

EXCLUSIVE ECONOMIC ZONE AND CONTINENTAL SHELF (ENVIRONMENTAL EFFECTS) ACT 2012 (the Act)

Coastal Resources Limited (CRL) application for marine dumping consent

M7 – Minute of the Decision-making Committee – 26 November 2018

Information on commercial fisheries, oceanography and marine mammals

1. As set out in Minute 6, the DMC requested Fisheries Inshore NZ (**FINZ**) to confirm with the Environmental Protection Authority their position was as set out in the fifth memorandum of Counsel from Coastal Resources Limited (CRL).
2. On 20 November 2018 FINZ confirmed its position is as documented in CRL's fifth memorandum of Counsel and maintains its desire for the establishment of a seafood liaison group. FINZ no longer wishes to pursue concerns about the potential effects of the proposal on commercial fishing activity.
3. The DMC has considered the response from FINZ and the subsequently received joint witness statements from the expert conferencing undertaken on marine ecology and the facilitated meeting held on marine mammals. The DMC does not consider it necessary to request the information from Trident Systems but if CRL considers that the information would be of benefit to the DMC they may present this information in the supplementary statement when the relevant expert appears at the hearing.

Technical review and analysis of oceanographic information (Oceanographer Report)

4. On 20 November 2018, the DMC received the Oceanographers Report that reviewed the oceanographic information in CRL's application documents, and evidence from CRL and submitters. The DMC notes that the report identifies some key issues and includes a number of recommendations. This report has been circulated to parties and is available on the EPA website.
5. The DMC wishes to receive further information from CRL under s 54 of the EEZ Act addressing the key issues and recommendations in the oceanographers report. In particular the recommendations:
 - a. To establish a better baseline for suspended sediment concentrations (SSC), including variations in time and space as outlined on page 8 of the Oceanographers Report; and

- b. To produce an additional output from the plume model to illustrate and quantify the fate of the passive plume as outlined on page 8 and 9 of the Oceanographers Report.
6. The DMC requests that these recommendations be commented on by CRL's expert in their supplementary statement when they appear at the hearing.

Outcomes from the facilitated meeting on marine mammals

7. A facilitated meeting on marine mammals has taken place and the outcomes of the meeting have been recorded in a statement. This statement has been circulated to parties and is available on the EPA website.
8. The DMC notes that the participants have recommended that a map showing the likely transit routes in relation to marine mammal sightings would be useful and that the DMC should request CRL to provide a map overlaying the various proposed barge travel routes on the recorded marine mammal observation locations. The DMC agrees that this information would be useful and requests that this map should be provided as part of Dr Simon Childerhouse's supplementary statement of evidence to be presented when he appears at the hearing.

For the DMC:

A handwritten signature in black ink, appearing to read 'Mark Farnsworth', with a stylized flourish at the end.

Mark Farnsworth

DMC Chair

26 November 2018