory requirement for the EPA take a precautionary
approach to outdoor GE applications. I am really brassed off
at the announce of Minister Nathan Guy (National party) + MPI

Signature Hamish Bowling

for their cynical attempt to force GE trees on local
communities (who don't want to bear the risk) + cynical attempt
to circumvent proper parliamentary process. NO to 6.4
YES to GE free sustainable forestry. Keep me informed - I want
to be heard

s 9(2)(a)

From: s 9(2)(a)
Sent: Thursday, 6 August 2015 4:30 a.m.
To: NES PF Consultation
Subject: Submission

I oppose the further introduction or loosening of GM standards through the clause (Cl. 6.4).

Richard Bradley

s 9(2)(a)

From: s 9(2)(a)
Sent: Tuesday, 4 August 2015 10:00 p.m.
To: NES PF Consultation
Subject: Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)

Spatial, Forestry and Land Management

Ministry for Primary Industries
PO Box 2526
Wellington 6140

Stuart Miller

Email: NES-PFConsultation@mpi.govt.nz

Name Inge Bremer

Postal s 9(2)(a)

Phone s 9(2)(a)

Date 30.07.2015

Re: Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)

Dear Minister Guy,

I **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

Personal comments

I have attended the MPI information meeting in Kawakawa recently and received the distributed brochure, which does not even mention the intended use of GM-trees. The notes made during the meeting should clearly show the critical points raised, among which were these:

- Northland and Auckland Councils have (based on wide voters' initiative and thus democratic principals) agreed to apply a very cautionary approach to GMO; this cannot be overruled by generally allowing to plant GMO-trees in local forests
- GMO-trees in local forests contradict the regional GE-free status
- Organic status and produce are appreciating a rapidly increasing regard not only in NZ, but globally; NZ is a country sufficiently isolated to enable a competitive edge by staying GMO-free and offering GMO-free produce
- planting GMO-trees increases the dependance on the already huge patent-hungry industry with never-ending effect
- GMO are a short-sighted method to achieve short-term effects, which will be irreversible
- It is not a matter of GMO-opponents to prove that GMO is/can be harmful, but GMO producers need to prove that GMO is harmless; science and the relative short experience do not provide such proof; it would be most irresponsible to present and future generations to experiment globally without being certain about the effects

Submission and Reasons –

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated

with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, 6) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no "duplication" between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

References:

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>

[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

Changes I would like you to make -

- Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and
- Retain and provide for Regional and District Councils to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions' under the Resource Management Act (RMA).
- Protect the Regional and District Council mandate and duty of care, under the RMA, to the existing foresters, primary producers and businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

The decision I would like the Minister to make

1. Remove all wording in the NES-PF in **6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82**, referring to genetically modified trees and rootstock.
2. Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

I do not wish to be heard. Please keep me informed.

Sincerely

Inge Bremer



Kristopher Brown, Post-doctoral Fellow
Dept. of Forest Engineering, University of Canterbury

Stuart Miller
Spatial, Forestry and Land Management
Ministry for Primary Industries
PO Box 2526
Wellington 6140

Dear Stuart,

I am writing in response to the proposed rules for river crossings only. My research interests include the implementation of best management practices to protect water quality and aquatic habitat at forest road-stream crossings.

Kind regards,

Kristopher Brown

Questions for submitters

This document collates the questions for submitters that are included throughout the consultation document. These questions are also included in a Word template and the online survey, which can both be accessed from www.mpi.govt.nz/nes-pf.

We would like to hear your views on the proposed NES-PF and encourage you to provide comments to support your answers to the questions below. For information on how to make a submission, please refer to section 8 of the consultation document.

1. Do you think section 2.1 and 2.2 of the consultation document accurately describe the problem facing plantation forestry? – Yes, in general I would agree that variability in council rules has led to uncertainty in operational planning and environmental outcomes.
2. Do you consider that the conditions for permitted activities will manage the adverse environmental effects of plantation forestry? – Yes, the general requirements for stream crossings – effects on other structures and users, fish passage, erosion and sediment discharge from use, maintenance, and inflow and outflow protection for single and battery culverts -- provide a good starting point. Also, the permitted conditions provide clear guidelines for specific crossing types. For example, the requirement for single culverts to pass a 5% AEP flood event of up to 5.5 m³/s (p. 90) should greatly reduce the risk of culvert blowout.



3. Are the conditions for permitted activities clear and enforceable (see appendix 3 of the consultation document)? Can you suggest ways of making the rules clearer and more enforceable? – The conditions for permanent crossings should be enforceable due to the requirement to give a notice of commencement. Temporary crossings do not require a notice. How will temporary crossing requirements be enforced?
4. Are the matters where local authorities can retain local decision-making appropriate (summarised in Table 2 and Table 4 and provided in detail in Appendix 3 of the consultation document)?
5. Will the environmental risk assessment tools (the Erosion Susceptibility Classification, the Wilding Spread Risk Calculator, and the Fish Spawning Indicator) appropriately manage environmental effects as intended (see section 3.5 of the consultation document)?
6. Do you have any comments about any particular activity or draft rule (see appendix 3 of the consultation document)? –

Page 89: Can Talbot’s formula be used to determine the appropriate culvert diameter?

I have a comment on the use of NIWA’s Stream Explorer to calculate flood flows: <http://stream-explorer.niwa.co.nz/>. If this is the tool to aid forest managers in estimating flood flows for culver sizing, I believe that there is a problem that needs to be addressed. For example, when I change the C-value from 0.1 to 1, flows calculated with the Rational Method change accordingly, but those calculated with Pearson do not change. Also, the mean annual flood does not respond to changes in C-values. Therefore, I don’t feel confident in using this tool.

What are the implications of specifying that temporary crossings can be in place for no more than 2 weeks? (p. 90). Would this mean that temporary roads and associated crossings would need to be constructed just before the harvest? Or perhaps this rule encourages the use of reusable, portable crossing structures? How would this work in practice?

Pages 90-91: What practices are recommended to provide inflow and outflow protection for single and battery culverts? Also, how was the catchment area of 500 hectares chosen as the maximum for battery culverts and drift decks? This seems like a relatively small catchment area, considering that higher flows will pass over the structure.

Page 91, “specific conditions relating to fording of streams”: Why not require all stream crossing approaches, including those of culverts and bridges, to have some form of water control that redirects road runoff away from the stream channel and over stable, well-covered ground? Good practice would include a crowned road, plus a cross-drain culvert or water turnout to reduce the effective length of the approaches draining to the stream.

I am in favour of the suggestion to place a water control structure “as close as practicable to, but no closer than 5 m to the river and positioned above the annual flood flow level”.



Sessions (2007) states that surface runoff from the road and table drains should be redirected from the road at least 20 m before the stream crossing. Source: Sessions, J. 2007. Forest Road Operations in the Tropics. In. Tropical Forestry. ISBN: 3-540-46392-5. Springer. New York, NY: 176pp.

Page 92, Controlled Conditions: There is no rationale for bridge-specific conditions.

Page 92: If a ford crossing cannot meet the general and permitted conditions, does it then fall under consideration for a resource consent in the “restricted discretionary” category?

7. Is the NES–PF the best option to meet the assessment criteria (in Box 13 of the consultation document)? – I think the proposed rules for river crossings will reduce uncertainty about the general requirements for any crossing, as well as requirements that are specific to single culverts, battery culverts, drift decks, fords, and bridges. However, recommended practices are not always prescribed to meet requirements such as reducing sediment inputs during crossing construction or providing protection at culvert inflows and outflows. I assume that some freedom will exist in the selection of best management practices to fit site-specific stream crossing conditions, for example by consulting the guidelines provided by documents such as the NZFOA Forest Road Engineering Handbook.

Also, as I understand the River Crossings section of the proposed NES-PF, the design and construction of stream crossings for smaller catchments (e.g., as evidenced by rules, such as “catchment area < 500 ha for battery culverts, drift decks” and “single culverts must pass a 5% AEP flood event of up to 5 m³/s”) should be able to proceed in most cases without a resource consent. However, for areas of higher risk (greater catchment area, concerns about geomorphological changes, flood damage to property, etc.) a resource consent will be required. In general, I think this makes good sense.

8. Have the expected costs and benefits of the NES-PF been adequately identified (see section 4.3 of the consultation document)?

Please provide comments to support your views.

9. Are there any issues that may affect the successful implementation of the NES-PF (such as decision-makers applying the permitted baseline test more frequently)?

Please provide comments to support your views.

10. Please describe any risks or opportunities that you consider have not been identified or addressed in the proposal. Page 88: Should impacts to site hydrology, such as the alteration of streamflow be included in the list of Primary Risks for river crossings? For example, a poorly installed culvert could block streamflow and cause the formation of a wetland upstream of the culvert.

11. Will the proposed NES-PF support regional councils to implement the NPS-FM (see section 6.1 of the consultation document)?



12. What resources or other implementation activities would help you to prepare for and comply with the proposed NES-PF (see section 7 of the consultation document)? How should these activities be delivered (for example, training, online modules, guidance material)?
13. Are there any other issues that you would like to raise?

As requested in section 8.2 of the consultation document, we would also like to know whether you support or oppose the standard, and the decision that you would like the Ministers to make. – [I support the NES-PF](#).

From: [Steffan Browning](#)
To: [NES PF Consultation](#)
Cc: [Steffan Browning](#); [Frances Mountier](#)
Subject: Submission of Steffan Browning - NES-PF
Date: Wednesday, 12 August 2015 1:48:58 a.m.

11 August 2015

Submission on the Proposed National Environmental Standard – Plantation Forestry (NES-PF)

To: Ministry for Primary Industries
NES-PFConsultation@mpi.govt.nz

Attn: Stuart Millar

From: Steffan Browning, Green Party MP
Freepost



I support smart, strong environmental standards for plantation forests in New Zealand – standards that give certainty and encourage the long-term sustainability of the industry.

A sustainable forest sector is one that protects our indigenous vegetation and habitats, protects our soils from erosion and our waterways and estuaries from siltation; and protects the fisheries that depend on them. It is one that takes a precautionary approach to GE by preventing the planting of GE tree stocks and GE contamination of the local environment; and continues to allow local communities to have a say on forestry practices.

The Green Party of Aotearoa New Zealand posted a notice to some supporters about the NES-PF and at 5pm August 11, there had been 1131 responses that you will have received.

I am aware of a significant further response to NGO notices, many thousand in fact, and submit that the community is very concerned at the inadequacy of environmental protections, the risk of GE trees and the restriction on how they can have influence on environmental and economic outcomes in their regions should this NES-PF proceed as drafted.

I submit that the NES-PF needs significant strengthening, or a different approach should be taken to ensure local territorial authorities manage the effects of forestry in an appropriate way. I have engaged in many of the public consultation meetings across the country, where I have raised the issues outlined below and engaged with discussions on the functionality of the proposed NES-PF. MPI has ensured me that the notes taken there will also be taken into account.

This NES-PF will not adequately protect our indigenous habitats, our streams and erosion

prone land from the impacts of forestry. The NES-PF will more easily allow genetically engineered (GE) trees to be planted in every region of New Zealand, and should the NES-PF proceed, the GE (/GM) trees provision should be totally removed.

The NPS-PF needs much stronger provisions to protect our indigenous plants, wildlife, habitats and ecosystems, our fisheries, public participation process, and to ensure a precautionary approach around genetic engineering, I repeat; that provision must be removed in its entirety.

The NES-PF's permissive provisions for GE and sedimentation remove the ability of iwi and hapu to have a say about Environmental Protection Authority (EPA) approved GE trees in their local environment, and reduce everyone's ability to protect their awa and kaimoana. A one-size fits all approach to forestry does not act in people's best interests. An NES should be a bottom line, with councils setting local rules to meet or exceed the standards set, in accordance with local conditions.

In the MPI facilitated NES-PF public meetings and Hui, I heard Councils express concern that they will not be able to regulate forestry activities, for example in areas of high erosion risk, yet the bill for monitoring will still sit with councils and thus ratepayers. The proposed NES-PF does not address how logs will be removed from forestry blocks, and removes the responsibility of councils to balance community needs.

I acknowledge the many detailed points of several submissions and hope that MPI takes particular notice of the submissions of;

a) Physicians and Scientists for Global Responsibility, who have better expertise than the EPA on GE issues,

b) Gary Cranston, administrator of www.stopgetrees.org.nz

c) and the very relevant submission relating to the effects of sediments on the marine environment on behalf of the Rock Lobster Industry Council, the Paua Industry Council and the Specialty and Emerging Fisheries Group.

There are many more, nearly all showing that there are significant gaps in the NES-PF if good environmental outcomes and community confidence in the democratic process are to be achieved.

I submit that:

1. GE tree technology is not proven safe or beneficial. The GE trees provision should be removed from the NES-PF. Communities and local councils must be able to exercise precaution and include provisions in their RMA plans to control the planting of genetic engineered or modified trees. The EPA does not have further controls on GE trees should it approve them for general release. Councils must

- have the ability to make whatever controls they deem necessary should the EPA approve GE trees.
2. All wording referring to genetically modified trees and rootstock should be removed from NES-PF. Section 6.4 should be totally removed.
 3. Councils must be able to put in more stringent rules in any aspect of forestry activity, to protect the environment and the future wellbeing of their communities.
 4. Any new plantations in existing areas of indigenous vegetation and habitat should be a non-complying activity which requires resource consent.
 5. Prohibit the modification of Significant Natural Areas (SNA) in any planting or replanting.
 6. Require setbacks of at least 20 metres for streams and 30 metres around all wetlands and lakes. Some jurisdictions overseas require setbacks to meet or exceed by length equivalent, the height of the tallest local indigenous tree species.
 7. Include a new provision which requires regional councils to address the impacts of afforestation on water yields and water flows in low-to-moderate rainfall areas.
 8. There should be no clear-cuts on land with a moderate, high or very high risk classification.
 9. The Erosion Susceptibility Classification should be upgraded to high resolution-definition mapping to ensure erosion prone land is correctly classified, rather than rely on out-of-date tools. The technology to achieve this is already in use and detailed accurate mapping should be part of a notified NES-PF.
 10. Erosion susceptibility classifications and rules should apply to all forestry land uses, from planting to harvesting.
 11. Councils should be able to encourage permanent canopy forestry for erosion prone land and the planting of lower fire risk trees.
 12. All harvest plans should go through an approval process.
 13. The NES-PF should set a high and clear bottom-line on sediment loss to protect fisheries. Sediment should be measured in parts/litre or equivalent, not be controlled by subjective terminology such as 'significant effect,' which will be subject to costly legal interpretation.
 14. The NES-PF should retain the proposed notice of commencement for harvesting, earthworks and forestry quarrying activities and should include the requirement for a public notice and direct neighbour notification of commencement for afforestation and replanting activities.
 15. A wider area be zoned "red" to manage the effects of plantation forestry on the coastal marine environment. For example, land in catchments draining to enclosed marine waterways such as the Marlborough Sounds should be zoned "red".
 16. Conditions should provide a program to address toxic chemicals and pesticides

within Appendix 3.

Communities must be able to say no to GE trees

This NES-PF prevents councils and communities from using local RMA plans to stop the planting of GE trees. GE trees are banned in most international environmental standards including Forest Stewardship Council (FSC) and also Standards New Zealand's *Sustainable Forest Management NZS AS 4708-2014* (3.8 Introduced Genetics 2.)

GE trees threaten biodiversity, are fire risks, and are not proven safe for the environment, or human health and safety. Our markets do not want GE products.

The uncontrolled development and release of genetically engineered (GE) trees is a risky step in the wrong direction because:

- a) Genetic contamination of forests by GE trees is inevitable and irreversible. Trees can live for centuries and have evolved to spread their seeds and pollen over great distances. The impacts of contamination would be highly unpredictable. Contamination could also occur through the escape of invasive GE trees into native forests.
- b) GE trees, especially those engineered to constantly produce insecticides, would directly and indirectly impact pollinators like bees, other non-target insects, and songbirds. No bees, no agriculture.
- c) GE trees are part of a bigger corporate capture and commodification of nature which threatens food sovereignty. Small farmers, forest dependent communities, and indigenous people are threatened both by land grabs for GE tree plantations and by the impacts GE may have on their forests, water, and soil. Our environmental standards should set strong bottom lines to protect the environment, not be used to promote the development and deployment of GE trees for the short-term economic benefit of a few transnational corporations.
- d) The NES-PF fails beekeepers who wish to keep their products GE free. The European Union (EU) has a zero tolerance to GE material in bee products and is an important market for products such as manuka honey. Material from GE trees would inevitably find its way into bee products.
- e) Councils such as those in Bay of Plenty, Hawkes Bay, and Northland have recognised the need for local controls over GE. The Environment Court has supported the inclusion of a local precautionary approach in RMA plans. The NPS-PF seeks to undo all of this.

The EPA's decision process is not an adequate safeguard. The EPA's approval conditions for GE field trials have consistently been breached. The Ministry for Primary Industries (MPI) has the role of monitoring and enforcing these conditions, but has failed to ensure compliance. I have personal experience in investigating and exposing breaches by the

operators of each of the recent GE field trials approved by ERMA, (now the EPA).

Protecting indigenous biodiversity

The NPS-PF as currently drafted is too permissive in where it allows new exotic plantations to be established. This will cause further biodiversity loss through native vegetation and habitats being destroyed or modified.

The standard allows exotic plantations to be established in areas of indigenous shrubland such as manuka, and tussock grasslands in the high country unless councils have identified and mapped these areas as significant natural areas (SNAs) in their plans. Many council plans only have a short list of SNAs so large areas of native vegetation and habitat are vulnerable to being overplanted with exotic conifers as a permitted activity with no need for a resource consent.

There are detailed provisions controlling planting near roads to prevent shading and icing but no similar level of detail to protect native vegetation and habitats.

The NPS-PF standard only provides for a 5 metre setback streams and around wetlands and a 10 metre setback around lakes unless councils specify otherwise and they can only do this for water bodies which are identified as outstanding. This is inadequate to protect and buffer the natural character of streams, wetlands and lakes from exotic forestry. Some setbacks overseas are the equivalent to the height of the tallest local indigenous tree species.

Afforestation can affect runoff from the land and reduce flows in streams and rivers. The NPS-PF creates no bottom lines for water flows leaving the issue to local councils to determine. The NPS-PF does not address the unintended effects of pesticides that may affect regional waterways, including drinking water.

Erosion Susceptibility Classification

This NES-PF has reduced the quality of erosion susceptibility mapping to reduce costs for the big forestry companies. The 2011 NPS-PF proposal had better definition of erosion risk in many areas, but the 2015 NES-PF has reduced how much land disturbance councils can effectively control.

The 2011 version used available information from decades of research and the 2015 NES-PF should do the same. It is critical for our fisheries, marine, and fresh water environments, that erosion susceptibility mapping is recalibrated to a considerably more accurate and effective scale than this proposed NES-PF contains.

For example the new NES-PF reclassifies the majority of Nelson's Maitai Valley plantation forestry area from high or very high erosion susceptibility to moderate. This means that forestry activities (harvesting, earth works etc.) become a permitted activity and no

resource consent is required. Forestry companies must meet a set of permitted activity conditions but many of these are inadequate.

At Matai, the last time forests in the Sharlands and Packards Creek catchments were logged the streams ran with silt – straight into the Maitai River and then into the estuary. The performance standards for ‘moderate susceptibility to erosion’ are not enough to protect the Maitai River. This example can be extrapolated throughout New Zealand.

The NES-PF restricts councils’ ability to direct contour based planting or harvesting, or control clear-cuts in the reduced high and very high risk erosion susceptibility areas. This does not recognise councils’ knowledge about local conditions.

The NES-PF requires forestry companies to produce a harvest plan for councils, but doesn’t allow councils to reject an inadequate plan. Rural communities must be able to have confidence that their water supplies will be protected, and that slips from forestry areas will not encroach on their farms or homes.

Councils should be able to require the use of less fire prone species such as deciduous exotics and indigenous species especially on land close to existing and significant native forests.

Fisheries and sediment

The NES-PF has some limited protection for freshwater fish including indigenous fish and trout and salmon, particularly during spawning. There is no consideration of marine fish species that can spawn in freshwater, like flounder and kawahai, or appropriate controls on forestry activities to ensure protection of estuaries and sheltered coasts from sedimentation. I note that the National Policy Statement for Freshwater Management has major gaps in relation to estuaries. I have heard Councils express concern about harvest, and rainfall runoff events – for example, in the Marlborough Sounds. Likewise, I have heard from the inshore fishing industry that is potentially affected by sediment discharges generated by forestry activity. Sedimentation effects on the coastal marine environment and associated fisheries are well-known. The industry notes that non-point discharges of substances such as tannin, agrichemicals, fertilisers and pollen are deemed “out of scope” in the NES-PF. These are all potential effects of the forestry industry and should be in scope.

MPI (published by Ministry of Fisheries 2009) has its own NIWA research “*A review of land based effects on coastal fisheries and supporting biodiversity in New Zealand*” by Morrison, Lowe, Parsons, Usmar and McLeod, ISSN 1176-9440, which shows the significance of sediments on marine life and environments. This NES-PF does not go far enough to correct the effects of future forestry on the marine environment. It must consider whole of catchment effects on the marine environment, and NES-PF wording such as, “...significant effects on aquatic habitat,” are open for difficult interpretive argument.

Change needed

- The NES-PF should set a clear numerical bottom-line to protect fisheries from sediment.

Conclusion

I recommend that best practice European environmental standards for forestry are implemented, particularly in developing and maintaining larger riparian buffer zones and setbacks along rivers and around lakes and wetlands to protect their natural character and water quality.

I submit that the proposed NES-PF does not adequately protect the environment and communities. We need a stronger NES-PF that legislates for a sustainable forestry industry, where regional councils maintain the responsibility for setting parameters above an effective protective baseline.

s 9(2)(a)

From: Jane Buckman s 9(2)(a)
Sent: Tuesday, 11 August 2015 4:18 p.m.
To: NES PF Consultation
Subject: Submission against the proposed National Environmental Standard for Plantation Forestry

Importance: High

I oppose the proposed National Environmental Standard for Plantation Forestry.

Our region has put a great deal of work through our District Council into developing rules in the Marlborough Regional Policy Statement (District Plan). This document provides a community based vision and direction for the management of the natural and physical resources of Marlborough. The location and operation of environmentally sustainable commercial forestry are controlled and supported by these rules. This Marlborough process has resulted in the use of resource consents to protect both land owners from indiscriminate forestry planting and the environment from dust and run-off sedimentation. A great deal of consultation has gone into preparing the new RPS plan, a priority is the protection of rural activities as defined in Chapter 14. The proposed national guidelines would remove these protections.

The protection of Marlborough's iconic, brown, unplanted southern hills, a major tourist attraction, would be threatened if Council control of the ridgelines was removed.

The region's clean unsilted waterways are a valuable asset to New Zealand, removing the level of protection that currently exists will threaten our aquaculture based industries and the tourism value in the Marlborough Sounds.

Our Council supports sustainable forestry activities and there is a large area currently planted in the region. However placing our Region under rules on a one size fits all basis does not make environmental or social sense.

I urge the Ministry of Primary Industries to reconsider their approach to trying to impose a National Environmental Standard for plantation Forestry. This approach will not be good for Marlborough and therefore not good for New Zealand.

Yours faithfully

Jane Buckman
s 9(2)(a)

Phone: s 9(2)(a)

s 9(2)(a)

Information from ESET Smart Security, version of virus signature database 12075 (20150811)

The message was checked by ESET Smart Security.

<http://www.eset.com>

From: s 9(2)(a)
Sent: Thursday, 6 August 2015 12:34 p.m.
To: NES PF Consultation
Subject: Re: Submission on the Proposed National Environmental Standard for Plantation Forestry NES-PF

Dear Minister Guy,

I oppose the Proposed Standard – NES & other relevant legislation: 6.4 – Genetically modified tree/root stock (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

In New Zealand, the majority of people do not want to see New Zealand release GE into the environment, nor into our food.

In August 2013 a Colmar Brunton survey of 1000 people nationwide found that 83% wanted New Zealand to be GE free, and 79% said that regions should be able to choose whether they wanted to stay GE free.

Internationally there is a huge move away from genetic engineering. 100,000 people wrote to the Brazilian government earlier this year demanding that they do not authorise the release of GE eucalyptus trees there.

US corporations are battling against the public who want their food labelled to show GE ingredients. If GE was a benefit then the US corporations would welcome having their products labelled. Public opinion worldwide is against GE in food and the environment.

Therefore New Zealand would be most foolish to destroy our 'GE free in field and food' status, by releasing GE trees into the environment and by removing local government's ability to regulate this democratically.

When will this Government see through the GE hype and recognize the profound marketing opportunity NZ has to continue with this GE Free status with its exports to the many Countries wanting GE Free product.

Submission and Reasons –

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of – soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA). Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, 6) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no "duplication" between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

References:

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>

[2] <http://www.qe-free.co.nz/assets/pdf/20150512145527872.pdf>

Changes we would like you to make –

Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and

Retain and provide for Regional and District Councils to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions’ under the Resource Management Act (RMA).

Protect the Regional and District Council mandate and duty of care, under the RMA, to the existing foresters, primary producers and businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.

Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

The decision we would like the Minister to make

- 1. Remove all wording in the NES-PF in 6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82, referring to genetically modified trees and rootstock.*
- 2. Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO’s as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.*

I do not wish to be heard.

Please keep me informed.

Regards

Ian Cambourn.

s 9(2)(a)

From: Cheyne, Christine s 6(b)(i), s 6(a)
Sent: Tuesday, 11 August 2015 4:35 p.m.
To: NES PF Consultation
Subject: submission on proposed NES-PF

Good afternoon
Please see below my submission.

Submission on Proposed National Environmental Standard (NES) for Plantation Forestry

I am an Associate Professor in Resource and Environmental Planning at Massey University and have expertise in relation to sustainability planning (including food, agriculture, water and forestry). I am also an expert on local government.

I am opposed to Clause 6.4 in the proposed National Environment Standard on Plantation Forestry (NES-PF) which permits afforestation using genetically modified tree stock where it has been approved by the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act 1996. I note that the proposed NES specifies that afforestation and replanting using genetically modified (GM) tree stock would be classed as a permitted activity where approval has been granted by the Environmental Protection Authority (EPA) for the use of such organisms. This removes the scope for local councils to make their own rules, policies or conditions in relation to GM tree species in its landscapes and ecosystems. This provision appears to contradict the recent Environment Court decision (*Federated Farmers v Northland Regional Council* [2015] NZEnvC 89) which affirmed the jurisdiction under the RMA for regional councils to make provision for control of the use of GMOs through regional policy statements and plans. The proposal that GMO forestry would be a permitted activity could constrain local authorities' ability to respond to valid future concerns about the use of GMO species.

I consider it essential for local councils in New Zealand to be able to respond to community views. There are councils which, reflecting community aspirations to maintain New Zealand's existing GMO-Free status because of its premium for export primary products, have placed precautionary and prohibitive GMO provisions/rules in their local plans. This scope for local autonomy should not be removed. Local councils' authority and jurisdiction (and the authority of local mana whenua) to keep outdoor use of GMOs out of their district/region should not be undermined.

The definition of "unwarranted variation" is nebulous and therefore either unworkable or open to inappropriate application. Much greater clarity is needed about what is meant by "not justified by environmental, economic, social or cultural benefits and imposes an unnecessary cost".

I support provisions to prevent erosion, and protect wetlands streams, rivers and indigenous flora and fauna but have concerns that that proposed NES-PF does not have sufficiently robust provisions.

I am happy to provide any further clarification on matters raised in this submission.

Spatial, Forestry and Land Management
Ministry for Primary Industries
PO Box 2526
Wellington 6140

Stuart Miller

Email: NES-PFConsultation@mpi.govt.nz

Name/Organisation

Shane Christie

Postal

s 9(2)(a)

s 9(2)(a)

Phone

Email

Date

s 9(2)(a)

s 9(2)(a)

11/8/2015

Re: Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)

Dear Minister Guy,

We oppose the Proposed Standard – NES & other relevant legislation: 6.4 - Genetically modified tree/root stock (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

Personal comments

Submission and Reasons –

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous

Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, Recommendation 13.1, H1, p.339) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no "duplication" between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

References:

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>

[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

Changes we would like you to make -

- Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and
- Retain and provide for Local Bodies to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions' under the Resource Management Act (RMA).
- Protect the Local Bodies mandate and duty of care, under the RMA, to the existing foresters, primary producers and businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

The decision we would like the Minister to make

1. Remove all wording in the NES-PF in 6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82, referring to genetically modified trees and rootstock.
2. Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

I/we wish to be heard. Please keep us informed.

Sincerely

Signature /printed name

Shane Christie

From: David & Robyn Clarkson
Sent: Friday, 31 July 2015 1:22 p.m.
To: NES PF Consultation
Subject: Submission to NES-PF

Submission to Proposed National Environmental Standard for Plantation Forestry (NES-PF)

Earlier this year the Environment Court judgement gave the Northland Regional Council the legal right to ban the outdoor use of GMO matter.

Environment Court judge L Newhook stated that there was power under the RMA for regional council's to make provision for the control and use of GMO's through regional policy statements and plans.

Further in 2013, the Environment Court allowed the Bay of Plenty Regional Council to retain reference to GMO's in its regional policy statement.

This proposed National Environmental Standard for Plantation Forestry (NES-PF) appears to allow for the possibility of GMO trees to be planted in forests in NZ.

Allowing GMO trees in local forests contradicts this regional GE free status.

Further, the references in the NES-PF permitting GMO's to be the sole responsibility of the Environmental Protection Agency (EPA) under the Hazardous Substances and New Organisms Act (HSNO) flies in the face of this Environment Court judgement and the Northland Regional Council stance.

Therefore I would request that -

- In light of the Newhook/Environment Court judgement, local and regional governmental bodies must retain the right to control GMO's under the RMA.
- Any reference to GMO trees or rootstock be removed from the NES-PF.

I wish to be heard on this matter.



David J Clarkson,



31st July 2015

Proposed National Environmental Standard for Plantation Forestry

Submission to the Ministry of Primary Industries on the proposed NES-PF.

Contact details

Name: Steve Cosgrove

Postal address: s 9(2)(a)

Phone number: s 9(2)(a)

Email address: s 9(2)(a)

I am submitting as an individual.

Submission

In response to the first two of your form questions

While I can't comment on the forestry industry in general, I am concerned that sections 2.1 and 2.2 of the consultation document appear to assume that forest owners and contractors will act in the best practise to protect the environment. In many cases this will not happen. There is often no incentive for the people doing the work on the ground to consider anything other than getting as much money from the land as possible. This might not include any long-term objectives.

I do not consider that the conditions for permitted activities will manage the adverse environmental effects of plantation forestry.

Forestry work tends to take place in isolated areas, with little funding available to bodies who are tasked with oversight. This was shown in the industries appalling worker safety record. For many years, forestry workers were over represented in workplace deaths. That only changed with national media attention.

It is hard to believe that the same industry will properly manage their environmental obligations when they could not keep their workers safe without intensive attention.

My main concern with this proposed standard is that it removes any checks and balances over introduction of genetically engineered organisms, beyond the Environment Protection Authority (EPA).

A democratic society needs to have a broad range of ways people can have input into environmental decisions. The EPA recently appointed an outspoken genetic engineering advocate as chair executive officer. It is hard to see how staff of that organisation can take a broad, democratic, view of a request for release of genetically modified trees and rootstock, knowing that their employer has stated categorical support for such a release.

Threats to the environment, and national biodiversity, are increasing. In this context, New Zealand's international reputation as a GE Free Food Producer is becoming an essential part of our international food and tourism marketing strategy.

Allowing any release of live genetically engineered organisms into our environment creates a risk of widespread contamination.

I submit that all wording referring to genetically modified trees and rootstock be removed from the proposed National Environmental Standard on forestry (NES-PF 6.4, p 43, 64 & 82), and demand that section 6.4 be removed in order for our local councils to be able to retain their existing sensible policies that take a precautionary stance to GE in the outdoors.

I am also concerned about a separate move to weaken the Resource Management Act by removing the right of local councils to restrict and regulate the growing of GE crops.

We need to protect the ability of councils to manage environmental risks in their derestriction, particularly as they will be required to clean up the effects of any accident. An accidental regional GE crop release is unlikely to be even possible.

Sincerely
Steve Cosgrove

Sign on : Against GE Trees in New Zealand

Submission on the Proposed National Environmental Standard for Plantation Forestry 11 August 2015

Gary Cranston



Dear Minister Guy,

I write to you as the administrator of www.stopgetrees.org.nz, a new website that has been established in reaction to efforts to silence New Zealanders opposed to the commercial release of GE Trees in Aotearoa.

As of August 11th upwards of 1500 people have signed on to the statement published at www.stopgetrees.org.nz opposing the release of GE trees in New Zealand. The sign on statement will remain available online for people and organisations to sign on to beyond the 11th of August.

Many individuals and several organisations opposed to the inclusion of the GE tree related text in the draft National Environmental Standards for Plantation Forestry publicly distributed / shared the link to the sign on statement at www.stopgetrees.org.nz.

I have made contact with and will continue to work with the international campaign to stop GE Trees (www.stopgetrees.org) and will continue to build alliances with the international campaign and its extensive list of partnership organisations representing millions of people internationally opposed to the commercial release of GE trees everywhere. You can view this list at: <http://stopgetrees.org/partner-organizations>.

Also, please see my personal public submission below and attached documents which should be seen as separate from the views expressed by those who signed the statement at www.stopgetrees.org.nz.

Please find attached;

- Sign on statement : signed by 1580 individuals as of 8 August 2015
- List of organisations signed on - as of 8 August 2015
- My personal submission

Sincerely

Gary Cranston

Admin : www.stopgetrees.org.nz



Sign on : Against GE Trees in New Zealand

Personal submission on the Proposed National Environmental Standard for Plantation Forestry 11 August 2015

Gary Cranston

[Redacted]

[Redacted]

[Redacted]

I write to detail my opposition to the standard in its current form. Specifically, I write to oppose the Proposed Standard – NES & other relevant legislation: 6.4 - Genetically modified tree/root stock (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82).

I write to oppose the inclusion of text that will override more than 12 years of work by local councils to create a much needed tier of additional precautionary protection against the risks of outdoor use of GMOs.

The following is my personal submission;



Sign on : Against GE Trees in New Zealand

A strategic attack on local democracy

Pure Hawkes Bay commissioned a Colmar Brunton poll in 2013 in which four out of five New Zealanders thought councils should be able to keep their districts GE-free using local plans. New Zealanders do not want GE organisms released anywhere in Aotearoa.

The removal of the ability of local council authority to make regional precautionary based decisions to support this reality through the current form of the NES-PF comes across as a cynical move that appears to have been strategically made with the aim of bypassing, overriding and silencing New Zealanders in this regard.

New Zealand became Nuclear Free through citizens democratically urging their local councils to reject nuclear technology. This move by the government effectively takes away New Zealander's rights to develop locally appropriate democratic responses to GE in the same way. Rather, it hands this decision over to a central government agency [the EPA] with a poor record of ensuring effective controls on GE field trials. Furthermore, this agency which is supposed to represent the interests of New Zealanders who clearly are opposed to the release of GE organisms will be headed by an active advocate of genetic engineering.

Conflicts of interest have been exposed in the EPA (previously as ERMA) approvals process with Kieran Elbrough who had worked for AgResearch, being part of the decision making for AgResearch's GE animals application.

If this isn't a strategic campaign to silence New Zealander's on behalf of pro-GE companies then I don't know what is. This will not be accepted by New Zealanders or those watching from other parts of the world.

It is critical that local communities maintain their local democratic processes regarding regional release of GE Trees in line with their own values and interests in this issue.

Taking these rights away will trigger widespread condemnation both here and abroad.



Sign on : Against GE Trees in New Zealand

An ignorant attack on international diplomacy: The precautionary principal and the processes and instructions of the United Nations Convention on Biological Diversity.

The Convention on Biological Diversity passed a formal declaration at its Eighth Conference of the Parties in Curitiba, Brazil on 31 March 2006 to recognize the threats posed by genetically modified trees, urging all countries to approach the technology with precaution. New Zealand is a party to the convention. [1]

Several councils have sensibly followed this advice by adding a precautionary layer of protection against the release of GE Trees in their regions, but the government seems to think it knows better than the 170 or so delegations that supported this instruction at the UNCBD in 2006.

The UN instruction urges against threatening the environmental release of GE trees until research can show that any possible negative impact can be ruled out, including impacts on the livelihoods of indigenous and local communities everywhere. Moving against it threatens international condemnation and ridicule.

The removal of such precautionary based council authority over the release of GE Trees suggests that the government is placing the interests of certain elements of the forestry industry ahead of instructions issued by the United Nations and the common sense approach of the use of the precautionary principle by local councils.

Wood and wood products are globally traded resources. The weakening of protections against the release of GE Trees in New Zealand threatens not just local and national, but also international ranging contamination that could impact on people who are party to this sensible UN decision.

At the last IUFRO Tree Biotechnology Conference, which took place in Asheville, NC (US) in 2013, huge protests against genetically engineered trees disrupted the five-day conference, as was the case at the conference in Italy. There is widespread opposition to this technology globally and a growing network of people ready to stop it from being deployed against them.

This brings us to another aspect of the precaution, the existence of a need for the activity (commercially releasing GE Trees) in the first place.



Sign on : Against GE Trees in New Zealand

“The pursuit of genetic engineering in forest research is principally corporate, shaped by the imperatives of private investment, market forces and government regulatory institutions. Novel forest tree phenotypes are created as a means to increase shareholder value of investor companies.

- Claire Williams, transgenic tree researcher at Duke University;

Who needs GE Trees?

So why would anyone want to remove these precautionary measures at all?

The 100,000 people who wrote to the Brazilian government earlier in the year demanding that they do not authorise the release of GE Eucalyptus in their lands don't need GE Trees.

Four out of five New Zealanders believe that councils should be able to keep their districts GE-free.

I am not aware that the people of New Zealand have been writing to their government in their thousands begging them to allow them to plant GE Trees, but obviously there is an active minority of people and companies wanting this.

Questions about who had been lobbying MPI for the inclusion of the pro-GE Tree text in the NES-PF at the public meeting in Rotorua were not adequately answered.

I also note that the inclusion of these pieces of text in the NES-PF were only made public immediately after SCION representatives had returned from a trip to Florence, Italy where OUR money was used to co-sponsor The International Union of Forest Research Organizations' (IUFRO) highly controversial Tree Biotechnology Conference. This did not go unnoticed by our friends involved in the international campaign to stop GE Trees.

The installation of a GE advocate to run the EPA whilst simultaneously silencing local voices stinks of antidemocratic corruption and collusion with private forestry companies both here and abroad.

All of this paints a picture of a government and ministry that seems incapable of accepting the reality of New Zealander's opposition to the commercial release of GE Trees in their country.

Not a good look in terms of New Zealand's international reputation.



Sign on : Against GE Trees in New Zealand

Environmental and economic risk

Part of the threat from GE pine trees comes from the dangers of transgenic pollution from GE tree pollen, or horizontal gene transfer which could have unintended adverse impacts on the environment (including harm to NZ soils, beneficial insects and indigenous biodiversity).

Another risk is lowered productivity from toppling and snapping of pines that already are prone to that problem, posing further risk to forestry workers and the industry itself in terms of sustainable production of product.

Such impacts are likely to include destruction of biodiversity, loss of fresh water, desertification of soils, collapse of native forest ecosystems, and major changes to ecosystem patterns. Globally, there would also be impacts on Indigenous and forest dependent communities including forced displacement, loss of livelihoods, foods and food sovereignty, medicines, culture and shelter, as well as impacts on human health.

Disenabling choice and Forest Stewardship Council certification

GE trees / pines could also cost a neighboring forester or property owner their hard won Forestry Stewardship Council (FSC) certification. This is not about enabling choice, it is about taking it away.

The FSC has identified a number of other legitimate scientific concerns about the safety and appropriateness of planting genetically engineered trees including asexual transfer of genes from GMOs with antibiotic resistance to pathogenic micro-organisms, increased resistance of target insect pests, reduced adaptability to environmental stresses, increased invasiveness in GMO trees with new features, and the spread of herbicide resistance genes.

A prestigious global certification body, the FSC only endorses truly sustainable forestry practices, and its position on GE is very clear- “we do not allow genetic engineering of trees.”



Sign on : Against GE Trees in New Zealand

Health risks

Pollen, which already causes health impacts for forestry workers in New Zealand can enter the blood stream through the lungs. Nobody knows what the consequences of genetically engineered pollen entering the blood stream of forestry workers, or anyone else could be.

If GE Trees are released into our environment, forestry workers, their families and those living in the vicinity of genetically engineered plantation forests, or any ecosystems infected by them, which could be anywhere in New Zealand will become subjects of an experiment conducted upon them whether they like it or not.

Essentially, someone else has, on their behalf, decided that this is a risk that these communities should take so that they can develop and release GE Trees into their local environment.

Handing this authority over to a central government body headed by a GE advocate restricts the ability for local communities to protect them from the likes of GE pollen release. Local communities, not forestry lobbyists should be the ones who decide whether or not they are subjected to potentially life-threatening experimentation on behalf of forestry companies wanting to release GE Trees in their regions. There are enough workers dying in the forests already due to the greed of forestry companies and their disregard for worker's safety.

MPI should not weaken or remove the ability for workers to protect their health at a local level.

If GE Tree release goes ahead, the New Zealand Government should expect significant resistance from organised workers and their families – likely carried out in collaboration with enormous workers and peasant movements overseas facing similar threats to their lives and livelihoods.

You will notice that some organisations that are deeply involved in these struggles have already signed on to the sign on statement at www.stopgetrees.org.nz.



Sign on : Against GE Trees in New Zealand

GE Trees and the New Zealand government's woeful response to climate change

The plantation forestry / carbon sink approach to managing greenhouse gases has been described as New Zealand's primary excuse for inaction on climate change since signing on to the Kyoto Protocol, "in bad faith", in 1997. It is accepted by many climate change experts and campaigners that New Zealand lobbied for the use of land based sinks in order to conceal the reality of its greenhouse gas emissions and provide cover for the dairy industry. Little has changed since.

The release of GE Trees will threaten the functioning of native forests both here and abroad which are currently holding back the sudden destabilisation of our climate. If we want to avoid catastrophic runaway climate change, we should be adding layers of legislative protection to protect the integrity of existing natural carbon sinks rather than removing them.

Additionally, the synthesising and subsequent commodification of natural systems through the private development of GE Trees enables the privatisation and monopolisation of our response to catastrophic runaway climate change.

The potential addition of GE Trees to this international carbon accountancy sham will only make matters worse in terms of New Zealand's reputation as a laggard on climate change.

Our most vocal environmental NGOs are aware of the moves being made to remove restrictions on the release of GE Trees here in New Zealand and will understand how that relates to New Zealand's climate change cynical response to climate change in terms of carbon offsetting.

You will notice that a number of international organisations that are involved in the UNFCCC process and are actively involved in efforts to stop the release of GE Trees internationally have already signed on to the statement at www.stopgetrees.org.nz, including the largest grassroots environmental network in the world, Friends of the Earth.

For more information on why GE Trees are not a climate change solution see link [2] below.

It should not be expected that all of this will go unnoticed at a time when the government's inadequate and deceitful response to climate change is in the international spotlight in the run up to the UNFCCC climate negotiations in Paris this year.



Sign on : Against GE Trees in New Zealand

GE forestry threatens New Zealander's ability to adapt to climate change

My personal work on climate change has centred on issues of climate justice, which recognises that the voices and wellbeing of those peoples most severely affected by and vulnerable to the effects of climate change must be placed at the forefront of decision making in the consideration of climate change solutions.

Climate change is upon us with the impacts being felt most severely by people living nearby and dependent on climate-vulnerable ecosystems, including both native and plantation forests.

Maintaining and indeed strengthening local democratic tools and processes is key to bringing about effective, fair and locally appropriate responses to climate change for workers, communities, iwi, yet this proposed NES-PF in its current form does the opposite in relation to GE Trees and other aspects of plantation forestry management.

The ability of local communities to make decisions regarding their own futures in terms of local management of their unique bioregions must be enhanced rather than restricted if they are to have the flexibility to adapt to the uncertainty of climate change impacts.

The removal of this flexibility and handing of it to central government threatens the lives and livelihoods of communities in the name of "efficiency", cost-cutting and preferential treatment for forestry corporates. The draft NES-PF simply threatens people's futures so that forestry companies can make more profits.

If coal mining communities, for instance, are to have any say in what a fair and effective transition to plantation forestry based local economies will look like, they're going to need to maintain their ability to make their own regional decisions about how plantation forestry is managed regionally.

The ability for communities to formulate their own unique and regionally appropriate responses to commodity price shocks, fuel scarcity, food sovereignty issues, water allocation and weather related threats through the management of local resources including forestry management is key to ensuring their future safety and wellbeing. These decisions shouldn't only be made by people sitting in offices in Wellington who won't be personally affected by them.

We've already said no to GE in New Zealand, as had the people of Brazil before their government caved to pro-GE Tree lobbyist vultures in March this year. I urge you not to do the same.

We need more democratic tools to help us adapt to a changing climate, not less.



Sign on : Against GE Trees in New Zealand

Proposed amendments

Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and

Retain and provide for Local Bodies to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions' under the Resource Management Act (RMA).

Protect the Local Bodies mandate and duty of care, under the RMA, to the existing foresters, primary producers and businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.

Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

The decision I would like the Minister to make

1. Remove all wording in the NES-PF in 6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82, referring to genetically modified trees and rootstock.
2. Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

Sincerely,

Gary Cranston
Member of Auckland GE Free Coalition

References

- [1] CBD decision: <https://www.cbd.int/decision/cop/?id=11648>
[2] <http://www.econexus.info/publication/genetically-engineered-trees-no-solution-global-warming>

Submission Form for the Proposed National Environmental Standard for Plantation Forestry

Email to NES-PFConsultation@mpi.govt.nz OR
Post to : Stuart Miller, Spatial, Forestry & Land Management
Ministry for Primary Industries
P O Box 2526, WELLINGTON 6140

My Name Lesina Cummings
Postal Address [REDACTED]
Phone [REDACTED] Email [REDACTED]

Privacy Issue I do / I do not want my personal details made public

In response to the MPI's proposed National Environmental Standard (NES) for Plantation Forestry, I would like to see a sustainable plantation forest sector that protects our indigenous vegetation and habitations, provides food and shelter for native birds, protects our soils from erosion, and our waterways and estuaries from saltation.

I would also like to see the MPI take a precautionary approach to outdoor use of Genetically Modified Organisms by preventing the planting of Genetically Engineered tree stocks in either field trials or plant releases.

I specifically refer to NES-PF 6.4 pages 43 of the consultation document, 64 and 82.

These are my reasons:

We the Cummings Whanau of Ruakaka, West,
South of Auckland, Wellington & South Is
are being shamed & disgusted, by the propose
NES for plantation forestry, by allowing
G.E.M. & G.M. tree stocks to be planted in our
country.

It will contaminate & trash our land, poison our
food, & permanently destroy our G.E free & G.M free
state's.

Signature L. Cummings

Pp. on behalf of the Cummings family

**Spatial, Forestry and Land Management
Ministry for Primary Industries
PO Box 2526
Wellington 6140**

Stuart Miller

Email: NES-PFConsultation@mpi.govt.nz

Name: Helen Curreen

Postal s 9(2)(a)

Phone s 9(2)(a)

Email s 9(2)(a)

Date 8 August

2015

Re: Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)

Dear Minister Guy,

I **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

Submission and Reasons –

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

I ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, Recommendation 13.1, H1, p.339) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no "duplication" between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

References:

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>

[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

Changes I would like you to make -


- Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and
- Retain and provide for Local Bodies to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions' under the Resource Management Act (RMA).
- Protect the Local Bodies mandate and duty of care, under the RMA, to the existing foresters, primary producers and businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

The decision I would like the Minister to make

1. Remove all wording in the NES-PF in **6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82**, referring to genetically modified trees and rootstock.
2. Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

Please keep me informed.

Sincerely



Signature

Helen Marjorie Curreen

Preetha Oommen (Preetha)

From: s 9(2)(a)
Sent: Tuesday, 4 August 2015 9:52 p.m.
To: NES PF Consultation
Subject: submission

Name: Scott Dalziell

Address: s 9(2)(a)

Email: s 9(2)(a)

In response to the MPI's proposed National Environmental Standard for Plantation Forestry, I am opposed to the the proposed change to regulations contained in NES-PF 6.4 and material in pages 43, 64 and 82 of the consultation document which remove the right of territorial authority to set their own standards in relation to the introduction or development of genetically modified organisms, and centralize that decision making centrally.

Organic produce is achieving a rapidly increasing regard both here and globally. New Zealand is sufficiently isolated to provide us with a competitive advantage by staying GMO free.

The GM clauses referred to above in the consultation document do not meet the objectives of environmental protection for communities currently being taken advantage of by some communities through the provisions of the Resource Management Act, a right which has been maintained by a recent court case in Whangarei. Neither does the proposed standard take into account the inherent dangers of novel genetic engineering such as the potential contamination of the biosphere -soils and water, and indigenous and exotic flora and fauna.

I request that you remove all references and conditions permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority under the hazardous substances and New Organisms Act and continue to allow Councils to manage Regional and District Land use, through their mandated planning functions under the resource Management Act

I also wish to add my strong objection to the way in which this matter is being managed.

My understanding is that the proposal involves a change of regulation, but not a change to an Act. Since such changes can occur by Ministerial approval, as I understand the way the system works, without debate in Parliament, I am absolutely mistrustful of the political motivation here. Is the consultation simply to enable the Ministry to claim that it has consulted widely. One assumes that those intending to take advantage of the provision have ensured that their voice is heard. Certainly it will remove the existing hard won protections that at least some areas have fought for and won under the existing provisions of the law. I totally abhor and protest this antidemocratic way of behaving. Such actions seriously undermine the rule of law

Scott Dalziell

[REDACTED]

From: Jel Davenport [REDACTED]
Sent: Monday, 27 July 2015 12:28 p.m.
To: NES PF Consultation
Subject: A Submission to Minister of Primary Industries.

To Nathan Guy,

I am seriously concerned that the Government is attempting (through change in regulation) to allow risky outdoor GE tree experiments and Ge trees in New Zealand.

The communities in New Zealand rely on trust and communication with their local councils to en-devour to stop any evasive and unknown product to be introduced into their environment without extensive research of current and long term effects. We already as a native people have to deal with unnatural flora and fauna in our indigenous forests. It is time for us to make a stand and protect our resources which feed and nurture our native birds . Protect our waterways and soils and above all leave the power of caring for our piece of earth in the hands of the people.....

Therefore I ask that all wording referring to genetically modified trees and rootstock must be removed from the NES-PF (NES-PF 6.4 p43, 64 &82). I want MPIs proposed section 6.4 removed from the new NES for Plantation Forestry. NZ councils precautionary and prohibitive GE policies must be retained. Local councils have the right to prevent outdoor GE tree experiments.

Thank you
yours sincerely
Julie Davenport

[REDACTED]

Ph [REDACTED]

Submission Form for the Proposed National Environmental Standard for Plantation Forestry

Email to NES-PFConsultation@mpi.govt.nz

Attention

Stuart Miller, Spatial, Forestry & Land Management
Ministry for Primary Industries
P O Box 2526, WELLINGTON 6140

Submission from :

Name: Johnson Davis

Postal Address; [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

I wish to object in the strongest possible terms to the MPI's proposed National Environmental Standard (NES) for Plantation Forestry, in which they propose to allow the use of Genetically Modified Organisms/ Genetically Engineered tree stocks in field trials or plant releases in New Zealand.

Such trials should only be conducted in a totally controlled environment to ensure that they can prove beyond any doubt that there will be any cross contamination of native trees and plant life in any form.

NZ has, or is supposed to have, a clean green environment which makes our food products marketable and acceptable through out the world. To put this food chain at risk purely to produce some raw product for overseas manufacture is in my view absolutely obscene.

Why is NZ being pushed as a Guinea pig for some overseas interests? If they want to contaminate their own countries with untested products that is fine with me but we (NZ) should not become an "experimental lab" for such overseas interests.

The Government should to take the view that the protection of our environment is absolutely paramount and will NOT be compromised under any circumstances for overseas interests. If the don't like our product then go some where else

Personally I consider that forestry industry does not serve the interest of the NZ community well. It contaminates the environment, ties up the land for years, does not promote or create extra jobs but in effect has

the reverse effect as the product is not even manufactures in NZ, is moving towards more mechanisation and thus is no longer limited to land with difficult access, smashes up local roads which all rate payers have to contribute to, creates health problems in local communities, drives people off the land; so why are we wasting our land on such a negative product.

Why do we not commit to and explore land use that creates more jobs in our communities and produce a higher value product.

I also find it objectionable that the MPI seek to overrule Local Councils plans for forestry activities. Why is it/should it be so special.?

Local Government is funded by and accountable to the local ratepayers and no-body else. Therefore they should resolve by full consultation with their constituents any proposal that affects the environment. Those decisions should not be made by some central government bureaucrat who has no accountability or responsibility to local people.

I therefore totally oppose clause 5.2 – “What the Changes will mean for local plans and clause 6.4 (page 43) Hazardous Substances and New Organisms Act 1996 which allows for the introduction of GMO-tress throughout New Zealand.

Yours sincerely

(Johnson Davis)

From: [Norrie Day](#)
To: [NES PF Consultation](#)
Subject: Submission
Date: Tuesday, 11 August 2015 2:46:41 p.m.

As a keen angler and lover of the outdoors in general .i am very concerned at the damage being done and the ongoing deterioration of our rivers and streams caused by continued heavy scaled logging.i am very concerned for, not only for the future quality of our waterways but also the pollution that will that will be fatal to all living things in our rivers and streams. I am not asking that logging cease but that strict controls be introduced to stop debris from entering our waterways which in turn causes heavy siltation. our waterways are not to be used as a dumping ground for debris left over from large scale forestry.

Norrie Day



Craig Spanhake

From: Ministerials

From: Elizabeth Heeg [REDACTED]
Sent: Monday, 17 August 2015 11:38 a.m.
To: Ministerials <Ministerials@mpi.govt.nz>
Subject: FW: Forestry review

Good morning,
Could I please get a response drafted for the correspondence below?

Thanks
Elizabeth

Dr. Elizabeth Rose Heeg | Private Secretary (Primary Industries) | Office of Hon Jo Goodhew | Parliament Buildings | Wellington
| [REDACTED]

From: Phillip deB [REDACTED]
Sent: Thursday, August 06, 2015 9:37 PM
To: Hon Nathan Guy
Subject: Forestry review

Dear Minister
Please do not relax any of the rules governing forestry. The devastation of the marine environment uncovered in the Marlborough Sounds recently can be attributed to forestry operations. Regulations on forestry should be stricter in order to protect other interests in the primary industry sector.

Local people know their area best. Please strengthen the role of local government in regulating forestry.

Please make sure that the interests of all players in the primary industry sector, and the interests of the wider community are respected.

Yours sincerely

Phillip de Bruyn

From: s 9(2)(a)
Sent: Wednesday, 5 August 2015 11:21 a.m.
To: NES PF Consultation
Subject: Submission NES - Plantation Forestry

I oppose the provision in 6.4 that would permit Genetically Modified Organisms or Genetically Engineered matter being introduced.

This is morally and legally repugnant and an affront to local democratic process where the people of Te Tai Tokerau have clearly stated their preference for remaining GE-free.

To over-ride this decision through this Environmental Standard is offensive. There has been no opportunity for the public to be notified and for these issues to be robustly discussed as would be the case with new legislation.

Where there is uncertainty about the effects of new technology there ought to be robust and legally-binding obligations on those introducing it to be responsible for all damages. Needless-to-say these could be enormous and catastrophic – like the impacts on others species like insects and birds, loss of pollination, loss of bio-diversity etc. This is probably why the people of Te Tai Tokerau have opted for a precautionary approach around genetically modified organisms. Huge risks for little gains.

The environmental standards ought to enhance environmental outcomes. This provision allowing for GE release is a radical and dangerous reduction in environmental standards.

Personally, I believe in a Creator God and, as part of my faith, believe we (the human community) have a role as custodians of the created world for future generations. My faith also informs a way of observing the created universe with awe and wonder. It is a way of being with the universe – of worship through acknowledging the wonder and inter-connectedness of it all. For humanity to “play God” and modify genetically the fabric of living things is fool-hardy, arrogant and dangerous. We cannot know the risks – and the only benefits we hear about are around profits.

Pope Francis released last month an encyclical called “Laudate Si Praise Be – Care of our common home” calling for a reconnection of our (humanity’s) relationship with Mother Earth – rather than our extractive, consumerist, greedy and dangerous attitude to the environment. In Aotearoa New Zealand we try to balance economics with environmental care. However, the reality is that the economy is a wholly-owned subsidiary of the environment.

For a robust environmental standard we ought to reconsider a number of assumptions about the economy and our responsibility to future generations. We need to tread more gently on Mother Earth, live more locally and sustainably. This may mean a lesser reliance on exporting goods and a re-localisation of our food. Yesterday I saw a tin of Kiwi-ana biscuits – the tin was made in China, the biscuits in India?! More than 95% of our milk production is exported exposing us to a lot of risk. The environment and social capital picks up the externalised costs – climate change, noise, trauma, “downward price pressure”, unemployment, loss of connection with the land, tribal disconnection etc. We have direct experience of this in Northland with the Pīpiwai community facing huge safety and health costs from logging traffic using local unsealed roads – shared with kids on bikes, school buses, milk tanker, service vehicles, private vehicles, livestock etc. The externalized costs on this community are unfair and unacceptable – and the main argument for forestry travelling through here, creating dust nuisance, noise and danger, is purely profit-driven.

I submit that clause 6.4 should be removed and that the MPI undertake and more nuanced analysis into sustainable economics – particularly analysing risk to future generations and removal, or serious mitigation of, externalised costs.

Any policy seeking to permit GE should go through a robust public process.

Paul Doherty

s 9(2)(a)

s 9(2)(a)

s 9(2)(a)

From: s 9(2)(a)
Sent: Friday, 7 August 2015 3:15 p.m.
To: NES-PFConsultation@mpi.govt.nz.
Subject: GE Trees

Stuart Miller
Spatial, Forestry and Land Management
Ministry for Primary Industries
PO Box 2526
Wellington 6140

I am opposed to GE trees being planted / grown in New Zealand because

- We do not yet know of any long term negative effects that may result.
- No independent case has yet been presented which indicates that these will be of greater economic value than non-GE trees.
- There is a potential substantial risk to the New Zealand natural environment and people. And to trade and thus our economy.

Kind regards,
Charles Drace

--

We make a living by what we get; We make a life by what we give.

The only thing necessary for evil to triumph is for good men to do nothing. Edmund Burke

To care for our neighbors, children, and future generations, we must care for our Earth.

Charles Drace
<http://www.investing.co.nz>
Socrates Fund Management Ltd.

s 9(2)(a)

s
9(2)(a)
email: s 9(2)(a)
(a)

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any identity Charles Drace represents, is limited in any event to either the re-supply of the attached files or the cost of having the attached files re-supplied.

Thank you.



Proposed National Environmental Standard for Plantation Forestry

Template for Submitters

We would like to hear your views on the proposed NES-PF.

Please feel free to use this template to prepare your submission. Once complete please email to NES-PFConsultation@mpi.govt.nz.

As stated in section 8.2 of the consultation document, your submission must include at least the following information:

- your name, postal address, phone number and, if you have one, email address
- the title of the proposed standard you are making the submission about
- whether you support or oppose the standard
- your submission, with reasons for your views
- any changes you would like made to the standard
- the decision you wish the Ministers to make.

When commenting on specific draft rules, please be as clear as possible which rule you are referring to and provide a reference e.g. to the relevant page number, heading or text.

For more information about how to make a submission, please refer to section 8 of the consultation document.

Contact details

Name:

Dr Michael Dunbier

Postal address:

s 9(2)(a)

Phone number:

s 9(2)(a)

Email address:

s 9(2)(a)

Are you submitting on behalf of an organisation? Yes [] No [X]

If yes, which organisation are you submitting on behalf of?

If you are a forest owner/manager, what size of forest do you own/manage (in hectares):



Privacy Act 1993

Where you provide personal information in this consultation MPI will collect the information and will only use it for the purposes of the consultation. Under the Privacy Act 1993 you have the right to request access and correction of any personal information you have provided or that MPI holds on you.

Official Information Act 1982

All submissions are subject to the Official Information Act 1982 and may be released (along with the personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. MPI will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Please indicate below if you wish your personal details to be withheld:

☐ Please withhold my personal details where submissions are made public

☐ Please withhold my personal details in response to a request under the Official Information Act 1982

Questions for submitters

The questions for submitters that are included throughout the consultation document are provided below. We encourage you to provide comments to support your answers to the questions below.

1. Do you think section 2.1 and 2.2 of the consultation document accurately describe the problem facing plantation forestry?

Please provide comments to support your views.

2.1 and 2.2 accurately represent the regulatory issues facing plantation forestry. Obviously there are other problems unrelated to regulation. Uncertainty of any source constrains commercial activities and, since local authority boundaries do not necessarily match agro-ecological zones, local regulatory differences are an unnecessary added complexity and source of uncertainty.

2. Do you consider that the conditions for permitted activities will manage the adverse environmental effects of plantation forestry?

Please provide comments to support your views.



They should because of the broad representation in the stakeholder working group and the science based approach.

3. Are the conditions for permitted activities clear and enforceable (see appendix 3 of the consultation document)? Can you suggest ways of making the rules clearer and more enforceable?

Please provide comments to support your views.

They appear clear but it is unusual to get all the bugs out of any regulatory system first time!

4. Are the matters where local authorities can retain local decision-making appropriate (summarised in Table 2 and Table 4 and provided in detail in Appendix 3 of the consultation document)?

Please provide comments to support your views.

Yes. It is only appropriate to have local decision-making where there are clear local geographical or heritage issues specific to that region. If it were to be broader than this it would lead to confusion and uncertainty and effectively undermine or negate the utility of a national standard.

5. Will the environmental risk assessment tools (the Erosion Susceptibility Classification, the Wilding Spread Risk Calculator, and the Fish Spawning Indicator) appropriately manage environmental effects as intended (see section 3.5 of the consultation document)?

Please provide comments to support your views.

These tools are science based and the most appropriate science organisations have had input. The tools give the best prospects to manage environmental effects with current knowledge. It is inevitable, however, that as new knowledge becomes available that the tools will need to be updated.

6. Do you have any comments about any particular activity or draft rule (see appendix 3 of the consultation document)?

Please include reference to the rule you are referring to.

No



7. Is the NES–PF the best option to meet the assessment criteria (in Box 13 of the consultation document)?

Please provide comments to support your views.

I believe so. It will certainly provide consistency and improve certainty for all parties and uncertainty is the biggest impediment to investors. It also appears from the NZIER evidence to be an efficient mechanism to achieve the objectives.

8. Have the expected costs and benefits of the NES-PF been adequately identified (see section 4.3 of the consultation document)?

Please provide comments to support your views.

The major issues appear to have been included in the analysis.

9. Are there any issues that may affect the successful implementation of the NES-PF (such as decision-makers applying the permitted baseline test more frequently)?

Please provide comments to support your views.

Not from my reading of the proposal.

10. Please describe any risks or opportunities that you consider have not been identified or addressed in the proposal.

None that are obvious to me.

11. Will the proposed NES-PF support regional councils to implement the NPS-FM (see section 6.1 of the consultation document)?

Please provide comments to support your views.

It should. It appears to have proposed an appropriate balance in allowing some flexibility but only within specific situations.

12. What resources or other implementation activities would help you to prepare for and comply with the proposed NES-PF (see section 7 of the consultation document)? How should these activities be delivered (for example, training, online modules, guidance material)?



Industry good organisations (e.g. DairyNZ, FAR, BLNZ) have developed very effective mechanisms to engage and inform stakeholders. It would be sensible to use learnings gained here in implementing the proposed NES.

13. Are there any other issues that you would like to raise?

See below for comment on 6.4 and note two findings of the recent UK House of Commons Science and Technology Committee Report on “Advanced Genetic Techniques for Crop Improvement: regulation, risk and precaution” (HC 328 2015):

121. *The term ‘GM’ has become a lightning rod for much broader public anxiety, in particular regarding our environmental future and the level of control wielded by large multinationals. These are legitimate concerns, but are currently centred on an inappropriate target. Whether a GM product is ‘good’ or ‘bad’, either for the environment or for society more broadly, should focus more clearly on how it is used than the technology utilised to produce it. This fact is lost in the continuing focus on ‘GM’. There is a need to reframe and widen the public debate to encourage a more productive conversation about what we, as a society, want from our food supply and what sort of agriculture we would like that supply to be based upon.*

129. *We are each entitled to our own opinion and value-based opposition to genetic modification, or any other technology, is perfectly legitimate. However, this does not justify knowingly and willingly misinforming the public. We strongly urge those seeking to inform the public about genetic modification and other advanced genetic plant technologies to provide an honest picture of the scientific evidence base and the regulatory controls to which these products are currently subject. Where opposition to such technologies is value-based, this should be openly acknowledged and should not be concealed behind false claims of scientific uncertainty and misleading statements regarding safety.*



Some NGOs and politicians are agitating against Section 6.4 in the Consultation Document. 6.4 is very sensible and absolutely justified because:

- i) Experience with evaluation of GMOs since the Environmental Risk Management Authority (ERMA the predecessor of the Environmental Protection Agency (EPA)) has shown NZ matches international best practice and further scrutiny for risk is not justified. This is well demonstrated by the ranking of Vigani & Olper (2013) who used an index derived from the handling of six components (approval, risk assessment, labelling, traceability, agreements, coexistence) of a regulatory system to compare restrictiveness of GM regulation. It shows that New Zealand is grouped amongst the countries with more stringent regulations for managing GM and notably ranks as more stringent than:
 - our major trading partners (China, Australia and USA);
 - the primary sector exporters (Australia, Brazil, Argentina, Chile, USA, Canada) we regard as competitors in export markets.
- ii) When considering an application, the EPA must assess the environmental risks, and requires comprehensive information on the biology of the plant, the molecular characteristics of the genetic modification so that it can examine issues such as the risk of an organism escaping from a laboratory or the risk of GMO pollen contaminating surrounding plants. In addition to biological risks and benefits, a full assessment of economic, environmental and social risks and benefits must be provided. The EPA consults widely when considering a GMO application, and if an approval is given, will impose conditions and controls as appropriate. Members of the public and organisations can make submissions on GMO applications that the EPA is considering.
- iii) EPA has expert staff, including those with experience in molecular technologies, ecological sciences, risk management and community involvement. These staff report to a broadly experienced Board appointed by the Minister for the Environment. Following consideration by staff, decisions on applications are made by a specialist Committee with a wide range of science, risk and legal skills.
- iv) This range and depth of capability is necessary because plant molecular biology is a very rapidly advancing branch of science and new techniques and products are appearing consistently. Advances enabling cisgenesis, intragenesis and various genome editing technologies (e.g. CRISPR, zinc finger nuclease) as well as new discoveries (such as bacterial gene sequences in all cultivated sweet potato cultivars) challenge established regulations and definitions. Without high level expertise in a range of disciplines, decisions are likely to be subject to challenge and risk public confidence in the regulatory regime.
- v) Local authorities could not access or maintain such capability and any further local regulation would likely only duplicate an already rigorous regime, increase cost, decrease certainty and potentially expose ratepayers to legal and financial risks.

For all these reasons Section 6.4 is fully justified to be included in the proposed NES.



SUBMISSION on the National Environmental Standard Plantation Forestry

Dr Amber Dunn

s 9(2)(a)

11 August 2015

I OPPOSE a NES for Plantation Forestry. A NES is the wrong tool.

The particular points I make are as follows, and are tailored specifically to my home region of Gisborne/Tairāwhiti:

Maintain a Clean Healthy Environment

1. On the Ministry for the Environment (MfE) website it states "a National Environmental Statement (NES) are standards for maintaining a clean healthy environment. The government sets standards where appropriate so everyone in our country has clean air to breathe, clean water to drink, and clean land to live on".
2. Within this context, a NES is the wrong tool for plantation forestry. Making activities such as 'harvesting' permitted activities in no way allows local communities or local authorities to maintain a clean healthy environment. This NES, in effect, shifts the decision-making authority away from the people who have to deal with the environmental effects and impacts (e.g. away from local authorities).

No Thank You for a Level Playing Field

3. It also says on the MfE website "NESs protect people and the environment and secure a consistent approach and decision-making process through the whole country. They create a level playing field"
4. Plantation forestry is not a "one-size-fits-all" industry. It should never have a 'level playing field'. In the Gisborne/Tairāwhiti region, forestry occurs over variable geological and tectonic settings, in steep ranges where local weather conditions impact on land stability, and are traversed by a multitude of waterways. To take account of the local conditions - geology, tectonics, slopes, weather, waterways - plantation forestry regulations must be formulated at the local level. In fact, these local variables provide all the evidence as to why a level playing field is totally inappropriate.

Woody Debris from Harvesting

5. It is very clear - and on a worldwide scale - that the unwanted woody debris (e.g. slash) associated with harvesting activities does not remain within the privately-owned forestry blocks. It gets transported via streams and rivers to far away places where they disrupt and intrude on other private and public properties, infrastructure, and activities. Local authorities must have the discretion to prevent, mitigate, monitor and enforce such negative environmental and social effects.

6. In the Gisborne/Tairāwhiti region, plantation forestry is most common over steep, unstable terrain - and today - our waterways transport this woody debris tens to hundreds of kilometres downstream where it negatively affects other private properties and public areas (e.g. rivers, beaches). Our ability to monitor and enforce these matters at the local level is essential.

Shifting-the-Burden

7. To permit activities that are currently causing significant negative environmental effects - spread over very large areas - equates to "shifting-the-burden". The burden of addressing the negative side effects of plantation forestry shifts to the ratepayers - shifts to the people who can least afford it, and to people who have played no part in the problem. Those who are not contributing to the degradation stemming from forestry activities (e.g. erosion that affects road infrastructure, slash that despoils public beaches, etc) will bear the heaviest costs. This is unjust.

8. To use the words of Professor David Suzuki, in a plantation forestry context, "Maximising profit at the expense of human and environmental health is not a god-given right".

SUMMARY

9. I **oppose** a NES for Plantation Forestry. It is the wrong tool for forestry.

10. Environmental and social harms from plantation forestry activities stretch far beyond the forests themselves; in the Gisborne/Tairāwhiti region, they stretch from the mountains all the way down to the sea. To ensure we have a clean and healthy environment, we need regulations to be written from the ground up, not from Wellington down.

11. An NES for plantation forestry removes the ability of local authorities to develop pro-active environmental policies - policies and regulations designed to prevent environmental damage and human harm from occurring in the first place. Preventing negative impacts is not only cheaper but a more effective approach for an economically-derived region like Tairāwhiti - than trying to clean up the mess after it has been made.

12. A NES also affects a local authorities ability to align all its planning documents (water plans, district plans, Coastal Plans). This aspect of the NES for Plantation Forestry has not been considered, and will add further costs to local authorities. Furthermore, local communities identify their core values, and seek to create the future they have envisaged for themselves. An NES for Plantation Forestry severely restricts this ability. That is unjust.

13. The Gisborne/Tairāwhiti region is unique from a geological, tectonic and climatic perspective when it comes to plantation forestry. This region must have the discretion and ability to set its own standards and regulations. As a region already suffering from the many negative environmental and social costs of forestry, we must write policy at the local level.

From: Uschi Eisenmann
Sent: Monday, 6 July 2015 7:09 a.m.
To: NES PF Consultation
Subject: Submission

ATT: MPI

Greetings from the Far North.

Our farming family is unable to attend the MPI hui on the proposed new NES for Plantation Forestry in NZ (in either Whangarei or Kawakawa this Tuesday 7 July).

However, we wish to convey our strong support for truly sustainable, environmentally sound forestry- this does not include GE trees, which the Forest Stewardship Council (FSC) prohibits in the FSC standards for truly sustainable forests.

We wish to register our strong objection to the content in the MPI proposed new NES for Plantation Forestry that would allow GE trees and undermine our local councils authority/ jurisdiction (and, indeed, local democracy).

Please give our apologies and note our brief original submission to MPI.

We wish to be heard and to present supplementary evidence. Please advise the deadline for a more substantive submission/ supplementary evidence...and notify us of any hearing that may occur.

Thank you for the opportunity to make a submission. Our farming family strongly supports truly sustainable, environmentally sound forestry.

We are extremely concerned that in the MPI proposal for the new NES for Plantation Forestry that it states that the NES will allow outdoor use of GE trees and that the NES will override local councils (excellent) strong precautionary and prohibitive GE/GMO rules and provisions.

We strongly support our local councils (all councils from south Auckland to Cape Reinga) who have worked collaboratively through the Northland/ Auckland "Inter Council Working Party on GMO Risk Evaluation & Management Options" (and with all Tai Tokerau Iwi authorities, Northland Conservation Board, mana whenua and other Northland ratepayers/ residents) to put in place much needed additional local protections against the risks of outdoor use of GMOs (in local plans). For example, there are precautionary GE/GMO provisions in the new Northland Regional Policy Statement and the GMO's are listed as an Issue of Significance for Northland tangata whenua and an issue of concern for Northland communities.

Our farming family strongly opposes any outdoor use of GMOs, including GE trees, due to the serious risks of GE trees to our biosecurity, unique biodiversity, existing non GM primary producers, valuable FSC (Forest Stewardship Council) certification (which prohibits any GMOs in FSC certified forests), our economy and the public health.

It appears the National Government (via Minister for Primary Industries Nathan Guy and MPI) is attempting to remove the right of communities (including our Taitokerau / Auckland region) and their councils from controlling/ preventing the release of genetically engineered trees in their regions. This is unacceptable and a matter I will be taking up with our local council (FNDC), Northland Conservation Board and our local Northland MP, Hon Winston Peters (as well as the Prime Minister John Key,

Minister for the Environment Nick Smith and Minister for Primary Industries Nathan Guy).

We are extremely concerned that the MPI proposal advocates that GE trees be

allowed in NZ (under the proposed new NES), which would take precedence over (and undermine) local councils sensible and highly necessary (due to serious deficiencies in the HSNO Act) rules and provisions against outdoor use of GMOs (a serious risk to our existing non GM primary producers, including foresters, beekeepers, gardeners, seed savers, orchardists,

farmers...our biosecurity, environment, economy, the public health and our "100% Pure" NZ brand...and...here in Te Tai Tokerau, our Northland Naturally Brand.

We do not want our farm (our beef is certified organic and we obtain a premium for our meat) to be contaminated from seeds, pollen, or other heritable material from GE trees or other GMOs.

We support our local councils and the strong precautionary and prohibitive GE policies of all Tai Tokerau Iwi authorities for their respective rohe, from the Bombay Hills north to Cape Reinga.

We wish to be heard. Please keep us informed. Please remove the proposal allowing GE trees from the new NES for Plantation Forestry in NZ.

Forest Stewardship Council, NZ standard

excerpt:

Indicator 6.8.4

Field use of *genetically modified organisms* by the *forest manager

*shall

be prohibited.

Sincerely

Ursula Eisenmann and family

Waima Hill Organic Beef



[REDACTED]

From: Mike [REDACTED]
Sent: Monday, 27 July 2015 11:08 a.m.
To: NES PF Consultation
Subject: NES-PF consultation

Attn: Stuart Millar

Submission: Response to the proposed National Environmental Standard for Plantation Forestry.

Dear Mr Millar,

I would like to lodge my strongest objection to the provision (6.4) that would allow GMO tree stock to be used for afforestation, where it has been approved by the EPA. I would like this provision to be removed from the standard.

I support the precautionary principle in relation to the use of GMO in the environment as any release presents substantial risks to our us, our families and the natural environment we currently enjoy. No one knows what unintended and unforeseen consequences could negatively impact on our soil, water, indigenous biodiversity, farming, crops and human health. It is dangerous and reckless to allow such a provision.

I would like to note that GMO timber crops are prohibited by the international certification bodies Forest Stewardship Council (FSC) and the Programme for the Endorsement of Forest Certification (PEFC). Many Northland forestry owners are FSC compliant and any release would undermine their genuinely sustainable forestry.

I also am astonished that the Minister would seek to undermine the rights of local communities to regulate GMO through our local Councils plans. This right has recently been affirmed by an Environment Court decision, 12 May 2105, by Judge Newhook saying that Councils have the right to make planning decisions around the use of GMOs in the environment. Provision (6.4) clearly seeks to undermine that right. Northland and Auckland Territorial Authorities and Local Councils have worked together for over 15 years to establish a regional working policy around the management of GMO and the right to regulate the use of GMOs in the environment. It is abusive that the Ministry of Primary Industries (MPI) now seek to undermine the democratic process and override the power of local Council's authority, effectively negating local community input.

Further, the appointment of Dr Allan Freeth, a well known GMO advocate, to head the EPA, undermines any credibility the process may have had! When vested interests are controlling our regulatory process democracy is dead.

Northland's Tangata Whenua have rightly identified GMO as an issue of significance and are totally opposed to any release of GMO's into our local environment. Any such action would be in breach of the rights established by the Te Tiriti o Waitangi.

I therefore request the Minister to reject the above provision 6.4 from the NES-PF and further request the opportunity to speak to this submission.

Yours Sincerely,

Mike Finlayson

[REDACTED]



Proposed National Environmental Standard for Plantation Forestry Template for Submitters

We would like to hear your views on the proposed NES-PF.

Please feel free to use this template to prepare your submission. Once complete please email to NES-PFConsultation@mpi.govt.nz.

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- whether you support or oppose the standard
- your submission, with reasons for your views
- any changes you would like made to the standard
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For more information about how to make a submission, please refer to section 8 of the consultation document.

Contact details

Name:

Ross Forbes

Postal address:

s 9(2)(a)

Phone number:

s 9(2)(a)

Email address:

s 9(2)(a)

Are you submitting on behalf of an organisation? Yes [] No [X]

If yes, which organisation are you submitting on behalf of?

-



If you are a forest owner/manager, what size of forest do you own/manage (in hectares):

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Please indicate below if you wish your personal details to be withheld:

☐ Please withhold my personal details where submissions are made public

☐ Please withhold my personal details in response to a request under the Official Information Act 1982

Questions for submitters

The questions for submitters that are included throughout the consultation document are provided below. We encourage you to provide comments to support your answers to the questions below.

1. Are there any other issues that you would like to raise?



The only issue I wish to comment on is that of genetically modified tree stock.

The consultation paper claims that under the Hazardous Substances and New Organisms Act 1996 (the Act) genetically modified organisms such as genetically modified tree stock are regulated under that Act and to avoid duplication, presumably with the intention of over-riding any GMO precautionary provisions in regional and local authority long term plans, that the proposed NES-PF includes a provision permitting afforestation using genetically modified tree stock where it has been approved by the Environmental Protection Authority under the Act.

It is also claimed that the EPA is best placed to evaluate the risks of genetically modified organisms and that approval and conditions imposed under the EPA regime will be sufficient to ensure any risks associated with the deployment of GM tree stock are managed.

Given several badly managed approvals that the EPA has made in the past in both animal and plant GMO trials that is a brave claim.

There are many good reasons, especially the preservation of a region's or district's right to assess the socially acceptable risks - not just the science – of deploying GM tree stock in their areas why that second tier (which should not be described as a duplication) must not be arbitrarily over-ridden by what appears to be self-serving proposed regulation.

It is my firm belief that:

A All GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority under the Hazardous Substances and New Organisms Act 1996 be removed; and

B Resource Management Act 1991 provisions for regional and district councils permitting the inclusion of rules, objectives and policies in their plans for the management of the natural and physical resources through mandated planning functions must not be arbitrarily over-ridden.

Stuart Miller,
Spatial, Forestry and Land Management
Ministry for Primary Industries
P.O. Box 2526
Wellington 6140.

Submission from: Noeline Gammaway

Ph [REDACTED]

6 August, 2015.

Re Submission Proposed National Environmental Standards
for Plantation Forestry (NES - PF)

Dear Nathan Guy.

I oppose the Proposed Standard - NES 2 other
relevant legislation: 64 Genetically modified tree/seed stock

My reason for objection is that the Proposed Standard
does not provide adequate protection for the
environment.

Councils have a duty of care to their communities
and their right to apply precautionary rules
regarding GMOs should be protected, never
undermined. This is important, since

novel genetic technology carries inherent risks and potential contamination of soils, pasture, and streams.

Two judges of the Environment Court have already upheld the right of Councils to adopt policies, rules and objectives on the management of GMOs, as part of their regional and district plans.

I recommend that you remove any references permitting GMOs to be the sole responsibility of the Environmental Protection Authority (EPA) - under the Hazardous Substances and New Organisms Act (HSNO). Regional and district Councils must be free to manage their land use through their planning functions under the Resource Management Act (RMA).

Thank you for considering my submission.
I do not wish to be heard.

Sincerely,

Noeline Gannaway

Noeline Gannaway.

NES Plantation Forestry Submission

Sara Gerard

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I oppose the standard

I wish for the Minister to proceed with a National Policy Statement for Forestry

My Submission is as follows:

Question 7: Is the NES-PF the best option to meet the assessment criteria?

Answer: No

Background:

I am a consultant NZILA registered landscape architect. In the 1990s I had a practice in Canterbury and I specialised in assisting forestry consultants and landowners in forestry management plans for resource consents required for afforestation in Significant Landscape Areas and ONL's areas under District Plans. At the time of assessment it was expected that a further resource consent would be required at the time of clear-felling.

Each of those forestry developments had their own specific environmental and management issues and considerations, requiring assessment and design input into the forest plan.

In the forests I assessed some of these issues were

- Distinctive landforms
- Treatment of highly visible skylines, ridges and slopes,
- visible, notable rock outcrops
- gorges, step sided streams banks, seepage and wetland areas,
- caves
- adjoining DOC reserves or QEII,
- adjoining extensively grazed tussock land prone to wildling spread
- very small but highly valued indigenous areas and habitat (i.e. pockets virgin indigenous forest)

- notable eco-sourcing seed collection areas
- remnant tussock grassland ecosystem, including remnant matagouri
- manuka stands
- public walkways and mountain bike tracks,
- compatibility with other land uses

Q7 Reason 1: A holistic catchment approach and understanding is required

- a) A reductionist method has been applied (for Table 1 page 12) by isolating forestry activities involving erosion and sedimentation, debris, wilding species and disturbance of riparian planting as five adverse environmental effects to be managed. I consider this to be inadequate.
- b) b).I do not consider this reductionist method used is appropriate for managing sustainability of resources and an effective method in safeguarding the environment from adverse effects.
- c) In my experience of assessing forestry is that each catchment has unique characteristics resulting from the cumulative effects of the underlying landform (geology, slope, soils,), hydrology (land drainage, seepage, wetland, waterways, downstream effects to streams, water tables and coastal areas) , microclimate (rainfall, susceptibility to wind, floods, snow, frost, drought, fire), ecosystem – fauna and flora (indigenous and exotic species and habitat) and cultural land use, activity, values, participation and perceptions).
- d) Sounds complicated but it is not. It is just a matter of assessing a forest holistically within the catchment or catchments it covers. If forestry consultants have adequate training in ecosystems, understand system interconnectedness and interrelationships within and in the wider landscape context, carry out thorough site assessment and work and live in the area the work would come naturally and efficiently. British trained woodsmen I worked alongside (MAFF in 1987-88) had this. Foresters/ consultants/ forestry/land owners in NZ with this holistic thinking ability are working already working with proactive councils in catchment management. This way of working should not be compromised by “a one rule fits all solution”.
- e) Councils around the country need to fully assess effects and manage forestry and the clearing of forests within each catchment, as part of integrated catchment management.
- f) There are some councils lagging behind in catchment management and this is evident in come poor environmental outcome some of which are reported in the media.
- g) It is paramount that Councils have management tools to carry out integrated catchment management unique to that catchment.

Q7 Reason 2: Provision for forestry objectives for the future

- a) There is a missed opportunity to work with forest owners to transform NZ plantation forests from a cash crop towards a multi-purpose multi-value forestry resource

- b) I consider this NES-PF national “rule” approach to environmental management misses opportunity for the sustainability management in the diverse values that forests provide.
- c) NZ forestry in the future could be perceived as it is Europe, a resource providing important environmental, cultural and economic values and services. The purpose and matters of the RMA should provide a basis of management of these values.
- d) Highlighted below are the RMA purpose and matters I consider are the missed resources, values and potential environmental effects not covered in Table 1

Purpose

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
- (2) In this Act, **sustainable management** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—
 - (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
 - (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
 - (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Matters of national importance

- In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:
 - (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
 - (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
 - (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
 - (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
 - (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
 - (f) the protection of historic heritage from inappropriate subdivision, use, and development:
 - (g) the protection of protected customary rights

Other matters

- In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—
 - (a) kaitiakitanga:
 - (aa) the ethic of stewardship:
 - (b) the efficient use and development of natural and physical resources:

- (ba)the efficiency of the end use of energy:
- (c)the maintenance and enhancement of amenity values:
- (d)intrinsic values of ecosystems:
- (e)[Repealed]
- (f)maintenance and enhancement of the quality of the environment:
- (g)any finite characteristics of natural and physical resources:
- (h)the protection of the habitat of trout and salmon:
- (i)the effects of climate change:
- (j)the benefits to be derived from the use and development of renewable energy.

Reason 3

I consider the National Policy Statement (NPS), establishing the objectives and policies, is required.

Reason 3: National Policy Statement for forestry is required

An NPS is needed to review debate and decide on forestry objectives and policies at a national level meet the environmental requirements under the RMA and industry and community expectations. Once the NPS is operational a NES with non – regulatory methods and rules as required would be developed. The NPS would develop the methodology for the NES. I suggest this be aligned with NPS for Freshwater Management with a catchment based methodology.

NZ is facing at present what the forestry sector calls the “wall of wood” and with it is a substantial increase of environmental risk associated with it. Afforestation of monoculture plantation forestry during the 1980 and 1990s is what dairying has been over the last decade, where commodity prices caused significant land use change at a very rapid rate.

In my experience of the planting rush in commercial or exotic soil conservation plantings, future environmental effects from harvesting and planning requirements 25-35 years out, was not a major consideration. It is now. The planning, design, and management of the harvest of ‘wall of wood’ and replanting is an opportunity to significant gain positive environmental outcomes into New Zealand’s future forests.

A NPS process will also assist to NZ forestry sector to consider the National Policy Statement for Freshwater Management, current industry best practice and forestry environmental requirements for forest product certification (Forest Stewardship Council (FSC) 2014), for which New Zealand has been approved.

NES-PF needs to address the Forest Stewardship Council standards for plantation forestry and address how that should be interpreted as sustainable management of resources under the Resource Management Act. New Zealand has a 2 July 2014 Forest Stewardship Council (FSC) Controlled Wood risk assessment approval which enables NZ to sell its wood products as FSC certified. This approval requires all indigenous and exotic forestry environmental requirements to be met nationally and the compliance of forest landowners nationally for NZ to be able to market and sell plantation products as FSC certified.

NPS would assist the forestry sector in meeting obligations and environmental requirements for the FSC certification.

Question 1: Do you think 2.1 and 2.3 accurately describe problems facing plantation forestry?

Answer: No

Reason: Operational Certainty

Operational certainty relative to the real problems forest owners face is a small factor. Certainty in the form of rules for 26-32 years out is unrealistic.

Operational Certainty for forest owners

a). For national rules to be used planning controls for the next 26-32 years so to provide certainty in future costs, returns and investment for Corporate forest and small growers, in a rapidly changing world, I consider is unrealistic and in the wider context unreasonable.

Problems facing plantation forestry's financial returns and investment are; flood, fires, pest and diseases, the value of the products grown and end uses, availability of local processing or access to export markets, local and global market preferences, meeting certification requirements for approvals (Forest Stewardship Council 2014)), value of the NZ dollar, world commodity prices, changes in land status and demands, potentially response to the TPP environmental standards and changing ETS requirements, response sooner or later to the transgression of planetary boundaries¹ such as species extinction and biodiversity loss, biochemical (phosphorus and nitrogen) and climate change, and... local authority management and compliance requirements.

Presently I have to surrender my forestry right for irrigation water storage.

b). A problem facing plantation forestry today in NZ is it is dominantly a corporatized large scale mono-cultural resource. This forestry resource does not provide a wide range of environmental and social services and has become disconnected from local communities, many of which had previous inter-generational association.

d). I as a forest owner I believe we forest growers have to go on planting and managing forests because understand their values and that we must...for the planet.

2.2 Uncertain environmental outcomes

National, regional and district objectives and policies, regulatory (to include rules) and non-regulatory tools and effective monitoring are required to achieve environmental outcomes.

Measured the environmental outcomes should include effective monitoring of key indigenous fauna and flora species specific to the catchment. This monitoring should

¹ Steffen et al. Planetary Boundaries: Guiding human development on a changing planet. Science 16 January 2015. Stockholm Resilience Centre

include terrestrial, freshwater, estuarine and coastal marine species and integrity of their habitat.

I suggest as a regulatory tool all 'plantations' that require a planting or harvest over 1ha a year should require a regulatory long term forestry plans (as part of a resource consent) with the aim to minimise adverse environmental effects. The resource consent is to apply forestry industry best practice, use of environmental risk tools (such as Fish spawning indicator) and requirements of Council catchment management planning.

National rules may not be required.

Sediment loss and management in sensitive catchments adjoining water bodies must be addressed more stringently and give effect to NPS FW and/or the Coastal Policy Statement.

Consistency

e) The problem facing the plantation forestry sector is the "wall of wood" mainly *Pinus radiata* which was planted when commodity prices were high, is about to be harvested when commodity prices are marginal. The planning of the harvest of this "wall of wood" requires careful catchment management and future planning around the replanting. National consistent rules do not greatly assist with careful catchment management.

Re catchment management approach-see above Q7 Reason 1 c-f

Change wanted A:

1.1 Page 11 3rd paragraph

Query about referring the plantation regime as a "*life cycle*". If using the term plantations change the term throughout the document to "*plantation crop rotation*".

Reason for change: In the context of environmental and ecosystem services the term "life cycles" are biological and found in nature within an ecosystem. Crop rotations in turn have an environmental effect on natural life cycles. In the context of plantation mono-cultural forestry the term "life cycle" is an operational and economic term.

Change wanted B:

The definition 'plantation forestry' would be useful at the start to the document.

Reason for change: Need to make it clear whether the NES-PF definition plantation includes or excludes continuous-cover forestry, which include natural principles and 'life cycles' and which monocultures do not.

Change wanted C:

1.1 Page 11 6th paragraph

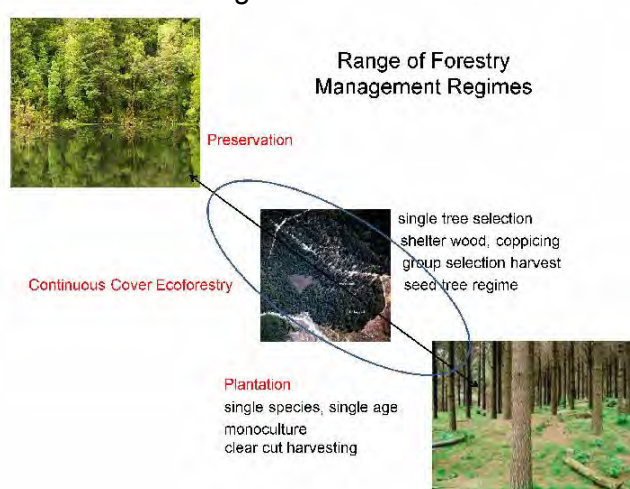
This paragraph compare environmental and ecosystem services plantation forestry to other productive land uses. It would be helpful to state what these land uses are.

Reason for change D:

There are other types of productive forestry land-uses apart from plantation forestry which involves a clear felling harvest regime.

Ecoforestry, continuous cover, coppicing, shelterwood, management regimes for instance are productive land use would provide greater environmental and ecosystem services than plantation forestry and minimise any “*risk window*” discussed in the 7th paragraph.

Figure 1



Change wanted E:

Section 3 page 17 Plantation Definition

Under the proposed “*Plantation*” definition continuous-cover Eco-forestry forestry, single tree or group selective felling, shelterwood, coppice, etc. could be included. Is this intentional? If it is intentional then perhaps terms such as “Man -altered” or Non Preservation” may be more correct? Otherwise specify more accurately the defining features of a ‘Plantation’.

Forest Stewardship Council (FSC) defines a plantation as “*a forest area established by planting or sowing with using either alien (exotic) or native species, often with one or few species, regular spacing and even ages, and which lacks most of the principal characteristics and key elements of natural forests.*”

Section 3.1

Methodology of NES-PF breaks a National forest resource management a down into mechanistic isolated activities with one or two possible adverse effects to be resolved by technical solutions and a rule for compliance.

Forests are ecosystem which then interrelates with other interconnected ecosystems e.g. logs from a highland forest provide habitat within lowland stream ecosystem as well as in coastal marine ecosystems. Even plantation forests have interrelated and interconnected natural processes and cycles. If forests were designed and operations planned to follow ecological principles and respect natural processes, environmental risks from land activities would be minimised and positive environmental outcomes gained.

Question 2-3

No.

I consider requirement a restricted area per year limit needs to be applied to afforestation, harvesting and replanting and anything above that limit requires resource consent. However that limit would be set at the local level based on the unique characteristics of the catchment.

Question 4

Yes

Each region will have it unique issues which are need local assessment and decision making

Question 5

Answer No. I see these are useful planning and management tools for preparing forestry management plans

(The term 'Plantations' in text below is defined as single age monoculture with clear cut harvesting)

Q5 3.5.1

The Erosion Susceptibility Classification (ESC) has been adapted from Land Use Capability (LUC) for pastoral land, not 'plantation' forestry and does not take into account for the synergistic effects of clear felling activities during extreme weather conditions.

Does not take into account the range of different forestry regimes and types of harvesting, or size of clear felling areas (coupes)

I suggest limitations should be placed on size of area (coupe) to be clear-felled, as coupe size has is a determining factor the degree of environmental risk:

- erosion susceptibility* (sedimentation downstream)

As well as

- water runoff and retention* (increasing flooding risk downstream and effects on hydrology),
- integrity of forest soils* (loss natural fertility and water retention)
- forest ecosystem and structure (loss of ability to be self-regenerate)
- conservation and biodiversity (loss of habitat and threat to forest species)
- landscape* (adverse effects on landscape character and loss of visual amenity values)
- cultural (loss of recreation and access to the forest)

*The steeper the slope the greater the potential effect.

In consideration of the above the following is suggested:

- Limitations of coupe sizes are
- Harvesting under ESC Orange: Clear-felling coupe over 1ha in size Controlled.
- Replanting of 'plantations' with the intention to clear fell to be Controlled under ESC Orange Restricted Discretionary in Red.
- Afforestation of 'Plantations' to be Controlled under ESC Orange
- Application of a catchment based approach to harvesting and forest planning and design for replanting

Q5 3.5.2

Support Fish spawning indicator as a tool to increase ecological awareness.

However Suggest

- Application of a catchment based approach to the planning, design and programming for forest harvesting will be the most effective tool to reduce sedimentation to waterways.
- Consideration of alternative harvest regimes on slopes at most of causing sedimentation to streams.

Q5 3.5.3

Other exotic plant species can also have spread issues.

E.g. Pampas in the far north.

Question 10

Answer Yes : Forest product certification

A National Policy Statement is required to address the Forest Stewardship Council standards for plantation forestry and address how that should be interpreted as sustainable management of resources under the Resource Management Act. New Zealand has a 2 July 2014 Forest Stewardship Council (FSC) Controlled Wood risk

assessment approval which enables NZ to sell its wood products as FSC certified. This approval requires all indigenous and exotic forestry environmental requirements to be met nationally and the compliance of forest landowners nationally for NZ to be able to market and sell plantation products as FSC certified.

FSC does not allow Genetic Modification in forestry. Other FSC requirements for plantation management requires consideration.

6.4 Hazardous Substances and New organisms Act 1996.

Has this provision had analysis and has the process to include it been transparent?

Some local Council's intend to set up protection against the risks of outdoor use of GMOs.

Perhaps should read: The NES-PF does not permit afforestation using genetically modified tree stock.

General comments:

Riparian Setbacks and margins are still in adequate. Margins need to consider the angle of the adjacent slope and coherent to natural landform features (e.g. river bank, terrace, lake and coastal cliffs, seepage areas, and the quality of vegetation within those margins.

The demise of forest ecosystem health and deforestation are around the world are a major contribution to the transgression of these four planetary boundaries, as well as the planet's management of freshwater and ocean acidification.

Foresters around the world have a major and urgent part to play.

This NES-PF document reinforces that forestry sector should carrying on with business as usual with monocultures predominantly with a rotational crop of *Pinus radiata*

I believe it is time to start developing means to restructure our forest management practices using best practices in ecological and earth sciences, a wide range of forest product development and reconnecting communities and society back to forestry ecosystems, such as the forests Western and Eastern Europe.

While this NES is for plantation forestry requiring monocultures and clear-felling, this document has the opportunity to provide a mandate for Councils to give 'methodology' for more sustainable forest regimes and with this enhanced environmental outcomes. Non –regulatory methods that promote incorporating continuous cover 'eco' forestry principals would significantly enhance environmental, social and cultural outcomes and arguably enhance economic outcomes, with


diversification and continuity of products and the increased environmental services beyond.

The forest industry could benefit greatly from a true cost accounting and ecological economic evaluation (not a simple cost–benefit analysis) of the very real environmental costs of sustained, clear felled, plantation monoculture. This could include such things as soil degradation, biodiversity loss, sedimentation, infrastructure damage, roading impacts and the carbon costs of maintenance, harvest and haulage.

A handwritten signature in cursive script, reading "S. Gerard", written in dark ink on a light background.

Sara Gerard

11 August 2015

From: 
To: [NES PF Consultation](#)
Subject: GE trees
Date: Sunday, 12 July 2015 9:53:10 a.m.

I strongly oppose any attempts to introduce GE trees to New Zealand as they have not yet been independently proven to be safe and would seriously undermine our unique position as being GE-Free.

Dr. M.E.Godfrey, Tauranga

Spatial, Forestry and Land Management
Ministry for Primary Industries
PO Box 2526
Wellington 6140

Stuart Miller

Email: NES-PFConsultation@mpi.govt.nz

Name/Organisation Paul Godolphin

Postal s 9(2)(a)

Phone s 9(2)(a)

Email s 9(2)(a)

Date 11 Aug 2015

Re: Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)

Dear Minister Guy,

I **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

Submission and Reasons –

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, Recommendation 13.1, H1, p.339) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no "duplication" between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

References:

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>

[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

Changes I would like you to make -

- Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and
- Retain and provide for Local Bodies to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions' under the Resource Management Act (RMA).
- Protect the Local Bodies mandate and duty of care, under the RMA, to the existing foresters, primary producers and businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

The decision I would like the Minister to make

1. Remove all wording in the NES-PF in **6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82**, referring to genetically modified trees and rootstock.
2. Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

I wish to be heard.

Sincerely

Paul D. Godolphin

Signature /printed name

Spatial, Forestry and Land Management
Ministry for Primary Industries
PO Box 2526
Wellington 6140

Stuart Miller

Email: NES-PFConsultation@mpi.govt.nz

Name/Organisation

Nigel Goldstone

Postal

s 9(2)(a)

Phone s 9(2)(a)

Email s 9(2)(a)

Date 11/8/2015

Re: Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)

Dear Minister Guy,

We **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

Personal comments

I have a small farm in the Far North District which includes a pine plantation. My farm is surrounded with pine plantations in the neighbouring farms in the area. I do not wish to have any GE trees grown in the area, GE trees are not required, offer no benefit and are a unnecessary danger to the environment and ecology of NZ.

Submission and Reasons –

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, Recommendation 13.1, H1, p.339) have stated the clear responsibilities and boundaries between the

EPA and Council jurisdiction, there is no "duplication" between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

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References:

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>

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- Protect the Local Bodies mandate and duty of care, under the RMA, to the existing foresters, primary producers and businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
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2. Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

I/we wish to be heard. Please keep us informed.

Sincerely



Nigel Goldstone

Submission to Proposed NES-Forestry

Contact details

Name:

Basil Graeme

Postal address:

s 9(2)(a)

Phone number:

s 9(2)(a)

Email address:

s 9(2)(a)

Introduction:

I have had a close association with the Plantation Forest Industry for over 25 years including years when I was as a Field Officer for the Royal Forest and Bird Protection Society. During that time there have been significant advances in environmental management adopted by the industry. Outstanding advances have been made in control of sediment from road and track development and in the protection of terrestrial habitats from native forest to wetlands. The Tasman Accord and the NZ Forest Accord promoted by the industry were landmark advances for their day.

Unfortunately, some other new practises, such as log hauling with incomplete suspension, that have been promoted by the industry as “best practise”, have not lead to commensurate advances in the management of river and harbour environments.

(1) riparian setbacks

LUCCS have their uses in determining whether sites are generally suitable for plantation forestry. However riparian setbacks need to be more than the 5m proposed in this draft for a headwater situation.

A 5m set back for rivers under 3m width is in effect no set back at all. This is because most forestry trees have a branch cover of 5m or more. Any planting setback under 10 m is not really providing a set back from the stream itself.

If headwater setbacks are 10m as a minimum standard, an economic effect starts to operate on forestry projects that is far more effective at identifying and controlling land use on unsustainable sites This economic effect is not unduly onerous where rainfall and

erosion is moderate as there will be few watercourses requiring a 10m (minimum) setback of planting or vegetation clearing.

The economic effect is claimed to weigh heavily on operations where there are many watercourses.

These sites are on steeper land, in areas of higher rainfall and therefore higher erosion potential. These are the forestry sites that generate public disquiet because they are the sites discharging sediment into rivers and harbours. These are the very sites where withdrawal of forestry should occur. Reliance on 'best practise' has not worked. Over the 25 years I have observed the industry management of headwater streams and the relative lack of progress in achieving stream protection. Economic instruments such as mandatory setbacks are more likely to focus the industry attention on their withdrawal from sites that are inherently unsustainable for plantation use.

(2) Protection of riparian vegetation

For native fish there does not appear to be a significant difference between exotic riparian vegetation and native riparian vegetation. Good in-stream habitat correlates to the age and undisturbed nature of riparian vegetation. This NES document could accentuate this requirement for healthy stream ecology.

As long as operators are allowed to haul logs across streams and damage established or establishing riparian vegetation, these draft standards will not protect stream habitat.

Prohibiting hauling logs across streams where it damages vegetation will stop the formation of gouged channels on steep slopes directing sediment directly into streams. Prohibiting these practises will maintain or restore in-stream habitat values.

Permanent and protective management of riparian vegetation at headwater situations again provides an economic basis to filter out unsustainable land uses.

Where there are few headwater streams, then the cost burden of stream protection is not overly onerous. Where there are more watercourses, the cost is greater. This is where land is steeper, rainfall is higher and erosion is severe. These are the sites where the economic cost of meeting standards should encourage withdrawal from unsustainable land use practises.

Local Regions may have different geology and climate regimes eg BOP pumice lands have a low density of watercourses. Thus a minimum 10m setback for stream headwaters in pumice land will have a lower economic signal for forestry operators than for forestry operators on east coast steep or erodable lands. These economic signals parallel the potential sustainable LUCCS for erosion potential and potential sedimentation of waterways.

Conclusion:

The NES should highlight an objective to promote withdrawal of plantation forestry on sites that are unsustainable.

Two avenues are:

- Increasing the setback from all headwaters to a minimum of 10m. This width is more likely to achieve a reduction in sedimentation of our rivers and harbours and promote withdrawal from unsustainable forestry sites.
- Protecting riparian vegetation from the practise of hauling logs through it. This prohibition will also achieve a reduction in sedimentation of our rivers and harbours and promote withdrawal from unsustainable forestry sites.

Submission on the proposed NES for Plantation Forestry

Submission to: Stuart Miller
Spatial, Forestry and Land Management
Ministry for Primary Industries
PO Box 2526
Wellington 6140
NES-PFConsultation@mpi.govt.nz

From: Claire Graeme, s 9(2)(a)

Introduction:

Thank you for this opportunity to comment on the NES. I appreciate all the hard work that has gone into the NES to date.

I have focussed my comments on the CBA by NZIER and Scion. My findings are that whilst the CBA provides good coverage and assessment of some aspects of forestry or parts of the industry, the CBA contains some very significant gaps and so fails to provide a full analysis of the likely costs of the Forestry NES; in particular the environmental costs and benefits. This analysis can be corrected by basing the analysis on actual council plan requirements, and I anticipate that when this is carried out it will be clear that the NES as drafted will result in a significantly negative CBA based on the economic costs of additional sedimentation and loss of freshwater and downstream values due to the lowering of standards and requirements around managing forestry, particularly sedimentation under the NES compared with the current regional council rules in several of the key forestry areas. This result is likely even when balanced against the results from other regional councils (usually with less forestry in them) where forestry is not currently actively.

The NES can still be made to have a positive CBA if the standards (and in some cases the activity status) in the NES are improved. The current calculations in the NES show that the costs of increasing the standards are not onerous, especially when spread across all forestry. For example, the cost of the riparian setbacks for the entire forestry industry only amounts to \$280,000 and could be increased without significant cost. This would be cost borne by the industry as opposed to a much larger cost currently being put onto the wider public and tax payers by this industry NES.

The NES is potentially an excellent vehicle to raise the standards and stream line the management of the forestry industry. With some inclusions of innovative reporting and monitoring mechanisms, pragmatic targeted environmental protections and the re-introduction of a front-loaded forestry management style, the NES has the potential to set a new benchmark for how individual sectors can be well managed both nationally and internationally. This is an opportunity that shouldn't be missed. As it stands the NES takes an industry that is currently working well and uses a few problem (e.g. lack of consistency across councils) as an excuse to deregulate the industry and externalise costs onto the public and rate payers.

When I was involved in the first stage of negotiations on the NES it was widely acknowledged and accepted by all stakeholders, especially the forestry companies that the problems were around uncertainty and differing consent requirements in different councils resulting in extra costs. It was

acknowledged that front-loading of assessment and addressing effects at the start of the forestry process was worth the extra effort to provide certainty and ease of process at the time of harvesting. This has not been carried through to this latest version of the NES with permitted activity status and minimal standards being the norm for much of the forestry estate.

New Zealand is recalibrating after a decades long era of 'light-handed regulation' that has covered many sectors – in the absence of regulation the costs of many sectors have been externalised onto the tax payer. The forestry sector has been a stand out performer compared to others and this is due in no small part to the forestry sector's pro-active approach to management. But it must also be acknowledged that this pro-active approach (creating industry codes and standardising best practise) would not have occurred without the intervention and requirements and challenges placed upon these companies by the regulatory regime and council planning and consenting regimes. The industry is ideally poised to enter into a stream-lined national framework like the NES, but the danger is that these good systems and standards and pro-active approach to problem solving in the industry will be lost as regulatory benchmarks are dropped too low, and council over-sight and monitoring disappears. Shareholders in forestry companies would be foolish to invest more than the standards require in the NES. As the NES requires only very low and very few standards without any need to record or monitor, it is likely that forestry practices will be used that are not sufficient to avoid routine, as well as catastrophic events causing significant economic, environmental and social harm.

Key CBA concerns:

- It does not include an assessment of the environmental impacts of any large forestry companies. There are 14 large forestry companies which cover over 1 million hectares of forestry and make up more than 75% of the land area covered by plantation forestry¹. This is an extraordinary omission and is discussed further below.;
- The RIS and CBAs make it clear that there is heavy reliance upon the voluntary forestry codes (FSC) in ensuring that forestry companies are addressing adverse effects.
- There is a strong bias in the CBA and NES towards recognizing and addressing the impacts of small independent operators and ignoring and not addressing the operation of the large companies.

Key concerns:

- The scale of forestry operations and the lack of acknowledgement that scale is an important (but not the only) determinant in the scale of impacts. The NES fails to address adverse impacts that result from large scale forestry operations and gives minimal controls and permitted activity status to large scale forestry operations on all but the extremely erosion prone land. Thousands of hectares of forestry that cover multiple catchments can be managed without any consenting requirements and no council oversight or input. The risk presented by such large scale activities must be better addressed.
- There is limited opportunity for pro-active avoidance and mitigation of adverse effects through the NES – i.e. the fundamental original idea of front-loading reporting and consenting (as a pay-off for certainty in terms of reporting and consenting requirements) has been lost.

¹ The CBA notes that 'large forests' are classed as those greater than 500 ha in size.

Key changes requested:

- Permitted activity status for afforestation, replanting, MLC and harvesting of large and small scale forestry on low relief (green and yellow) land should be accompanied by a new standard requiring a Front-loaded Forestry Management Plan which requires:
 - Mapping and recording details of all natural values including freshwater bodies and species on site and within the receiving environment or that could be affected e.g. down-wind locations of vulnerable area, adjacent SNAs etc. ;
 - Provides evidence (including GPS locations and mapping) of all other PA standards being met (including the requested standards relating to riparian setbacks, monitoring and reporting and other issues below);
 - This FFMP must be formally received by the Council at least 20 days prior to any activity being carried out – it should only need to be provided at the replanting or afforestation stage with possible minor updates at later stages of the process e.g. detail around roading and quarrying for example.
 - Many companies already provide this detail and it could easily be incorporated as a requirement of the NES, rather than gradually lost and eroded in quality by being omitted.
- Before the NES is approved the legality and ability of councils to charge forest owners for permitted activity compliance monitoring needs to be assessed. If a suitable, national approach to this cost recovery is not able to be provided in the NES (or supplementary information) then the only sensible alternative to allow councils over-sight and cost-recovery is through a controlled activity status. Controlled activity status, when there are clear and standardized conditions, need not be onerous for medium to large sized forestry operations. There is always the opportunity to scale costs depending on size of application so that someone with a 30 ha forest pays a minimal application cost.
- All forests that are over 500 ha in size will require more expensive and time consuming monitoring of compliance by councils and the scale of the operation means that the amount of sediment exposed through forestry activities will be higher (even with the best management practices in place) and therefore risk of adverse effects higher. These operations should be given 'controlled status'.
- Permitted activity standards should be relatively high. Where this is not possible to achieve then the choice should be made to get a controlled consent or provide evidence of why this isn't possible and how alternative mitigation will be provided through forest management practices for the site. This is how innovation and good practice remains alive.
- A standard is included in FFMPs that 'at least 20% of all freshwater bodies on the site are provided 'permanent vegetation cover' that will remain predominantly intact and functioning (providing shade, root support and cover) through multiple forestry rotations. Included as part of this 20% is at least one 'riparian head-to-toe habitat zone', where one watercourse is protected from the top of the catchment site-boundary to the bottom boundary. Depending on the site topography this may require wider riparian margins in some stretches than the minimum standards. These priority waterbodies must be mapped and monitored for compliance of the permanence of the vegetation during harvesting.

- Standard riparian setbacks should be improved. The CBA constantly refers to watercourses higher in the catchment having larger margins due to their steepness. Also the BOP regional plan provides margins which increase with slope (the reverse of the NES)². This matches the science with regard to the requirements for riparian protection being higher further up the catchment.
- Management standards for wetlands should be based on the sensitivity of wetlands to damage and improved in line with the BOP regional plan's wetland rules for forestry. See Appendix.
- The setback for the CMA should be 50 m as required in some plans currently.
- The ability to be more stringent should be changed to:
 - o An ability to be more stringent for some aspects and
 - o A 'requirement' for councils to create more stringent standards for high value/high risk situations.
- The limits for MLC, earthworks, disturbance for riparian setback areas and other factors should be better refined. The BOP plan provides a good basis for setting out appropriate standards based on slope, area and volume disturbed and the importance or sensitivity of the site.

Detailed comments relating to concerns and requested changes:

Front-loading. A proactive plan (FFMP) should be produced prior to any activity being taken place. Not a 'completion statement' after the fact.

- A clear understanding is required from the NES that forests effects are well managed and freshwater environments protected. The NES doesn't provide any certainty that this will occur. IT is not appropriate to rely on current good management by those currently under strong council management and a voluntary code is not a reason to not regulate properly in the NES or to even demonstrate the impacts of this transition from greater regulation currently to low regulation under the NES..
- A harvest plan is not front-loading. It is not adequate on its own to provide certainty about how the entire forestry process will be pro-actively managed through standards as well as having planned input at the start to avoid forests being sited in poor locations or other mistakes being made.

Permitted activities such as those proposed in the NES that are on a very large scale and that have potential for significant adverse effects need to be monitored by the Council for compliance with NES standards. The NZIER CBA notes that monitoring costs will increase due to permitted activities increasing. But this seems unlikely given there is no requirement for monitoring by the Councils and no clear cost-recovery mechanism.

CBA comments:

Setbacks:

² A copy of the relevant BOP rules on forestry are provided in the appendix.

- Riparian setbacks as detailed in the literature are intended to provide shade, buffering and shelter. They must be 'permanent' in nature and be sustained between rotations. Therein lies the greatest problem. A five m buffer is rarely permanent or effective. A ten m buffer may be in some circumstances. The practicality of having permanent buffers for NZ's forestry cycle (radiata crops on fast rotations in steep areas that need to be clear felled to be economic) is challenging. In many instances permanent buffers could not be retained in all areas and have an economic forest crop. This is the reality. But it doesn't mean that the environmental effects should be ignored. It does mean that imaginative solutions need to be considered that go beyond the standard, 'well it's too hard therefore we will just go with 5 and 10 m setbacks that aren't permanent'. Some % of a catchment waterways can be required to be permanent – it will not solve all sedimentation issues, but it will protect some aquatic values and lower sedimentation. See the suggested standards around riparian setbacks recommended above.
- The cause of significant concern in the previous CBA was the cost of the liability under the Climate Change Response Act 2002 for not replanting areas. Government officials and forestry stakeholders are to be applauded for fixing this nonsense provision. The result is that there is no longer this large cost from providing a riparian setback. The opportunity costs to forest owners of not planting within setbacks has been revised to be a relatively tiny \$280,000 per annum spread over all the 1.75 million hectares of forestry in New Zealand! This is a tiny cost and indicates that an increase in the width of riparian setbacks in some areas would not add significantly to the CBA and should be investigated further (e.g. the suggested provision that 20% of all watercourses are covered by permanent vegetated setbacks or habitat corridor setbacks). If these CBA equations are not carried out then a clear and focused discussion cannot occur about whether these possibilities are viable or not.
- Some riparian areas that are currently protected through plan provisions or agreed in consent conditions will now be able to be harvested under the NES (unless and until a council goes through the process to make riparian margins wider in some cases). This is likely to mean that there are even more existing riparian areas that can be harvested under the NES therefore the \$280,000 may be reduced further.
- The changes to setbacks are shown to be a significant portion of the CBA. But this is only a tiny portion of the forestry costs when spread across all forests. An increase in riparian areas could be quite substantial and still not make a significant cost difference to the CBA.
- The NZIER CBA states that the NES Steering Group found there was no evidence that can back up quantification of a marginal change in setback size. This isn't correct. Riparian margins are one of the few areas that have been extensively researched both internationally and in New Zealand, with many sites in forestry areas. These studies clearly show that permanent riparian margins over a given size, provide measurable benefits to sedimentation (in at least some instances), water quality and other in-stream parameters.
- The CBA points out that there are no management requirements of setback areas (pg. 37). This is an important point. Clear management requirements should be provided for these areas. For example wetland areas need clear standards relating to light levels around them and particularly to not being crushed or dragged through. Other riparian setback areas should have maximum limits to how much of them can be crushed or dragged through so it

is clear that a high percentage should remain intact. Where this is not possible then the choice should be made to get a controlled consent or provide evidence of why this isn't possible and how alternative mitigation will be provided through forest management practices for the site.

- There has been no assessment of the proposed NES standards and rules relative to existing rules in each regional council. This is a significant omission. A general statement is made that the standards and rules in some regions (presumably Auckland, Waikato, BOP and possibly also Nelson/Marlborough) will be made lower by the NES. The only ability to address this is via the ability to 'be more stringent'. This is a clumsy and onerous provision to put on councils. There will be significant pressure from forestry companies not to provide the former higher standards. The ability to be more stringent should remain and will be useful in some situations, but very important management considerations and values should not be addressed in this 'back stop, provision of last resort' way. Presumably also the new baseline set by the NES will weaken the council's arguments to tighter standards. This will also require councils that chose to challenge the low NES standards to go to extra cost to re-litigate the standards they have already gone through a plan change to create with the community. These costs have not been adequately included into the CBA. At least some of these councils should have been provided with a CBA specific to their region so we can understand the costs imposed on them to retain their existing standards and the environmental costs (due to much lower standards) that would ensue should the NES be provided without using the 'ability to be more stringent'.
- NZIER noted that there will be no positive benefit from a change from the status quo of 5m setbacks to 10 m for sediment loss. This may be true to an extent (though wider strips are acknowledged to provide some sediment protection), but they will protect the in-stream habitat, temperature and other parameters that have not been included.

Erosion Susceptibility Reclassification:

- 30% of land that was formerly classed as high risk' has been removed in the updated Erosion Risk work.
- 32% less land is classed as very high risk.
- This shifts a significant amount of forestry management into the permitted category. This land may now be classified correctly, but it illustrates that only a very small portion of forestry land is being actively controlled through the consenting process. This is highly inappropriate for that large percentage of forestry land that, although no longer at the very high end of the risk spectrum, is still very steep and has significant sedimentation and slash inputs to downstream receiving environments. This is a very important point because for those areas where regional councils that had more stringent rules relating to these areas there is now potential for these sediment inputs and other adverse effects to increase under a potentially unenforced, and lightly regulated permitted activity regime.
- Combined with this reduction in the coverage of the high risk erosion areas is that the CBA notes that the 2014 NES is less onerous than the previous version and that harvesting is a permitted activity in high-risk erosion areas instead of being controlled. The risk from harvesting in these areas is too great to leave it unmonitored and take this hands off approach to harvesting.

- I consider that the impact of the NPS FW has been underestimated in the CBA. Those councils that have up until now had broad scale permitted activity status and ignored their responsibilities towards managing forestry (or have had limited forests in their regions) will now be working towards ensuring that the harvest of forests are not compromising their freshwater requirements. I believe the status quo will change rapidly in the next five years.
- The CBA has not taken 'risk' properly into account for the analysis. The NES allows forestry activities to occur on very large scales with minimal permitted activity controls. Entire catchments can be cleared at the same time without any mitigation required around the timing of the harvesting impacts and the increase in risk this presents.

Scion CBA report:

Whilst some aspects of the CBA have been well executed, I am concerned that the environmental costs and benefits of the NES have only been assessed for a relatively small part of the forestry sector. I have taken key extracts from the Scion CBA for comment.

The Scion report makes the statement that *'..plantation forests that generate the highest sediment yields are roading (or earthworks), logging (or harvesting), and post-harvesting (or mechanical land preparation)'*. However the PA status has been used for these activities over extensive areas of forestry in the NES.

"Scion conducted a survey late 2014 of all regional councils to gauge their thinking about forestry, erosion and debris flows (Harrison et al, 2015). The result of those interviews has helped to identify potential outcomes under the NES. Environment Southland and Canterbury reported that erosion was not currently perceived as a problem in their region. All other councils believed that their own guidelines or regulations regarding erosion and sedimentation control would match or better those set out in the NES. Furthermore, all councils (except Northland) claimed that large corporate forests were doing all that was reasonable to control erosion and sedimentation from harvesting practices. The general consensus was that the NES would have little effect in large corporate forests in relation to erosion and sedimentation."

The erosion and sedimentation yields in tonnes per year that would result from harvesting in small forests located in orange and red susceptibility zones under the status quo and the NES are given in Table 5.

With the above information in mind Scion decided not to measure the impact of large forests! What they have effectively done is chose to ignore any negative environmental cost that would occur from a reduction in environmental standards from councils that currently have more stringent standards than the NES. This is an enormous omission from a CBA.

What these statements from councils also importantly illustrates is that the NES will not improve environmental performance in any of the large forests in New Zealand, being over 75% of the land covered by forestry! It is solely focussed on raising the bar for small forests. In doing so it has taken away the pressure to meet performance standards that currently exist for large forests. I believe there will be an improvement in small forest operations that is significantly outweighed by a lowering in forest management standards and relaxing of reporting, monitoring and best

management practices in large forests. This will result in a negative CBA with regard to environmental impacts.

Take as an example, the earthworks requirements of the BOP plan which with their tired approach that flip higher areas and volumes of earthworks into higher consent categories, create strong incentives to reduce and control earthworks volumes and the area exposed. In this case, the NES earthworks rules have been significantly relaxed. If there is extra expense required to control sediment to these existing plan levels, it is likely that the lower NES requirements will mean that money is saved in trying to meet consent thresholds. The costs of these changes need to be investigated. It is not appropriate to simply take forestry companies word for it that they will adhere to council standards that no longer exist. In the short term that may be the case but in the medium term it is unlikely.

The CBA notes that the value of avoided erosion from new forests was estimated to be \$6.5 per tonne by Barry et al. (2014). It is therefore possible to calculate the extent of forests covered by Councils with more stringent earthworks standards and estimate a likely reduction (e.g. 5%) in sediment controlled and estimate the cost of this reduction (just as the increase has been estimated). It should be noted that this calculation will need to be made of substantial areas of forested land and therefore the results are likely to be significant in the CBA.

It is hard to have confidence in this CBA when an opening statement is that:

“Regarding the environmental impacts from wildings, and erosion and sedimentation, it was assumed that these would be only experienced in small forests. It was identified that few or no impacts would come from large corporate forests since these already, generally, comply with high environmental standards through the environmental codes of practice. However, it was assumed that small forest owners are less likely to be applying such environmental codes.”

This is an enormous leap to claim that ‘few or no impacts would come from large corporate forests’. There is clear evidence as many council officers can attest to that large forests have been the source of sedimentation and slash deposits off-site that have caused significant harm. North of Gisborne the beaches are strewn with logs, and after storms and heavy rains the receiving environments around steep catchments such as in the Coromandel turn mud brown and silt lines their surfaces. Whilst it is true that large companies are leading the way with forestry management, it is not true to say they are effectively dealing with all effects in all cases.

An assumption that larger forests are complying already and don’t need to be assessed because of the existing Codes already adhered to is clearly not the correct place to start such a CBA. Larger forestry companies are not just adhering to these codes (which are in most cases not policed at all except by councils). The codes are excellent but the rules that companies must actually prove to auditors (in the form of council officers) are being complied with are the council rules, not the codes. The council rules and management systems built up between forest managers and council officers are the reason that New Zealand forest companies are able to easily comply and fit into the international frameworks for forestry codes such as the FSC. Once the regulatory and auditing check by councils is removed we will inevitably see a slippage in standards. Why would a company spend money adhering to standards that are not being checked (by FSC or Councils)? This would not be

justifiable to their shareholders – especially when the margins for forestry products are tight which they will be at times.

NZIER CBA:

The CBA makes the following statements:

A degree of variation between regional and district plan provisions across the country should be expected i.e. council rules must take into account local circumstances and natural variation in biophysical conditions. Good examples of this include:

- *Bay of Plenty, would have provisions specifically developed for this activity, rather than relying on activity generic provisions. This is because in these districts or regions the management of plantation forestry would be a much more significant resource management issue than in other parts of the country.*

- *it is appropriate that provisions vary across the country to deal with local biophysical conditions. An example of this is Overlay 3A in the Gisborne Combined Regional Land and District Plan, which requires the establishment and maintenance of effective tree cover, including plantation forestry, in the most erosion prone land of the district*

- *the Waikato Regional Council has developed provisions for forestry in the Coromandel, which are intended to specifically reflect the sensitivity of the receiving coastal marine area.*

However, it is the degree of variation that concerns forest owners and managers. Further, this variation, in many instances, does not come with any tangible environmental benefit.(NZIER)

No basis what so ever is provided for the above assessment that the variation between councils comes without environmental benefits. This statement should not be taken into consideration in a CBA.

The forestry industry incurs most of the cost burden through an increase in opportunity costs of setbacks, and increased consenting costs. Councils also will have some costs (loss of local control, minor plan changes and training). The benefits are mainly in relation to certainty for all sectors with a stake in the industry, for the environment and the reduction in plan costs for the forestry industry, NGOs and councils alike.

What is the cost burden? \$280,000 over the entire industry. This seem very small now. It should be a reason to increase protection, not used as a reason to clamp down on setback provisions.

All the statements are correct regarding positives except for environmental outcomes being positive. There will be a reversal in fact as the councils with more stringent existing rules will likely not go to the lengths required to uphold them once the NES supersedes them (as evidenced by regional council feedback on whether they would create more stringent matters in NZIER research of CBA)

APPENDICES:

BOP Regional Plan rules for forestry areas.

<http://www.boprc.govt.nz/media/433910/chapter-9-regional-rules.pdf>

The link to the rules section of the regional land and water plan provides plenty of scope for inclusion and adaptation to the NES.

Rues associated with wetlands:

Rule 84 Permitted – Minor Disturbance of Vegetation in Wetlands Associated with Cable Logging by Accredited Forestry Operators

The disturbance of vegetation in a wetland where the vegetation disturbance is due to cable logging of plantation forests is a permitted activity subject to the following conditions:

- (a) The activity shall be carried out by an Accredited Forestry Operator (refer to Definition of Terms), and in accordance with section 3.2 of Schedule 12.
- (b) The activity shall only cause minor and temporary disturbance (but not clearance) of vegetation in the wetland.
- (c) The activity shall be undertaken according to best management practices that minimise the area and extent of vegetation disturbance.
- (d) The activity shall not expose bare ground in the wetland, remove plants, or prevent the recovery of the function and coverage of the disturbed vegetation over the following 12 month period.
- (e) The activity shall not be carried out over a period that exceeds a consecutive period of 3 months per rotation at any site.
- (f) The activity shall not change the water quantity or flow in the wetland. Explanation/Intent of Rule To provide for minor and temporary disturbance of wetland vegetation by an Accredited Forestry Operator, where it is not possible to avoid adverse effects from cable logging due to terrain or access difficulties. Any non-compliance with the conditions of this rule (i.e. there is extensive damage to the wetland, or damage to the extent that the wetland cannot regenerate) will be addressed through appropriate enforcement provisions in the Act, and restoration of the wetland will be required.

1 December 2008 Bay of Plenty Regional Water and Land Plan Regional Rules 317 Rule 84A Restricted Discretionary – Minor Disturbance of Vegetation in Wetlands Associated with Cable Logging

The disturbance of vegetation in a wetland where the vegetation disturbance results from cable logging of plantation forests, because of terrain or access difficulties, require logs to be hauled across a wetland, and excluding activities permitted by Rule 84, is a restricted discretionary activity subject to the following conditions:

- (a) The activity shall only cause minor and temporary disturbance (but not clearance) of vegetation in the wetland.

(b) The activity shall be undertaken according to practices that minimise the area and extent of vegetation disturbance.

(c) The activity shall not expose bare ground in the wetland, remove plants, or prevent the recovery of the function and coverage of the disturbed vegetation over the following 12 month period.

(d) The activity shall not disturb greater than 5% of the total area of the wetland over which logs are being hauled.

(e) The activity shall not be carried out over a period that exceeds a consecutive period of 3 months per rotation at any site.

(f) The activity shall not change the water quantity or flow in the wetland.

Environment Bay of Plenty restricts its discretion to the following matters: (a) Measures to avoid, remedy or mitigate adverse effects on the water quality, water quantity, ecological values, and natural character of the wetland. (b) Measures to remediate, or assist the natural recovery of the wetland. Explanation/Intent of Rule To provide for minor and temporary disturbance of wetland vegetation, where it is not possible to avoid adverse effects from cable logging due to terrain or access difficulties. It is intended that Rule 84A will only be employed where there are no other practicable options available. Any non-compliance with the conditions of this rule (i.e. there is extensive damage to the wetland, or damage to the extent that the wetland cannot regenerate) will be addressed through appropriate enforcement provisions in the Act, and restoration of the wetland will be required.

Rule 85 Discretionary – Modification of a Wetland

The: 1 Modification of a wetland for the maintenance or enhancement of a wetland, and where the activity is consistent with Policy 135 but does not comply with Rules 78, 79 or 83.

Or 2 Sustainable use of a wetland where the activity is consistent with Policy 142 but does not comply with Rule 80.

Or 3 Removal of weeds and other vegetation clearance necessary for the maintenance of wetlands in water bodies created for hydroelectric generation, and does not comply with Rule 82.

Or 4 The activity is the disturbance of vegetation in a wetland as a result of cable logging and does not comply with Rules 84 or 84A. Regional Rules Bay of Plenty Regional Water and Land Plan 1 December 2008 318

Or 5 Modification of a wetland not otherwise addressed by (1) to (4) and causes any of the following adverse effects on the wetland: (a) Degradation of water quality, including through the discharge of sediment or other contaminants. (b) Changes to water flow and quantity, and drainage. (c) Erosion of land and soil resources where the activity causes or induces erosion that is persistent or requires active erosion control measures. Includes land instability, scour, severe pugging, and damage to margins, banks and land within the wetland. (d) Where the wetland is in the bed of a stream, river or lake, the disturbance, removal, damage, or destruction of any plant or the habitats of any plants or animals in the wetland.

Is a discretionary activity.

From: Simone Graham
Sent: Monday, 3 August 2015 1:58 p.m.
To: NES PF Consultation
Subject: We oppose the introduction of Genetically Modified Organisms.

Alarm at Central Government Over-riding Locals on Genetic Engineering Everyone who has opposed the introduction of Genetically Modified Organisms (GMOs) into their districts needs to be alarmed at the way central Government is moving to override local council regulations about this matter, says Kelvin Davis, Labour MP for Te Tai Tokerau. Mr Davis says the Ministry for Primary Industries has inserted a clause (Cl. 6.4) into its proposal for a National Environment Standard on Plantation Forestry which specifically includes a provision permitting afforestation using genetically modified tree stock where it has been approved by the Environmental Protection Authority under Hazardous Substances legislation. He says this proposal will loosen restrictions on genetically modified pine trees and force councils to remove preventive wording about GMO trees from their policies and plan changes. Auckland Council, Whangarei District Council, Far North District Council and Northland Regional Council are among those that have used the Resource Management Act to put restrictions on the release of GMOs, in addition to those provided under the Hazardous Substances and New Organisms (HSNO) Act. Kelvin Davis was speaking at a public meeting in Whangarei on Friday evening where he outlined the proposal and said that under this new environmental Standard local councils will lose the right to use their Resource Management Act powers to restrict the planting of GE trees. Submissions on this matter need to be at the Ministry for Primary Industries by 5pm on Tuesday 11 August 2015. Email to NES-PFConsultation@mpi.govt.nz or Post to : Stuart Miller, Spatial, Forestry & Land Management Ministry for Primary Industries P O Box 2526, WELLINGTON 6140

Dear Sirs.

We the undersigned respectfully submit the following in response to the proposal that Central Government plan to override the well founded opposition to GM Os and proceed with the irreversible introduction of these freaks of nature into our places of living and relaxation.

Even the "Experts" in this industry can't agree on the Down Stream consequences of such actions.

You people are in office to serve your citizens wishes and not to rule over them.

Why do we need to follow the herd when our very history is built upon 100% Clean and Green. To go the GM way is to tear down many decades of blood, sweat and pride in ignoring the crowd and forging our own path.

Clause Cl. 6.4 is an obscene departure from the established norm and NOT in the interests of anyone but the writer of said clause and the usual Corporates waiting in the shadows.

Simone Graham
Gregory McCabe
June Honeycombe

[REDACTED]

From: Linda Grammer [REDACTED]
Sent: Thursday, 6 August 2015 4:12 p.m.
To: NES PF Consultation
Subject: submission by Linda Grammer & Family NO to GE trees in NZ

Submission in response to: MPI proposed new NES for Plantation Forestry

Name: Linda Grammer-Vallings

Contact details:

L Grammer Vallings & family

[REDACTED]

[REDACTED]

[REDACTED]

Thank you for the opportunity to make a submission so that together we can achieve sound environmental and economic outcomes.

Our farming/ forestry family is extremely concerned about MPI's specific proposal 6.4 to allow GE trees and override NZ councils (excellent & much needed) precautionary and prohibitive GE policies/ rules in local plans.

We **oppose** the specific MPI proposal: **6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

Members of our farming/ forestry family have taken the time and trouble to obtain FSC certification for our forestry blocks (the FSC prohibits GE trees).

We do not want transgenic pollution from GE trees to contaminate our forestry operations and farming operations. We are in the business of producing safe and clean, nourishing food (and timber) of the highest quality for the most discerning markets, who do not want GE. They will not even accept trace contamination of GE/GMOs.

Submission and Reasons –

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

We note that GE trees are prohibited by both international certification bodies (Forest Stewardship Council- FSC- and the Programme for the Endorsement of Forest Certification- PEFC) who certify genuinely sustainable forests.

We must protect NZ's biosecurity, unique biodiversity, existing non GM primary producers, FSC and PEFC certified forestry blocks, our economy and the public health from outdoor GE tree experiments and releases.

We ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification ((Chapter 13, Recommendation 13.1, H1, p.339)) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no "duplication" between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Principal Environment Court Judge Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

References:

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>

[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

Changes we would like MPI to make -

- Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and
- Retain and provide for Regional/ Unitary, City and District Councils to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions' under the Resource Management Act (RMA).
- Protect the Regional/Unitary Plan and District Council/ City council mandate and duty of care, under the RMA, to the existing foresters, primary producers and businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

The decision we would like the Minister Nathan Guy to make

1. Remove all wording in the NES-PF in **6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82**, referring to genetically modified trees and rootstock.
2. Place an added condition in the proposed NES-PF stating that Local Bodies can continue to set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, environmental social and cultural wellbeing of their communities.

We wish to be heard. We wish to submit supplementary information/ evidence. Please keep us informed.

Sincerely

Linda Grammer-Vallings & family

s 9(2)(a)

From: s 9(2)(a)
Sent: Thursday, 6 August 2015 12:30 p.m.
To: NES PF Consultation
Subject: Submission on the Ministry for Primary Industries (MPI) proposed new National Environmental Standard for Plantation Forestry.

Dear Minister

Please do not allow GE crops, rootstock or seeds into our country.

Do not legislate to deny councils the right to decide what is planted in their districts.

It's a local issue and we the people, less than 50% of whom elected you to office, deserve to maintain control of what is grown in our otherwise GE free environment.

You do not have a mandate to decide this issue on our behalf.

Sincerely
Chris Graves

NES for Plantation Forestry Consultation

Dear Sir/Madam

Submission on the National Environmental Standards for Plantation Forestry Consultation Document

Together with my wife, I own a 220 ha block of land with 75 ha in plantation forest. We will be significantly affected by the proposed standards

Submission points

- 1) I support the proposed approach, i.e. the introduction of national standards for plantation forestry. The current proliferation of rules, and also the restrictions put in place by some councils are a disincentive to investment in forestry. National standards are the best approach, as the alternatives will just take too long to be introduced.
- 2) Environmental and council concerns have had a significant influence on the NES_FP. It needs to be understood, that any increase in regulation (or charging for regulatory services) has a detrimental effect on the decision to land owners to invest/reinvest in forestry. The alternatives for landowners then are often pastoral farming activities. Agricultural land use provides fewer environmental benefits than forestry, and has no benefits with respect to climate change. To meet our climate change commitments, we need to have more land under forest cover, rather than provide disincentives to landowners.

I submit to not allow any further tightening up of the NES_FP rules, and remove regulation where possible

- 3) An approach has been taken to erosion control, which simply looks at the detrimental effects of harvesting and then tries to minimise these at potentially inordinate cost to forest owners. This permeates the NES-PF and is evident e.g. in the earthworks, harvesting and river crossing rules. I suggest that a more balanced approach is to look at the life of a forest, and "average out" the positive effects on water quality with the detrimental effect of harvesting the forest. By only focussing on e.g. water quality at harvest time, foresters are asked to bear a

significant financial burden which does not compare fairly with other pastoral land uses and will drive land use away from forestry.

A concrete example is a harvesting road I am currently building. Due to the need to end-cart material, costs of earthworks increased from \$70 000 to \$100 000 – an increase of \$30 000. This cost will further erode the financial return generated by the forest. I cannot see any justification for it given that the nearest mapped water body is hundreds of meters away. Again, this provides a disincentive to invest in forestry.

I submit to review the approach taken to erosion control to focus on the “averaged out” effects of forestry rather than at harvesting time.

- 4) I suggest that the cost benefit analysis understates the benefits with respect to small growers. As an example, I am currently involved with a group of around 25 rural landowners in the development of a new district plan for Kapiti. Because of the controversial nature of some of the proposed provisions we have spend collectively perhaps 1000 hours on the forestry related policies and rules of the proposed district plan, with an estimated further 500 hours still to come. So even if you value our time just at \$30/hour, this equates to \$45000. Our involvement has been on top of the advocacy provided by Federated Farmers or the Farm Forestry association, and a number of land owners have sought professional advice - at additional cost. Given that there are perhaps 6 district and regional plans being reviewed each year, this equates to at least \$270 000 per annum. With the proposed standards in place, these costs would in my view be reduced by 90%. At the same time, I believe the costs for councils to develop and update plans, duplicating in effect each other's work – is understated. The NZIER assumes a cost of \$7500 per council pa to do this work, yet the Kapiti Coast district council would have spend > \$100 000 just on the forestry related provision of the proposed district plan.

I propose to adjust the cost benefit analysis accordingly

- 5) The benefits of not having to apply for resource consents in areas with currently more restrictive rules have been underestimated. From my own experience, I have encountered time delays of more than three months elapsed time due to the need to wait for resource consents. This time delay resulted in cost increases of \$30 000 for earthworks, that ended up in the wet season. The costs benefit analysis seems to take only the direct costs of consents into account, which in my case were another \$11 000. The consents did cost money, did not add value, and would not be required under the proposed standards given my forest is in a “low risk” area.

I propose to adjust the cost benefit analysis accordingly.

- 6) The approach to mapping significant indigenous vegetation varies markedly between different regional councils, depending on their philosophy. A good example is the mapping of such areas within the Horowhenua and the Kapiti district. In the former case almost no private hill country land is identified as having significant indigenous vegetation, whereas in the latter case >90% of hill country have been allocated this designation. Given that councils have the ability to be more stringent in such areas, the effect of the national standards is undermined, as in the Kapiti District they will often not apply to plantation forests.

I submit to make the NES-PF more prescriptive as to the ability of councils to apply different rules in significant natural areas.

- 7) In 6.1.1, it is stated that Outstanding Water Bodies allow councils to become more stringent where forestry would have an adverse effect on the identified values. However, the draft rules stipulate, that Councils ability to be more stringent is applicable only to setbacks. I support the latter, and for the purpose of clarity, 6.1.1 should be changed accordingly.

I submit to be more specific in 6.1.1 as to the ability of councils to be more stringent with respect to outstanding water bodies.

- 8) It is proposed that Regional and District Councils must be notified 20 days before harvesting starts, and a harvest plan must be made available 20 days prior to the start of harvesting. There is unlikely to be any benefit notifying councils when a small stand of trees is being harvested in the green or yellow zone. Currently, in the Kapiti District, harvesting of up to 10 ha of forest is a permitted activity, and this has caused no issues during the past 15 years.

I submit to change the rule so that in the green and yellow zone harvesting of up to 10 ha does not require council to be notified.

- 9) While it is stated that templates will be provided for Harvest Plans, Erosion Control Plans, Quarry Plans, etc, I suggest that this area is critical for the success of the NES_PF. For small forest owners, it is often uneconomical, to employ consultants for administrative processes, so to comply with the NES-PF and achieve a good outcome - both, for the environment and the forest owner - compliance needs to be as simple as possible. I expect not just templates, but also samples of such plans for both, a small woodlot of say 5 ha, and a medium sized forest of 50ha

I submit to provide templates and samples for all required documents for small and medium sized forests.

- 10) I support the statement re genetically modified organisms in 6.4. If tree stocks have been approved by the EPA, then there should be no impediment to planting

these trees. If some interest groups see a risk, then this should flow into the assessment process which the EPA applies – there should be no backdoor for such groups to undermine the choices foresters have in selecting tree stocks

- 11) I have become aware that Councils see issues around charging for their services and the recovery of costs. I am very concerned if the NES-PF would be introduced and councils were to charge for activities where no consent is required.

There are councils who today operate a reasonably permissive approach. These Councils have no cost recovery issues, and if in future, there is a need for consents in higher risk areas, then of course these costs will be recovered via a consent fee. I am concerned that councils that today operate a more restrictive approach will see some of the consenting revenue disappear, and it will be easier for these councils, to introduce, say a “monitoring charge”, rather than cut their cloth and reorganise their internal staffing levels.

District and regional plans today have a myriad of rules which council needs to monitor, and to single out forestry to pay for monitoring and general administrative work is not justified. Where a consent is not required, then that is because there is a low risk, and in this context, forestry is not different from the monitoring of dog regulations or the quality of local roads.

I submit that the NES-PF should state explicitly that no local charges will apply for permitted activities.

- 12) Earthworks (Page 65):

Setbacks for Earthworks near water bodies are specified, and need to be applied, “except where topographical constraints leave no alternative”. I suggest inserting the word “reasonable” before “alternative”. This is because there is always an alternative, but if e.g. a river is constrained by a steep hill side, then the alternative could be to move a 1000 m³ of rock and soil to achieve the required setback, and that would not be reasonable.

I submit to change the wording of the NES-PF as described.

- 13) Spoil (page 65)

Spoil must not be deposited “where it can deliver sediment into a surface water body”. In a 1 in 100 year rainfall event, it is unavoidable for some sediment from spoil to find its way into a water body. For that reason, I suggest to insert the word “readily” before “sediment”

I submit to change the wording of the NES-PF as described.

- 14) Ground Disturbance outside riparian zones – top of Page 70

There is a requirement for all temporary tracking to “be stabilised with water controls or other means...” It is not clear what falls under the term “temporary

tracking” If this included e.g. a rough bulldozed track which is being used to pull logs out along a spur, then it is impossible to meet this requirement. Any water controls would be immediately destroyed by the pulling of trees along this track.

I submit to remove this requirement. Alternatively, the requirement could be changed by inserting “Within 12 months of the completion of harvesting” at the beginning of the statement

15) Replanting of genetically modified tree stock – page 80

I support the rule allowing the use of genetically modified tree stock subject to such stock having been approved by the EPA

16) Quarrying – Page 75

Quarrying is often undertaken on a small scale, and due to this scale, any environmental impacts are minor. Having to create a quarry management plan and notifying council, just to extract a few truckloads of material is neither efficient nor is the administrative effort justified with regard to the potential risk.

I submit that the requirement for council notification and for a Quarry Management Plan only apply where more than 100m³ of material are being extracted

17) Ford – specific conditions – Page 89:

It is stated that no ford is located in a river listed as habitat for threatened species or sports fish spawning in any regional plan..”. This is should only apply for new fords. If it is foresters are expected to replace such fords with other means of river crossings, the costs would be astronomical.

Sport fish spawning areas are defined in the Fish Spawning Indicator. If this is not complete then in should be updated. It would create regulatory confusion uncertainty, to rely on regional council assessments in this rule, but on the Fish Spawning indicator elsewhere.

I submit to

- a) replace the words” no ford” with “now new ford”
- b) in context with sportfish spawning, remove reference to regional councils and replace it by referring to the Fish Spawning Indicator

Yours sincerely



Egon Guttke

25/7/2015



7 August 2015

Stuart Miller
Spatial, Forestry and Land Management
Ministry for Primary Industries
PO Box 2526
Wellington 6140

Re: Proposed Environmental Standards for Plantation Forestry

Dear Minister,

I write to oppose the proposed environmental standard for plantation forestry where it refers to genetically modified tree/root stock.

You as minister, or certainly your advisers, must surely be aware that this runs in straight contradiction of all past legislation.

The issue is far too major, and has too many potential consequences outside the area of plantation forestry itself, to be put into law without a much wider public announcement, debate and discussion than the back-door method of legislation involved here.

It is already plain that the developed world is willing to pay a substantial premium for organic products. In the long term, the best economic interest of New Zealand lies in using our recognized agricultural expertise, in our country which is well placed for the purpose through its comparative remoteness and island nature, deliberately to exploit a firm stance around the freedom of our products from genetic modification.

The proposed standard would allow genetically modified plantations in the open in an uncontained manner. It would therefore be absolutely opposed to our long term national economic interest.

/...

Moreover local bodies and councils must be able to manage regional and district land use through their functions in accordance with the Resource Management Act. Genetically modified organisms are not, and should not be, the sole responsibility of the Environment Protection Authority.

A Colmar Brunton survey of a thousand people in August 2013 found that 83% wanted New Zealand to be GM-free, and 79% agreed regions must be able to choose whether they wanted to stay GM-free. The survey was independent and the sample was large enough that these wishes must be respected, not bypassed by regulation.

Please ensure that the wording on genetically modified trees and rootstock in the NES-PF on pages 43, 64 and 82 is removed.

Please also ensure that the existing rights and responsibilities of local councils are protected.

Yours sincerely,

A handwritten signature in blue ink, reading "Robin Gwynn". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

(Dr) Robin Gwynn