



## Office of Hon Dr Nick Smith

MP for Nelson

Minister for the Environment

Minister for Building and Construction

Hugh Logan  
Chair, Land and Water Forum  
PO Box 10822  
**Wellington 6143**

28 FEB 2017

Dear Hugh,

I write to keep you informed of the Government's ongoing work programme to improve freshwater management in which the step by step improvements are largely attributable to the huge commitment by the Land and Water Forum.

There are three key issues in the Clean Water paper on which I have received questions and am happy to provide clarification.

The first issue regards the process with regional councils and the commitment to the goal of 90% of rivers and lakes swimmable by 2040. The concern is that in implementing the human health for recreation attribute, what commitment will regional councils have for achieving the 90% target. The proposed new Freshwater NPS explicitly requires councils to improve water quality for swimming. I also enclose a copy of my letter to regional councils that sets out the process they are being asked to follow to achieve the national swimming targets. If needed, the Government is willing to use its powers under the Resource Management Act to ensure the Clean Water plan is finalised and implemented.

The second issue is the status of the detailed table on the website setting out the four statistical tests involved in establishing the attribute state from Excellent (Blue) to Poor (Red) for swimming. All four tests have been used in determining the maps and current totals. They will apply to future targets and will be included in the legally binding Freshwater NPS once refined following consultation. I am quite confident that the consultation requirements have been met by them being published on the web.

The final issue that has been raised is in respect of the Forum's recommendations on DIN, DRP and macroinvertebrates. We have been reluctant to adopt a specific MCI number for triggering a response because my scientific advice is that this trigger point varies significantly between freshwater bodies. If the Forum has a differing view on the science, I would require further guidance. I am open to refinements in the language in the Freshwater NPS on the follow up methods required such as action plans to respond to changes in the measurements of these indicators.

I hope this clarification will help inform ongoing input into the consultation phase of these next steps to strengthen the Freshwater NPS. I would also wish to further involve the Forum in the finalisation of the Freshwater NPS changes after all public submissions have been received.

Yours sincerely

Hon Dr Nick Smith  
**Minister for the Environment**



## Office of Hon Dr Nick Smith

MP for Nelson

Minister for the Environment

Minister for Building and Construction

28 FEB 2017

David Bedford  
Chair, Environment Canterbury  
PO BOX 345  
**CHRISTCHURCH 8140**

Dear David

I write to advise you of the work programme moving forward on the Government's new 'Clean Water' and '90% of rivers and lakes swimmable by 2040' initiatives. I want to encourage input and an early start to the implementation of these ambitious goals.

The new policy is significantly more ambitious than the existing Freshwater NPS in respect of human health for recreation. The current Freshwater NPS is focused on secondary contact (wadeability) and sets a requirement of the annual median achieving an E.coli of less than 1000/100ml with no timetable for implementation. The Government has set a target for rivers and lakes of 80% by 2030 and 90% by 2040 meeting a swimmable standard. We have proposed a new objective and policies in the Freshwater NPS to ensure this target will be achieved. The swimmable standard is graded between excellent, good and fair relative to a complex matrix of four statistics, but which includes a maximum 130/100ml E.coli annual median (compared to the current 1000) across all three categories.

I wish to draw your attention to two particular aspects of the proposed new policy. The first is that it requires not just an increase in the proportion of swimmable rivers and lakes from 72% to 90%, but an increase in all the swimmable categories. Nationally we will need to lift 10,000km from unswimmable to swimmable but a total of 26,000km or half of all rivers and lakes will need to achieve an improvement in their status for human health for recreation by at least one category.

The second aspect is the policy intent of different regional responsibilities. I want to draw your attention to the new legal requirement in the proposals for every regional council to improve the water quality for swimming in their region. You will note that some regions have swimmability as low as 29% and some as high as 99%. To achieve the nationwide 90% by 2040 target, regional councils will need to take on varied regional targets with many well in excess of 90%. To achieve the national targets, a council with 99% swimmability needs to be focused on growing the proportion of rivers with excellent and good gradings.

Please note that the detail for your proposed regional targets (by October 2017) and finalised targets by (March 2018) must include the following information:

- the rivers and lakes where interventions that are planned or in place that will improve water quality so that it is swimmable
- the rivers and lakes where additional interventions will improve water quality so that they are swimmable more often, the level of improvement those interventions would achieve, and the timeframes to achieve them
- the likely costs of the interventions described above, and the parties on whom those costs would fall

I wish to make plain the Government's ambition to progress improvements in freshwater quality. We acknowledge the significant efforts that has gone into implementing the Freshwater NPS to date and I look forward to receiving the implementation reviews from the Land and Water Forum and the Ministry for the Environment. This next phase of work on swimmability needs priority and commitment. I look forward to receiving your Freshwater Improvement Fund applications by 13 April 2017, your submissions on the Freshwater NPS amendments and stock exclusion regulations by 28 April 2017 and your proposed regional swimming targets by October 2017 and finalised swimming targets by March 2018.

I also welcome a direct dialogue with councils during my regional visits.

Yours sincerely

Hon Dr Nick Smith  
**Minister for the Environment**