

18 November 2022

National direction for plantation and exotic carbon afforestation consultation
Forestry and bioeconomy policy
Ministry for Primary Industries
PO Box 2526
Wellington 6140

Tēnā koutou,

Canterbury Regional Council submission on *National direction for plantation and exotic carbon afforestation consultation*

The Canterbury Regional Council (Environment Canterbury) welcomes the opportunity to provide feedback on the discussion document – *National direction for plantation and exotic carbon afforestation*. Please find attached Environment Canterbury's submission.

As a regional council, we have an important role in delivering our region's freshwater management, integrated farm planning, flood resilience, air quality management while managing our own forestry, the impacts on soil erosion and supporting biodiversity regeneration through habitat enhancement and biosecurity functions. This submission reflects our experience in these areas.

Environment Canterbury looks forward to ongoing involvement as the Ministry for Primary Industries continues their work.

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Yours sincerely



Peter Scott
Chair



Dr Stefanie Rixecker
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Encl: Environment Canterbury Submission on the *National direction for plantation and exotic carbon afforestation consultation*

Submission to the Ministry for Primary Industries on *National direction for plantation and exotic carbon afforestation consultation*

Canterbury Regional Council and the role of forestry

1. Canterbury Regional Council (Environment Canterbury, the Council) welcomes the opportunity to comment on the Discussion Document on proposals affecting afforestation and the management of plantation and exotic carbon (permanent) forests.
2. The Canterbury Regional Council has a range of responsibilities and interests that intersect with the topics in this Discussion Document including the impact of afforestation on soil erosion, water quality, water availability, wilding pines, landscape and cultural values and the role of sequestration in climate change mitigation, biosecurity, fire management, and biodiversity.
3. As outlined in our Long-Term Plan Te Pae Tawhiti 2021-2031, we are creating a shared regional approach to biodiversity – enabling, leading, and supporting partnerships that will protect and restore Canterbury’s indigenous biodiversity, economic production, and mahinga kai.
4. Environment Canterbury manages 2,700 hectares of forests ranging from Kaikōura to Tekapo/Takapō. We manage our forests to provide flood protection and soil conservation. Forests also provide an additional source of income, recreational opportunities for the community, and offset our carbon footprint through the NZ ETS.
5. Environment Canterbury is the Regional Council for the largest geographical region and second most populous region in New Zealand. Our region boasts a diverse range of habitats and ecosystems that support a remarkable array of plant and animal life, which contributes to a wide range of community needs and expectations. Environment Canterbury acknowledges the importance of Canterbury’s biodiversity and our role in sustaining it.
6. Environment Canterbury, as the first council in New Zealand to declare a climate emergency, understands and acknowledges the importance of and urgent need to address climate change for the benefit of current and future generations. Our vision and purpose are:

Taking action together to shape a thriving and resilient Canterbury, now and for future generations. Toitū te marae o Tāne, toitū te marae o Tangaroa, toitū te iwi.
7. Increasingly the sense of urgency in our purpose has only grown and we acknowledge that carbon sequestration plays a crucial role in abating the climate emergency.
8. In previous consultations Environment Canterbury advocated for an exotic carbon (permanent) forest category to be included in the current National Environmental Standard for Plantation Forestry (NES-PF). We emphasise that bringing carbon forestry into the scope of the NES-PF could extend the current shortcomings of the NES-PF also onto carbon forestry, if not managed well.
9. While noting the focus of this Discussion Document is on afforestation and the management of plantation and exotic carbon (permanent) forests, we re-emphasise the

need to actively reduce gross emissions rather than using offsetting and trading through forestry as a primary tool to meet our national 2050 emissions reduction targets and emphasise the importance that regulatory tools play in achieving this.

General comments

10. Environment Canterbury **generally supports** the proposed changes to the NES-PF outlined in the Discussion Document. We particularly **support** the inclusion of permanent exotic carbon forestry in the NES-PF, improved controls on wilding conifer spread and better alignment between the NES-PF and the National Policy Statement for Freshwater Management (NPS-FM).

National direction needed to guide value trade-offs between exotic afforestation and native regeneration

11. Environment Canterbury has concerns with some aspects of the proposals including adverse effects on natural environmental values, such as the likelihood that exotic afforestation will increasingly replace indigenous vegetation especially on marginal land.
12. Permanent exotic afforestation can mean forgoing opportunities for natural regeneration of native ecosystems, such as wetlands and tussock grasslands. These ecosystems have multiple benefits including carbon sequestration (usually slower, but longer term than sequestration from exotics), increases in biodiversity, while concurrently reducing fire risk and weed spread.
13. Permanent exotic carbon forests in Canterbury are often planted in regenerating non-forest ecosystems, such as tussock grasslands and shrublands. These ecosystems are usually seen as marginal land rather than as productive farmland which results in the loss of these ecosystems and the ecosystem services they provide.
14. The Council notes that New Zealand does need exotic forest planting in the short term to meet emissions targets. This is well explored and is a recommended avenue from the Climate Change Commission. However, policy settings should transition to favouring native planting, particularly through native regeneration.
15. The Council highlights the need for an intergenerational strategy when considering options for new national direction for forests, including the consideration and implications of Te Mana o Te Wai and national 2050 emissions reduction targets.
16. We support the retirement of marginal farmland to allow natural regeneration of native ecosystems over exotic afforestation.
17. We note the NES-PF appears to be trying to fill a policy gap. It seems more appropriate to have national direction where value trade-offs need to be made (for example climate change vs social values) and guidance on how to navigate the relationship between the NES-PF and NPS-FM, National Policy Statement for Highly Productive Land (NPS-HPL) and National Policy Statement for Indigenous Biodiversity (NPS-IB) when making consent and spatial planning decisions.

18. Environment Canterbury highlights the need to reflect the principles of Te Tiriti when developing options for such new national direction, including for forestry.
19. We note that the proposed changes to the NES-PF should as far as practicable be made cognisant of the outcomes sought from the Resource Management reform.

National direction needed to guide policy trade-offs in managing effects of plantation and exotic carbon afforestation

20. Environment Canterbury acknowledges that there can be negative environmental effects associated with exotic forestry, such as:
 - Direct loss of indigenous biodiversity and habitats (e.g., regenerating native scrub on marginal hill country farmland) through exotic forest planting.
 - Indirect or edge effects on nearby ecologically significant areas e.g., from weed spread and increased fire risk.
 - Impacts of forestry on water quality, water quantity and aquatic ecosystem health.
21. The Canterbury Region is a good example of the adverse impacts of wilding conifers on conservation lands and pastoral land uses. However, we acknowledge that exotics have a role to play in flood protection, soil stabilisation, and reducing sediment and debris flow into waterways.
22. We note that to date the National Environmental Standard for Plantation Forestry (NES-PF) and existing controls have been suboptimal at managing environmental effects of afforestation, particularly around protecting landscapes and indigenous biodiversity. The combination of drivers, levers and incentives (including proposals in the Ministry for the Environment's *Pricing Agricultural Emissions* consultation document) may mean that in the future large areas are planted out in exotic forests and so an appropriate regulatory framework is critical.
23. While the intention of extending the scope of regulatory controls to control the location of afforestation (plantation and exotic carbon) to manage social, cultural, and economic effects is supported further strategic policy direction, eg through a national policy statement, is needed to ensure this can be undertaken in a way that is efficient, enables consistency and ensures the original objectives of the NES-PF continues to be met.

Capacity and capability constraints of councils

24. We also have concerns about the increased pressure on already stretched local government to develop, monitor and enforce new planning provisions for forestry.
25. We note the NES-PF places a data collection burden on regional councils and territorial authorities. We encourage MPI and MFE to investigate a national platform for data collection, that forwards notifications on to the relevant council (such as that in place for reporting on the use of synthetic nitrogen fertiliser). We consider this is in keeping with the original aim of the NES-PF – to standardise the way forestry activities are regulated across Aotearoa/New Zealand.

Alignment with New Zealand Emissions Trading Scheme (NZ ETS)

26. Alignment with other national direction including the NZ ETS is critical to successful management of the effects of forestry.
27. As announced in early October 2022, the permanent forest category is to remain unchanged in the NZ ETS, coming into effect on 1 January 2023 as currently legislated. Environment Canterbury cautions that thousands of hectares of farmland, marginal land that is not farmed but supports indigenous biodiversity, and Māori land will be put into monoculture exotics long-term. Environment Canterbury considers the imperative should instead be to restore our lost indigenous forests. We emphasise that as long as there are price incentives for storing carbon through the NZ ETS, there are insufficient incentives for restoring native forests, which will be crucial to ensuring environmental outcomes.
28. We recommend that the Government encourage continuous forest cover management of all forests, including regenerated or planted native forests, by modifying the NZ ETS, as one lever to maintain soil conservation and biodiversity values.
29. We support transitioning exotic to indigenous forests for long-term sequestration, if planted in environments suitable for this to occur under the correct management. This should be research driven and can be a cost-effective approach through the NZ ETS to meet both carbon sequestration and biodiversity goals if managed correctly. We note that natural regeneration is difficult in much of Canterbury due to a lack of local seed sources. Transitioning exotic forests to indigenous would therefore rely on planting indigenous species.
30. We emphasise that the NZ ETS should recognise, alongside tree planting, other land-forms such as natural wetlands. This would incentivise landholders to view marginal farmlands and scrublands not as unproductive areas, but as revenue creating assets to be further nurtured for wider biodiversity outcomes and carbon sequestration benefits. The concept of a biodiversity certificate scheme could be considered as has just been introduced in Australia to give eligible landholders access to funding to protect, manage and restore areas of native vegetation on their land in order to generate biodiversity credits.¹

Part A: Proposal to extend the scope of regulatory controls to manage the environmental (biophysical) effects of exotic carbon forests.

31. With consideration given to the below matters Environment Canterbury **supports a combination of Option 2 (*amend the NES-PF to include exotic carbon forests*) and Option 3 (*amend the NES-PF to require Forest Management Plans for exotic carbon forests*)** to best address current challenges and provide for long-term forest management.

¹ <https://www.pm.gov.au/media/biodiversity-certificates-increase-native-habitat-and-support-australian-landholders>

32. We support a national level definition for exotic carbon forestry to promote consistency between national, regional and local management of exotic carbon forestry, and national direction for regional and local planning documents. However, we emphasise that bringing carbon forestry into the scheme of the NES-PF could extend the current shortcomings of the NES-PF also onto carbon forestry, if not managed well.
33. Environment Canterbury **agrees**, in connection with Option 2, with **Q. A3** that the environmental effects of exotic carbon forests should be managed through the NES-PF. Exotic carbon forests have similar characteristics to exotic plantation forests, e.g. they follow the same afforestation methodologies.
34. It is important that councils retain the ability to make more stringent provisions than those contained in the NES-PF in regional and district plans, where appropriate.
35. Environment Canterbury **does not support** the addition of a new matter of discretion to enable councils to consider wind effects to manage potential instability of all forests. We note that the purpose of this consideration should be clearly related to council functions, eg managing the effects of natural hazards. If a matter of consideration is to be added then it needs to be clear for what purpose, eg managing the effects of windthrow of trees to people and infrastructure.
36. We also note that **Q A7** proposes this discretion be limited to red-zoned land² as identified by the Erosion Susceptibility Tool (ESC). As recognised in the Discussion Document in connection with **issue D10a**, the ESC is a national mapping tool that can over or underestimate risk erosion susceptibility. The identification by the ESC of Banks Peninsula/Te Pātaka o Rākaihautū as having no red-zoned land is a concern to the local community and does not align with the Canterbury Land and Water Regional Plan which identifies large parts of the same land as High Soil Erosion Risk areas. We consider the discretion to Councils to consider wind effects should also apply to orange-zoned land³ where resource consent is also required⁴. We suggest guidance should be provided to assist councils undertake assessments to determine the suitability of afforestation in relation to wind effects and associated impacts on slope instability.
37. The requirement for Forest Management Plans (Option 3) enables a context specific approach to be taken to exotic carbon forest management. We note that carbon forestry can also be expected to involve harvesting, albeit typically over longer rotations. As such, potential adverse environmental effects from harvesting and sedimentation from carbon forestry also need to be carefully considered.
38. Environment Canterbury **supports** Option b of **Q A11** that proposes that Forest Management Plans should manage environmental effects as well as forest outcomes.

² Red-zoned land relates to land most likely to erode. Most Plantation forestry activities cannot be carried out on red-zoned land without resource consent.

³ Orange-zoned land relates to land more likely to erode. Plantation forestry activities are generally permitted activities other than on a slope of 25 degrees or more.

⁴ We also refer you to our response to **Q D10a** later in this submission.

39. Greater clarity is needed as to how Forest Management Plans would be audited to verify compliance and we caution that councils may not have the necessary capacity and capability to undertake this. We emphasise that it will be crucial that foresters of small, as well as large, carbon forests are capable of achieving the desired outcomes and management requirements identified in Forest Management Plans.
40. We **support** the preparation of guidance to support the use of Forest Management Plans and, in particular in connection with the transitioning of forest types. We consider the range of information to be included in Forest Management Plans for the transitioning of forests (**Q A12**) should, as a minimum, include
- spatially appropriate units to address environmental variabilities
 - current state of vegetation
 - natural vegetation type
 - long term objectives, expected silvicultural + pest management plan for forest for 100+ years to achieve this, incl. a backup plan if transitioning fails.
41. We note that there is likely to be significant variation in appropriate management approaches and these will need to take into account a range of considerations including spatial location. We recognise this is a growing field of knowledge⁵.

Part B: Options to extend the scope of regulatory controls to control the location of afforestation (plantation and exotic carbon) to manage social, cultural, and economic effects

42. In Canterbury there are already controls on the location and scale of exotic forest in some instances, such as afforestation in water short catchments to manage environmental effects.
43. The social, cultural and economic effects of plantation and exotic carbon afforestation is also a concern for some communities in parts of Canterbury. We agree there is a need to strengthen the existing ability for social and economic effects⁶ to be managed while also ensuring the original objectives of the NES-PF to maintain or improve the environmental outcomes associated with plantation forestry activities and increase the efficiency and certainty of managing plantation forestry activities continues to be provided.
44. We note that the Discussion Document provides two options relating to the introduction of a consent process and whether decisions are appropriately made at local level, by councils (option 1), or through national direction (option 2). The Discussion Document does not identify a preferred option.
45. Environment Canterbury considers that local Councils are best placed to make long-term decisions for their communities. We also consider there is a need to enable local Councils make those decisions efficiently in the short term in recognition that changes to District and Regional Plans can require longer timeframes.

⁵ <https://www.mpi.govt.nz/dmsdocument/47521-Transitioning-Exotic-Plantations-to-Native-Forest-A-Report-on-the-State-of-Knowledge-2021-22->

⁶ We note that the RMA provides for cultural effects to be taken into account and cultural matters are outside the scope of, and are therefore unfettered by, the NES-PF.

46. In consideration of the matters discussed below Environment Canterbury **does not support either option at this time** and requests further strategic policy direction, eg through a national policy statement, to ensure this can be undertaken in a way that is efficient, enables consistency and ensures the original objectives of the NES-PF continues to be met.
47. Effective management of the social, cultural and economic effects of forestry requires alignment with other relevant national direction including, but not limited to, the NPS-HPL, NPS-FM, NPS-IB and national strategies including the Emissions Reduction Plan (ERP) and the NZ ETS.
48. Environment Canterbury has reservations as to whether a national environmental standard is the appropriate form of national direction to undertake policy-based decision making. Environment Canterbury encourages further consideration of other forms of national direction such as a national policy statement to support the NES-PF and provide appropriate strategic policy direction.
49. We recognise that future regional spatial strategies (RSS) will play a significant role identifying regional issues, areas suitable for development, 'priority actions' needed to achieve the strategy's vision and objectives. We emphasise the need for alignment with the role and purpose of RSS and controls on the location of plantation and exotic carbon afforestation.

Part C: Proposal to extend the scope of regulatory controls to improve wildfire risk management in all plantation and exotic carbon forests.

50. In Canterbury there are areas that are particularly vulnerable to wildfire, such as the Mackenzie Basin and surrounding areas as seen with the Lake Ōhau and Lake Pukaki fires in 2020. We emphasise that exotic afforestation in vulnerable areas needs to be carefully managed or avoided.
51. Environment Canterbury supports the proposal to extend the scope of regulatory controls to improve wildfire risk management in all plantation and exotic carbon forests and notes the strategic level role of wildfire risk management which RSS can direct.
52. While Environment Canterbury **partially supports** the option to amend the NES-PF to add a new requirement for forests over one hectare to have a Wildfire Risk Management Plan (WRMP) (Option 1) there is concern about the necessary capacity and capability of councils to assess the quality and efficacy of such plans.
53. We emphasise that significant support and agency alignment will be required to assess WRMPs with a lead-in time for implementation to allow the necessary relationships to be established.
54. Wildfire risk management plans could assist in providing for active management and would help to discourage the 'plant and leave scenarios' perception of exotic carbon forestry. The requirements for a WRMP should vary depending on the size of the forest,

but also to take into account neighbouring land use and risks, eg. where it also adjoins forestry will likely increase the fire risk.

Part D: Proposal to address matters identified through the Year One Review of the NES-PF to better enable foresters and councils to manage the environmental effects of forestry

Wilding conifer risk management (Q D1 – D4)

55. Although much progress has been made in recent years to control the spread of wilding conifers, there are still gaps and limitations in the current policy and regulatory frameworks with regards to wilding conifer management.
56. Environment Canterbury agrees with the gaps outlined in the *Wilding Conifer Management in New Zealand*⁷ report, such as
- The potential for wildings to spread from trees that are not covered in the NES-PF including small woodlots, shelterbelts, and permanent carbon forestry;
 - a lack of confidence in the wilding tree risk calculator; and
 - no requirement to use the calculator for replanting.
57. We acknowledge that some of these gaps would be resolved under the proposed changes to the NES-PF.
58. Environment Canterbury **supports** the **proposal 1 – Q D1** to update the wilding tree risk calculator and guidance and require submission of a standardised worksheet assessment to councils at least six months prior to planting. Guidance and template worksheets will increase consistency and reduce wilding risk.
59. We **support** proposal **Q D2** of an increased minimum notification period. Environment Canterbury suggests extending the notification period for wilding conifer scores to open no earlier than 18 months and no later than 6 months (wording suggestion e.g., ‘the notification period for providing wilding conifer scores is between 6 and 18 months before afforestation commences’). Plant types and numbers need to be confirmed and purchased 12-18 months in advance. The calculator should be used before making any plant orders. This recommended period thus allows for seedling orders to be locked in at least 12 months before planting and acknowledges high current demand.
60. We note the value of adding a point in the guidelines which clearly directs people towards the relevant Regional Pest Management Plan, as some plans do not allow certain species to be planted.
61. We emphasise the need for careful, site-specific species selection and recommend adding the possibility of considering more stringent scoring to encourage better plant choices and enhance environmental outcomes, e.g., increased erosion control.

⁷ https://wildingpinenetwork.org.nz/wp-content/uploads/2022/04/Wilding-Conifer-Management-in-NZ_Report-for-WPN_Final.pdf

62. Environment Canterbury sees value in creating a supporting online calculator capable of emailing all parties the results of the tree risk calculator. The data entered could also be used for reporting purposes at national and regional levels, providing a better understanding of current state.
63. The Council suggests reviewing the Wilding Tree Risk Calculator with research on *Pinus radiata* wilding spread in non-(sub) alpine areas, as the calculator seems to have bias towards higher altitudes.
64. We emphasise that the Wilding Tree Risk Calculator should include the ability to consider increased risk due to climate change and the greater risk of wilding spread from permanent forests as opposed to plantation forests. It should also be acknowledged that risk can change during the lifetime of the forest, particularly when adjoining land use changes.
65. Environment Canterbury **supports** proposal 2 to require all forests to assess wilding tree risk at replanting. The ability to replant without considering wilding risk is leading to increased wilding spread. Harvesting wilding conifer forests, e.g., *Douglas fir* should be replanted with alternative non-wilding species such as hybrid *Pinus attenuata* * *radiata*.
66. The Council partially agrees that changes to NES-PF regulation 79(6) will clarify the intent and avoid confusion over property access rights. We agree it will provide improved clarity of wilding conifer management within the boundaries of the parcel of land in which the forest is planted and the ability to manage wetlands and SNAs. It however provides no confidence that work on adjacent land will be undertaken given that it is dependent on the approval of the land holder.
67. Consideration needs to be given to ensuring that wilding conifers spreading onto neighbouring land is managed through agreement or alternate means. A lack of such has the potential to encourage wilding conifer spread.

Initial alignment with NES-Freshwater (Q D8 – D9)

68. Environment Canterbury **supports** alignment of provisions of the NES-PF with the same provisions in the NES-Freshwater (NES-F).
69. While Environment Canterbury **supports** aligning the NES-PF with the NES-F, the NES-F does not provide any specific pathway to enable forestry activities, particularly in regard to natural wetlands.
70. We recommend aligning set back areas for natural wetlands, distance or activity restrictions based on wetland size.
71. We **do not support** the proposal for **issue D9a** if existing use rights are in play. We emphasise the need for an opportunity to consider the best and most appropriate management to protect the values of that area.
72. The National Policy Statement for Freshwater Management (NPS-FM) requires regional councils to include policy within regional plans to avoid the loss of natural wetlands,

protect their values, and promote their restoration. The NES-PF enables plan rules to be more stringent if they give effect to the NPS-FM. There are exclusions, but none specific to forestry activities. Regional councils would need to be satisfied that the activity listed under D4a is necessary for the specified infrastructure. The proposed text inclusion regarding vehicle/machinery use around wetlands does not clearly outline if these activities may be restricted under a regional plan and does not demonstrate alignment with the objectives of the NPS-FM or the regulations in the NES-F.

73. Environment Canterbury agrees with the alignment proposals in Table 5 (**Q D8**). We **support** the general use of the FSI with the caveat that regional authorities should have the discretion to add additional sites as they are found and the option of using verified site-specific information should be available. Updates of the FSI are, as described, irregular, and the model is imperfect.

Operational and technical issues (Q D10 – D19)

74. We **support** the proposal for **issue D5d** for temporary structures, such as fords and rivers providing that they allow fish passage. Existing structures are more of a concern where the criteria that applies to new structures is not met. There should be provisions that require the upgrade or retrofit of these structures over time. National fish passage guidance criteria should be applied to all structures old or new.
75. Environment Canterbury **supports** having longer notice periods based on the risk factors at the site (**issue D7a**). We agree with the list of triggers and recommend adding cultural values.
76. Environment Canterbury **generally supports** regulatory alignment regarding **issue D9b** but would caution that this needs to be sufficiently mapped out and consulted on to ensure robustness. Sufficient lead in time would be needed when aligning the NPS-IB and the updated NES-PF, to allow for the necessary information to be compiled.
77. Environment Canterbury shares the concern that has been raised in regard to the wording of part (b) of **issue D9c** and **supports** the removal of this part.
78. Environment Canterbury **supports** the proposal for **issue D10a** and emphasises the need for greater tool consistency. An example of tool inconsistency is the erosion susceptibility tool which does not identify Banks Peninsula as a high-risk area requiring consent for afforestation, although the Canterbury Land and Water Regional Plan identifies the same as high soil erosion risk areas.
79. We acknowledge that Councils may require a discharge permit if their rules meet the stringency requirements (**issue D11a**).
80. Environment Canterbury **does not support** the proposal for **issue D13a**. Allowing charging for receiving, assessing and triaging notifications would aid prioritisation of site visits with our limited resources. It also demonstrates to foresters the importance of what they do (people value what they pay for) and gives more opportunity to build relationships between foresters and Council. It would improve the quality of information provided (e.g. better information, less assessment, less cost).

Capacity and capability of local authorities to implement the NES-PF (Q D20 – D22)

81. We reiterate the importance of being able to use the best available, site-specific information and the role of central government to design a tool to collect and store notifications (similar to the MFE synthetic n-cap tool). This is supported as a more efficient and standardised approach for the forestry industry to submit information.
82. A phased approach to implementation would also be beneficial to better facilitate the outcomes approach of regional planning through the new resource management system.
83. We emphasise that it will be crucial to ensure foresters have the capacity and capability to achieve the desired outcomes.