

Coastal Resources Limited marine dumping consent application

Submission Reference no: 63

Te Runanga Papa Atawhai O Tāmaki Makaurau Auckland Conservation Board (Lyn Mayes)

Submitter Type: Not specified

Source: Email

Overall Notes:

Clause

Do you intend to have a spokesperson who will act on your behalf (e.g. a lawyer or professional adviser)?

Position

Yes

Notes

Clause

Please list your spokesperson's first name and last name, email address, phone number, and postal address.

Notes

Board Member Andrew Jeffs: a.jeffs@auckland.ac.nz.

Clause

Do you wish to speak to your submission at the hearing?

Position

Yes I/we wish to speak to my/our submission at the hearing

Notes

Clause

If you wish to speak to your submission at the hearing, tick the boxes that apply to you:

Position

If others make a similar submission I/we will consider presenting a joint case with them at the hearing.

Notes

Clause

We will send you regular updates by email

Position

I can receive emails and my email address is correct.

Notes

Clause

What decision do you want the EPA to make and why? Provide reasons in the box below.

Position

Refuse

Notes

Full submission is attached.

Te Runanga Papa Atawhai O Tāmaki Makaurau
Auckland Conservation Board

Board File Ref: ACB-1964
7 September 2018

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Wellington 6140
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CRL Application – Marine Dumping Consent

The Auckland Conservation Board has a statutory role in advocating its interests in any public forum or in any statutory planning process. In this regard the Board would like to make the following submission in relation to the Coastal Resources Ltd's application for marine dumping on the continental shelf beyond Aotea.

Our particular concern relates to the inadequacies of the application, and the measures in the existing consent in relation to identifying and addressing possible impacts of the proposed activity on marine mammals and seabirds which use the area in the vicinity of the transit route to the dump site, and surrounding the dump site itself.

The material supplied with the application (report prepared by Bioresearchers) provides only cursory information on the use of the ocean area in the vicinity of the dump site by marine mammals and seabirds, based largely on incidental observations and unverified anecdotal reports. What is clear is that a variety of marine mammals are active in this area, some of which are of significant conservation concern, and these mammals have the potential to be disturbed in their natural activities by a significant amount of vessel traffic and industrial activity on the water associated with the dumping activity.

There is extensive scientific evidence for the interference of natural behaviour of marine mammals of a wide variety of species by vessel activity. This interference can relate to direct physical contact via impact with vessel hulls, through to long distance avoidance behaviour by marine mammals in response to vessel noise. These possibilities are not assessed in any credible manner by the application.

For example, the risk for vessel strike from many hundreds of additional vessel movements in the Gulf and in the area around the dumping site resulting from the proposed marine dumping consent is not assessed in the application. The unique local population of Bryde's whales in the Hauraki Gulf have suffered significant mortality in recent years as a result of being struck by transiting vessels in the Gulf. Yet this species has been observed in the vicinity of the dumping site. Likewise, the underwater noise generated by the vessels and dumping activity are not adequately assessed, in relation to their potential sphere of influence in altering cetacean behaviour. Sound generated from vessels and industrial activities at sea travels significant distances underwater and can affect marine mammals at some considerable distances.

The current monitoring provisions for the presence of marine mammals, that are proposed for continuation, have no credible scientific basis. For example, there is no evidence that the species of concern are likely to vocalise within a 30 minute period of monitoring prior to dumping, which is a key basis for determining presence of marine mammals in the vicinity of the dumping site.

Other aspects of the approach to monitoring for the presence of marine mammals prior to dumping is unproven and somewhat dubious. The underwater sound equipment used for monitoring is presumably operated from a vessel with running engines, which in themselves emit large amounts of underwater sound which would mask (drown out) any vocalisations arriving from cetaceans in surrounding waters.

Furthermore, there is no requirement to use trained cetacean visual and aural observers, or to use sound analyses systems for assessing cetacean sounds outside the human hearing range. We would also contend that it is unlikely that adequate visual surveillance for marine mammals can be achieved at night using the thermal imaging device currently consented.

Our recommendation is that the applicant is asked to provide additional information to support their application in regard to seabird and marine mammal impacts, that adequately identify the species of concern in the area, and provides a more rigorous assessment of the likelihood and nature of impacts of the vessel movements and dumping activities on marine mammals and seabirds. This information would provide the EPA and submitters greater confidence in assessing the potential impacts on these important species in our marine environment that may arise as a result of this proposed activity.

The applicant should also be asked to provide a revised Disposal Site Management and Monitoring Plan for marine mammals and seabirds that has some credible scientific basis to the measures proposed. The plan should also set out much more rigorous standards for maintaining rigour through the use of appropriate technology and observers trained to a suitable standard. This should also include some mandatory oversight, such as independent review of underwater sound recordings.

We would like to reserve the opportunity to be heard at any hearing and to present expert witnesses in support of our submission.

Thank you for the opportunity to provide a submission on this application.



Yours sincerely
Lyn Mayes
Chair – Auckland Conservation Board

cc. Coastal Resources Ltd, mary-ellen@kaipara.co.nz