

Minutes of the Kopeopeo Canal Remediation Project Community Liaison Group meeting held in Eastbay REAP - Putauaki Room, on 28 March 2017 commencing at 10:00am

Chair: John Pullar

Scribe: Hazel Ryan (BOPRC)

Members Present: Eula Toko (Cultural Monitor), Andrew Kohlrusch (Independent Monitor), Tani Wharewera (CS3 and Hokowhitu Marae Rep), Clint Savage (DOC), Hayden Power (Federated Farmers), Shane McGhie (WDC), Rene de Jong (Whakatāne Harbour Care Group), Barney Gray (CS2 proxy), Neal Yeates (CS1 proxy)

Others Present: Bruce Crabbe, Brendon Love, Abby Tozer, Ken Tarboton (BOPRC), Matt James (Independent Monitor Field Observer), Tracey Godfery, Maata Young, Nigel Rapana, Des McCleary (EnviroWaste), Dr Joanne Kelly (Bioremediation expert), Steve Pickles (BOPRC Consent Authority), Siva Panadam, Erin Te Pou, Dr Paul Butler, Brian Maskell, Roger Houghton, Robert Martin, Margi Martin

Apologies: Tui Edwards, Scottie McLeod, Amanda Austrin

Action summary

No.	Actions of 28 March 2017	Responsible	Status
1	Provide eel tissue results from 2005 and 2008	Brendon Love	
2	Provide Project Team with several key bullets from his review of management plans and CS1 design.	Andrew Kohlrusch	

Item 1: Welcome and apologies

- i. Tani Wharewera said the opening *karakia*. The Chair welcomed all those present and thanked them for attending.

Apologies for absence:

Apologies were received for Scottie McLeod, Amanda Austrin and Tui Edwards.

Motion: Apologies approved	Kohlrusch/Wharewera	CARRIED
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Item 2: Minutes of previous meeting

a) Matters arising:

- i. Ken Tarboton offered to respond individually to Roger Houghton regarding his query arising from the meeting held on 14 February 2017, on the basis that the issue wasn't strictly within the scope of the Kopeopeo Canal Remediation Project and came under the Contaminated Sites Working Group (CSWG). Dr Paul Butler disagreed with this rationale and suggested that those present were interested in the issue. It was agreed to leave discussion to the other business section of the agenda (in the end time did not permit further CLG discussion and this was resolved between Ken and Roger after the meeting).

No.	Actions of 14 February 2017	Responsible	Status
1	Ken Tarboton to investigate Patuwai Rd drain clearings and report back to CLG after maize is cleared from site to allow sampling	Ken Tarboton	<i>Completed - Ken informed Roger of the outcome of this investigation after the meeting.</i>
2	Add EnviroWaste to CLG interested parties mailing list for receiving Independent Monitor reports.	Hazel Ryan	<i>Completed – Des McLeary has been added to the mailing list.</i>

Motion: That the minutes of the Community Liaison Group meeting of 14 February 2017 be accepted as a true and correct record.

Crabbe/James

CARRIED

Item 3: Communications

During the presentation given by Abby Tozer (Slides 3-5), the following points were commented on:

- i. Abby noted the higher number of attendees and encouraged those present to sign up to the newsletter and use the website if they had not done so already.
- ii. She pointed out some of the recent website updates including adding the contact details of Matt James, the Independent Monitor Field Observer.
- iii. She advised that the CLG Communications Plan is being updated for upcoming physical works, and a workshop facilitated by Barbara Campany and attended by CLG members was held on 16 March 2017.
- iv. Abby informed the CLG that a revised draft Communications Plan update would be shared with CLG members soon and is expected to be discussed further before the next CLG meeting, in order for it to be approved at the next CLG.
- v. She drew attention to recent Project- related media coverage including a letter to the editor from a member of the public and response from the Project Manager, published in the Beacon on 3 March 2017.
- vi. Abby shared a one-page pamphlet which has been developed to give a quick overview of background information to members of the community who may not

have kept abreast of recent Project progress. The pamphlet refers readers to further information sources. Abby invited any feedback on the resource.

Questions and comments that were raised during the presentation:

- a. Brendon acknowledged that feedback on the Communication and Engagement Plan had been received that morning from Amanda Austrin.
- b. Brian Maskell asked where the Terms of Reference (TORs) for the CLG could be located. Ken displayed the CLG TORs (<http://www.boprc.govt.nz/media/605185/clg-terms-of-reference-kopeopeo.pdf>) on the screen and read out the guiding purpose. Brendon Love stated that the TORs and project scope exclude historical dredging and stopbank contamination which are outside the scope of the resource consents and therefore the CLG.
- c. Brendon acknowledged that while the approximately 30 wood waste sites had a common cause, historical dredging and relocation of contamination is excluded from the scope of the current Project. He added that sediment contamination in the Kopeopeo Canal is deemed a higher priority because of the food chain exposure risks.
- d. Brian asked if peer review and overview of the project was being undertaken by a physical chemist. Brendon responded that over the years there have been a number of consultancies involved in providing technical expertise and peer review. It is now the role of the Independent Monitor and Field Observer to provide independent project oversight. He clarified that there is no single chemist responsible for project overview.
- e. Brian asked why prime agricultural land is being used to store contamination. Brendon replied that all three sites are consented. Dr Butler questioned reasons for not using the Roll Milling method as proposed at the consent hearing, and suggested that another option would be to place the contamination in a bypass section of the Kopeopeo Canal (between the wastewater plant and existing canal). Bruce Crabbe said these matters had been considered and a final decision made and approved at the consent hearing.
- f. Dr Butler commented that based on discussions with Dr Ron McDowall, he was concerned about jeopardising NZ's international reputation. He expressed disappointment at the sediment being placed on prime agricultural land. Brendon responded that while the infilling option was considered, closer analysis revealed that the underground service relocation would have been cost prohibitive. Dr Butler noted that since the time of the consent hearing, great progress has been made with some issues, which was pleasing, while others remained unresolved. Brendon responded that the Project Team is confident with the containment method and the stringent resource consent conditions required for monitoring.

Item 4: Project Update

During the presentation given by Brendon Love (Slides 6-9), the following points were commented on:

- i. Brendon noted the status of the various management plans and designs required before commencement of works and identified the purpose and approval process for each.
- ii. Brendon gave a high-level project schedule summary. Upcoming events include fencing being constructed around CS1, ongoing dust monitoring, an eel removal trial, and arrival of sheet pile in New Zealand.
- iii. Before any sediment is contained in CS1, an open day will be held to help the community and those interested to understand the project.

Questions and comments that were raised during the presentation:

- a. Brian Maskell asked if the management plans mentioned had been peer reviewed. Brendon replied that there is a consent requirement to submit all plans to the Independent Monitor (IM). Brian said the peer reviewer should be a physical chemist specialising in toxic substances. Brendon responded that the IM is peer reviewing those plans, which are produced by contaminated land specialists.
- b. Roger Houghton commented on the test bores he noticed on CS1 and asked if results were known. Brendon responded that those bores have been on site for some time and that there were two or three years of monitoring data available from the bores at 1 Kope Drain Road (CS1).
- c. Brian asked if there would be groundwater monitoring to ensure there is no increase in groundwater contamination. Brendon responded that there is quarterly monitoring for the first year or two although there would be minimal groundwater effects thanks to the change in methodology. Brendon added that tests had been carried out on wood waste sites but they returned non-detect levels because of the hydrophobic nature of dioxins.
- d. Neal Yeates asked about traffic movement near CS1 following the recent traffic accident and asked if the shoulders would be widened to avoid accidents impacting on the containment site. Brendon noted that there would be reduced traffic speeds when importing fill via SH30 and that this is likely to result in increased traffic movements. Des McCleary stated that it was not envisaged for any heavy traffic movements to cross the bridge and turn right into Kope Drain Rd. Brendon added that when the site was surveyed, SH30 was found to encroach on the property's legal boundaries, so widening the road was not part of the plan.
- e. Brendon asked Des about the programme for importing fill. Des answered that it would be roughly half the construction time, or 20 days.
- f. Robbie Martin indicated there had been some communication from the NZ Transport Agency regarding a proposal to extend the guardrail of the bridge approximately 100 metres south of the bridge. He went on to express concern that 80% of the contaminated sediment may be placed on 20% of the area and asked if there was greater certainty about this ratio. Brendon responded that estimates ranged from 22,000 m³ to 30,000 m³ and the halfway mark would be close to the old

discharge point opposite oxidation ponds. Brendon said that for greater certainty, the mass balance would need to be recalculated.

- g. Neal requested an update of the status of CS2 negotiations. Brendon replied that both parties have sought an independent rental valuation. Ken Tarboton added that once parties agreed to an umpire, the valuations would be shared between the parties and if differences couldn't be resolved, the designated umpire would step in.
- h. Dr Butler asked for clarification of the relative distribution of contamination. Brendon confirmed the bulk is downstream of the discharge point.
- i. Barney Grey asked about the level of dioxins in the eels found in the Canal. Brendon responded that fishing in the Canal was prohibited and that the eels have much higher contamination than the sediment itself because of bio-accumulation through the food chain. He advised that eel tissue is one of the validation targets and that all eel must be removed, but discussions with a freshwater ecologist have revealed that long-finned eel which are considered *taonga* use the Canal as a transit route and do not live in the sediment, therefore this variety is to be segregated and then re-released rather than euthanized.
- j. Robbie mentioned an overseas case he is aware of where drums were upended at an airbase releasing contamination into a local lake where local people fished, which led to birth defects in the local population. He recalled the highest reading in the fish being 10 picograms. Brendon clarified that the case is from Vietnam and the concentrations found in that case are the highest in the world. Brendon offered to provide eel tissue results from 2005, 2008.

Action (1): Brendon to provide eel tissue results from 2005 and 2008

- k. Brian stated his endorsement of the precautionary approach voiced by Brendon and cautioned that USA Environment Protection Agency statistics could not be relied upon.
- l. Dr Butler asked how deep the sediments are in the canal, and asked if water movements may cause contamination to spread. Brendon responded that the clay base is clean, and when dredging the operator needs to be careful not to cut into that base. He added that most connecting drains have been sampled, and contaminants have been found to be above background level, but within the remediation target. He also said that when dredging, resuspension of material needs to be avoided, however there were contingencies in place to minimise redistribution. He noted that two lots of sampling have been taken during flood events, resulting in low turbidity levels (40-60 from 18 NTU) with no increase in dioxins.
- m. Dr Butler commented that sediment from the dredge interface could be subject to re-suspension during flood. Brendon responded that there is greater control of that with current methodology and control structures, with weather monitoring allowing decisions to be made in advance of flood events.
- n. Brian asked if there is contingency for a natural disaster. Brendon replied that where there is a risk with such a large consequence, insurance is the recommended

mitigation. Brian asked how long it takes for sediment to settle. Brendon responded that based on the trial, it takes approximately six hours for settlement.

Item 5: Health, Safety and Monitoring

During the presentation by Ken Tarboton (Slides 10-12), the following points were commented on:

- i. Ken discussed the consent requirement to provide a monthly report (from commencement of works) to a number of parties including information on project progress, issues such as complaints, trigger level transgressions, changes to methods or procedures, and water abstraction volumes. A draft of this dashboard report was handed out at the meeting and Ken noted that he welcomes any feedback on the report via email to the Project Administrator.

Item 6: Independent Monitor

During the presentation by Andrew Kohlrusch, the following points were commented on:

- a. Andrew Kohlrusch suggested that public information and education campaigns prior to works needed to employ a range of different media to ensure people were made aware of the changes to traffic management. He felt there was little consultation with the Police or WDC to date, and the TMP plan didn't have a diagram to explain the changes in relation to the containment site. Andrew saw the TMP as focussing more on project safety rather than public safety. Andrew said he would provide comments on CS1 designs to the Project Team next week. Brendon asked for these comments to be relayed in writing.

Action (2): Andrew to provide Project Team with several key bullets from his review of management plans and CS1 design.

Item 7: Other business and date of next meeting

- i. Shane McGhie suggested that other issues relating to stopbanks or wood waste may need to be addressed through a different community forum similar to the CLG.
- ii. Ken added that there is a Contaminated Sites Working Group (CSWG) although it is not a public forum. He would like to encourage the CSWG to open up to public but noted past reluctance from the CSWG to embrace this. Matt James suggested that members of the CSWG could attend the CLG to learn how it operates and appreciate the opportunities it offers. There was general support for this on the basis that the CLG is an effective consultation method.

Motion: CLG requests and encourages the CSWG to establish a similar liaison group to the

<p>CLG to advance effective progress on other contamination issues which do not fall under the purview of the Kopeopeo Project.</p>
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<p>McGhie/De Jong</p>

<p>CARRIED</p>

- iii. Brendon added that having different landowners of contaminated sites is another issue to address and that cooperation from landowners is hugely beneficial.
- iv. Brendon acknowledged and congratulated Nigel Rapana and Maata Young, who were recipients of scholarships granted in the memory of the late Joe Harawira in conjunction with the *Te Ohu mō Papatūānuku* research. Dr Joanne Kelly suggested that these local scholars could provide a link to the CSWG. Brendon commented how promising it was to see younger generations of Ngāti Awa working towards solving problems which affected their whānau.
- v. Dr Butler brought up the United Nations Environment Programme and questioned how the Project Team could ensure they were adhering to international standards. He welcomed response to this at the next CLG.
- vi. Brian commended the excellent project management he observed at the meeting.
- vii. Dr Paul Butler expressed concern that a leading UNEP submitter was not given an adequate platform to speak at the Kopeopeo consent hearing.
- viii. Brian reported a conversation with Sir Geoffrey Palmer about shortcomings of the RMA process. He would like to see the precautionary approach be recorded as a benchmark and a report submitted to the UN. Andrew responded that the process is about mitigating health and safety risks and the trial was valuable for reviewing processes. He commented that the site has in-built redundancies and contingency planning and said that while dioxins are highly dangerous, they are reasonably inert. Andrew added that while some stakeholders were impatient to see work started to achieve milestones, it was important to get all ducks in a row before that point. Andrew commented that as a result of community involvement, many elements have progressed in relation to the planned Kopeopeo Extension West project and wood waste actions and that bioremediation has shown great promise that a legacy issue could be dealt with in a sustainable manner, and that he believes that this work will put NZ on the map in a positive light.
- ix. Tani noted the progression of some attendees' attitudes from the start of the meeting to the closure and was pleased to see commendation of the project management. Tani spoke of his personal experience of the contamination and the desire to be able to enjoy recreation provided by the Kopeopeo Canal once more.

Next meeting: Placeholder for Tuesday 16th May 2017

Meeting closed at 12.45pm