

TO: West Coast Regional Council

FAX: 03 768 7133

RE: RC07150 submission.

SENDER: K. Hughley



**SUBMISSION ON AN APPLICATION FOR RESOURCE CONSENT UNDER
SECTION 96 OF THE RESOURCE MANAGEMENT ACT 1991**

TO: THE WEST COAST REGIONAL COUNCIL

NAME OF SUBMITTER: Kenneth Frederick David Hughey

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APPLICATION NUMBER: Re RC07150 Mokihinui Hydro Power Scheme

1. Introductory context

I have written multiple submissions over many decades. As former president and now life member of the NZ Salmon Anglers Association I was to the fore in promoting the Rakaia Water Conservation Order and protection of salmon rivers in general. And, in working first for the NZ Wildlife Service and then the DoC I was involved in multiple water resource issues, often involving hearings. Now, in my role as Professor of Environmental Management at Lincoln University, I find myself giving evidence in many water resource management hearings and involved in strategic planning (Canterbury Strategic Water Study Advisory Group) and integrated management (Chair Te Waihora/Lake Ellesmere Living Lake Symposium organising committee 2007). Obvious from this context should be a passion for things freshwater. I am a multisporter, white water kayaker, salmon angler, flyfisher, and amongst the dearest of passions – whitebaiter on the Mokihinui River. It is here that I have a whitebait stand, one that has been in my family for decades, a river I have fished since the 1970s – a river which amongst others ‘rules my life’.

I have undertaken the following activities on or alongside the Mokihinui, all downstream of the gorge:

- Whitebaiting, since the 1970s and I think almost every year since the mid 1980s, at my parents and now my stand;
- Trout fishing, every metre from the gorge to the sea;
- Kayaking;
- Mountain biking;
- Running; and

- o Walking and nature watching.

And, almost without exception, I have loved every minute of it, except perhaps for the two falls from my whitebait stand!

What follows is then, perhaps the most difficult submission I have had to write. Ultimately, I guess, I have to decide whether to support or oppose the application, or perhaps to sit on the fence and hope that the hearing committee will truly think of the multiple big pictures here.

2. Submission arguments

In now moving to make the key arguments of my submission I find I am torn between the following competing arguments, goals and philosophies:

- o I support the general principle that our wild and scenic rivers should be protected from HEP development – the Mokihinui is clearly an outstanding wild and scenic river – why does Meridian want to exploit an untouched wild and scenic river for what, in the bigger scheme of things, is a minute amount of energy? There is nothing I can find in Meridian's consultants' reports that properly address this issue.
- o The Mokihinui is so important to me and to my friends who make use of my stand, that I require an absolute guarantee, 'no ifs and no buts', that not only will the whitebait fishery (in its broadest context, i.e., fish stocks, fishability of the river, and river scenery: in Maori terms its mauri) not be negatively effected, if anything it will be enhanced – there is nothing in the Meridian's consultants' reports that suggest it will be enhanced, indeed I am left with some questions about the ongoing protection of what will remains. Having said this it does appear that an overall Buller area approach to whitebait habitat enhancement could benefit the Mokihinui fishery – a strong commitment to this approach is supported.
- o I support New Zealand's drive for more sustainable energy sources – hydro is clearly one of these, but not in a piecemeal, incremental way. I see nothing in Meridian's consultants' reports that properly addresses this strategic issue, or in any government or West Coast Regional Council planning document.

- As it stands some of the values of the Mokihinui, both upstream and downstream, are suffering. In the upper catchment there seems no doubt in my mind, and from 'evidence' I have read, that the river's blue duck population is suffering. In the lower catchment it is clear that (mostly) agricultural development has negatively impacted on small tributary inflows. The hydro dam will negatively impact on blue ducks currently in the gorge (it will destroy their habitat) but Meridian's mitigation plans will in my view more than offset this loss, and in the long run probably benefit the region's entire blue duck conservation efforts. Unfortunately there is no such strategy for tributary management of the lower river. This of course is not really Meridian's responsibility, it is the Regional Council's. Having said this, and in the absence of any Regional Council integrative initiative in this area, I implore both organisations to agree on an integrated approach to total catchment management. Evidence and commitment to such an approach would be greatly appreciated, at least by me.
- I have spent most of my adult life 'advocating' for my rights regarding instream values that I value. In a property rights sense I am the existing user of these resources and thus there is a clear opportunity cost, whether perceived or real (in either case then it is real), if someone else takes or uses or modifies my existing use right – Meridian is doing that in this case. Even more so in the Mokihinui - I hold a particular property right with respect to whitebait – a registered whitebait stand which has a tradable value. Has Meridian considered what the effect of its scheme will have on the value of these stands, if so what are the value changes, and if negative how does it intend to compensate the existing property right holder? If Meridian has not considered this matter then I ask that it does so before, and it presents the results at, the hearings.

3. Overall conclusions

My heart tells me I should oppose this proposal with every ounce of energy in my system. My quasi-'objective' thinking however, suggests I should be more open-minded, and that I should present a balanced approach reflecting my professional training and work in Integrated Environmental Management. Somewhat reluctantly therefore I am leaning in favour of the latter (and am therefore somewhat discounting

the 'not in my backyard' approach). To this end I present the following concluding paragraph and associated recommendations.

Should West Coast Regional Council be inclined to approve the resource consent applications from Meridian Energy, then I believe the following issues need to be addressed and provided for:

- (i) For the river and its outstanding values there should be a 'no net loss' approach taken – in other words there should be no loss of whitebait fishery or wildlife values; in accordance with this clear conclusion then:
- (ii) Meridian should be required to monitor the performance of the whitebait fishery (including obtaining scientifically defensible benchmarking data) to assure there is no loss in value of the fishery (measured in terms of fish stock available for anglers and for conservation, and in terms of fishing experience measured by amenity value to anglers). Meridian should have as part of this condition a mitigation or other plan available to show what it will do if the fishery begins to decline as a result of its activities. In relation to this requirement:
- (iii) Meridian needs to consider the affects of the development on the economic value of existing whitebaiting amenity as reflected in the prices paid for whitebait stands in the market place. It needs to look at recent transactions and model positive or negative perceptions and their impacts on prices. If prices look likely to decrease then Meridian needs to consider compensating existing property right owners.
- (iv) With respect to wildlife, I support a 'net conservation gain principle' that would be reflected in a management programme to significantly enhance the blue duck population in the catchment.
- (v) Finally, I want Meridian and West Coast Regional Council to agree in principle, and to operationalise in practice, an integrated catchment management planning process/approach for the Mokihinui which amongst other things would address existing mismanagement of a number of lowland tributaries to the river.

I do wish to be heard in support of my submission, although I am out of the country for conferences in mid-June early-July and then probably for part of September. If at

all possible, and this should be the case, I do not want the hearings to be held during the whitebait season.

klr hughey Signature of person making submission
22 April 2008 Date

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