

## Minutes of the Kopeopeo Canal Remediation Project Community Liaison Group meeting held in Eastbay REAP - Putauaki Room, on 16 May 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 Representative), Clint Savage (DOC), Hayden Power (Federated Farmers), Rene de Jong (Whakatāne Harbour Care Group), Tui Edwards (CS2 Representative)

**Others Present:** Bruce Crabbe, Brendon Love, Abby Tozer, Ken Tarboton (BOPRC), Matt James (Independent Monitor Field Observer), Tracey Godfery, Maata Young, Nigel Rapana, Jean McCauley (Te Wānanga o Awanuiārangi), Des McCleary (EnviroWaste), Dr Joanne Kelly (University of Waikato), Dr Chris Anderson (Massey University), Emma Joss (BOPRC Consent Authority), Brad Bluett (DOC), Roger Houghton, Margi Martin, Sue Marlow

**Apologies:** Shane McGhie (WDC), Amanda Austrin (CS1 Representative)

Early departure: Ken Tarboton (12.00pm)

### Action summary

No.	Actions of 16 May 2017	Responsible	Status
1	<b>Ken Tarboton to enquire about use of speed-activated signs on SH30 as a traffic management tool</b>	Ken Tarboton	
2	<b>Email comments on alternative remediation to Dr. Paul Butler</b>	Andrew Kohlrusch	

### Item 1: Welcome and apologies

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

### Apologies for absence:

Apologies were received for Amanda Austrin and Shane McGhie.

<b>Motion: Apologies approved</b>	<b>De Jong/Wharewera</b>	<b>CARRIED</b>
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### Item 2: Minutes of previous meeting

#### a) Matters arising:

- i. John Pullar asked if eel tissue results were as expected. Brendon responded that the reports were not new, but that it's important to have baseline testing. He stated that control samples used in 2008 had elevated levels of dioxins and that because of weaknesses of the previous data set, new testing was required.
- ii. Rene de Jong asked if long fin and short fin eels would be treated differently when removing eels from the Canal. Brendon replied that the intention is to avoid euthanizing any species, such as long fin eel, which migrate through the Canal because they do not have elevated levels of dioxins; however the implications of this differentiation were still to be analysed.
- iii. Ken clarified the reason for amending the December CLG minutes; in order to correct comments made about the delineation report for the wood waste site adjacent to Toroa Marae. There were no concerns voiced.

No.	Actions of 28 March 2017	Responsible	Status
1	<b>Provide eel tissue results</b>	Brendon Love	<i>Results posted to website</i>
2	<b>Provide Project Team with several key bullets from his review of management plans and CS1 design</b>	Andrew Kohlrusch	<i>Feedback provided to Project Team</i>

**Motion: That the minutes of the Community Liaison Group meeting of 28 March 2017 be accepted as a true and correct record.**

**Kohlrusch/Power**

**CARRIED**

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### Item 3: Communications

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

- i. Abby informed the CLG that the recent floods did not affect the Kopeopeo Canal greatly and showed some photos of the Canal at its highest point.
- ii. She pointed out recent changes to the website and indicated that the *About the Project* tab will soon be updated to feature information on the eel trial.
- iii. She encouraged those present to subscribe to the newsletter and also refer to the printable one-page information pamphlet on the website which is a useful quick reference for people with less background knowledge of the Project. Abby distributed hard copies to those present.
- iv. Abby thanked CLG members for feedback submitted on the revised Communication and Engagement Plan (CEP) updated for physical works which will be circulated and then approved at the next meeting. She explained that the CEP will incorporate greater detail on the complaints procedure and include mechanisms for more rapid notification of project issues.

- v. Brendon acknowledged the need for complaints to be addressed faster and advised attendees that at the CLG preparation meeting held that morning, a number of actions arose as a result of the trial site skip bin removal. One of the recommendations was to establish a community monitor role to reinforce project decision-making. He noted that any residual spilt sediment on the HDPE liner in the trial compound had been sampled and would be tested for contamination. Cloth and geogrid were also used to contain any residual spilt sediment and avoid mobilisation of dust from the site. The Project Team are working together with the bioremediation experts and Contractor to consider options for the future of the trial.
- vi. Brendon drew attention to the lessons learned from this incident with possible solutions including seeking input from more parties when making decisions which depart from the resource consent, strengthening the complaints resolution process and providing more timely feedback to complainants.

Questions and comments that were raised during the presentation:

- a. Margi Martin expressed shock and disappointment at the decision to remove the containment bins. She acknowledged that the flood and severe weather experienced in April were extraordinary events, but felt that it didn't justify the decisions made. She said that as weather events are becoming more common, project planning has to include mechanisms to mitigate that risk. She also questioned whether the Kopeopeo Canal stopbanks were high enough [to prevent overtopping].
- b. Tui Edwards informed the CLG that she was the person who called the Pollution Hotline about the bin removal. She added that in the pre-meeting she suggested the creation of a community monitor role and that she looked forward to that recommendation being implemented.
- c. John Pullar said that the Project Team are taking this incident very seriously and trying to move forward and improve processes. He asked for patience in implementing recommendations.

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## Item 5: Project Update

During the presentation given by Brendon Love (Slides 8-16), the following points were commented on:

- i. The April floods caused water levels in the Canal to rise considerably, however when the water levels are high, the Canal is used more for storage than for conveyance because the floodgates remain closed during rain events. He said that there are many controls in place to prevent transportation of sediment.
- ii. The Tech Talk originally scheduled for the CLG meeting will take place once the FMP is finalised and at that point Peter West will present the final design for the control structures.
- iii. Data is being assembled to understand the flow in the Canal in extreme weather events. In reference to Slide 11 showing the surface water quality samples taken by Opus on 8<sup>th</sup> April, Brendon stated that an increase in turbidity leads to an increase in

dioxins and that the results are upper bound concentrations of dioxin results because results are non-detectable below a certain level, meaning that it is a conservative method. Water is only discharged via the Kope Pump Station in extreme floods. 3-4 pg/L is low and consistent with background level, comparable to drinking water. He believes suspended sediments caused the higher results (13.2pg/L) in samples taken near the SH30 bridge and this is an anomaly. He also said that this is the 4<sup>th</sup> event during which sampling has been carried out so there is sufficient data for comparison – the recent result at the SH30 bridge returned the highest readings. The velocities show that during a flood event, water flow is stable and the sediment remains in the Canal.

- iv. Management plans have been prepared and submitted to the Consent Authority and the Independent Monitor in accordance with the consent conditions. Brendon talked briefly about the purpose and contents of each plan.
- v. The forecast start date for construction on CS1, an uncontaminated site, is the week beginning 22 May. Once construction is completed, and prior to dredging, an open day will be held.
- vi. The eel trial is also scheduled for the week beginning 22 May and the results of the trial will inform the final methodology for eel removal.
- vii. In reference to the traffic management operation planned for SH30 and Kope Drain Rd, Des McCleary said there should be little disruption to traffic flow along SH30 and that there will be no right-turning traffic into or out of Kope Drain Rd. Construction will be carried out 6 days a week and signage to slow traffic will be removed when not operating. Waiotahi is organising a letterbox drop along Kope Drain Road to inform residents. Heavy traffic movements are expected for the next 4-6 weeks when fill and pumice rock is brought onto site. Des and Ken attended a meeting with Police to discuss enforcement of speed restrictions.

Questions and comments that were raised during the presentation:

- a. John Pullar asked if Margi's previous comments referred to overtopping of the Canal. Margi Martin replied that the water almost overtopped the stop bank near her property. Brendon said that surveys were being carried out with the view to top up lower points of the stop bank.
- b. John asked what control methods were being put in place. Brendon explained that three control structures will be installed in the Canal and that the draft FMP contains a lot of in-built contingency for three different flood scenarios, with pumps on hand to transport water elsewhere, and relief able to be provided through Wrights Canal.
- c. Roger Houghton commented that previous communications suggested that Wrights Canal was not going to be used. Bruce Crabbe said there will be another control structure on the Canal and an open-and-close mechanism, but this had yet to be determined for the purposes of the FMP. Ken reminded the CLG that dredging from west to east affected the original plan not to use Wrights Canal. Brendon confirmed that the area with elevated results will be dredged and that turbidity levels will determine which direction the water will flow in.

- d. Roger asked for clarification around pumps available at the pump station. Brendon said there are pumps on hand for different purposes and there are many preparatory works to be completed including construction of culverts.
- e. Hayden Power asked if water would be diverted west to the Rangitāiki River. Brendon responded that under flood conditions more water is likely to be diverted west and some works in the western catchment were proposed in advance of the installation of flood control structures in the Canal. He added that these would be discussed in further detail once the FMP was finalised.
- f. Chris Anderson asked how much increased storage capacity there will be once the Kopeopeo Canal is dredged. Bruce responded that removing the sediment will improve conveyance.
- g. In relation to the traffic measures, Margi Martin pointed out that Kope Drain Rd residents are not the only ones who use Kope Drain Rd. Brendon clarified that the road will not be closed, there will just be heavy traffic movements while fill is being imported.
- h. Roger Houghton asked if Fortunes Road will be used for heavy traffic. Brendon replied that there are no plans to use Fortunes Rd.
- i. Margi Martin commented that road users find it difficult to adjust to change in speed limits. Tui shared similar concerns about road safety. Des McCleary explained that speed controls are governed by NZTA and reminded those concerned that the traffic controls are short term. Brendon added that Waiotahi are implementing NZTA requirements and consultation is being carried out with Higgins. Ken added that Police will monitor and control speed and that the Project Team could look into speed-activated signs.

**Action (1): Ken Tarboton to enquire about use of speed-activated signs on SH30 as a traffic management tool**

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## **Item 6: Health, Safety and Monitoring**

During the presentation by Ken Tarboton, the following points were commented on:

- i. Ken stated that he looked forward to reporting on the progress made in physical works at the next CLG in June and that once construction of CS1 was completed, a public open day would be held, at which people could view the geobags and HDPE liner in place before dredging begins.
- ii. The dashboard report is high level but contains enough information to keep the community informed. It fulfils monthly reporting requirements to a number of parties and is compiled using input from a number of project people. Once dredging starts, progress will be shown in the bar.
- iii. A tracking graphic has been added to report expenditure on key milestones for greater transparency. He pointed out that preliminary activities make up the bulk of expenditure at the moment.
- iv. Ken added that the weekly Health & Safety report produced by EnviroWaste is fed back into the monthly dashboard report.

Questions and comments that were raised during the presentation:

- a. John Pullar asked if CS2 could be removed from the map shown on the dashboard report (Slide 16) to avoid confusion about the sites to be used. Ken explained that this map reflects the sites consented to be used. Brendon agreed that the maps could be edited to provide a more accurate representation of the plan going forward.
- b. Des mentioned that inductions are scheduled for those involved in sediment removal and an ongoing risk assessment will be reported back to the CLG. He noted that there have been no incidents on the main project and the incident on the trial site has been taken on board in the lessons learned. He added that 26 inductions have been completed to date, with 14 more planned.

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### **Item 7: Independent Monitor**

During the presentation by Andrew Kohlrusch (Slides 17-20), the following points were commented on:

- i. Andrew provided a brief explanation of the work laboratories do to calculate upper bound, medium bound and lower bound results for dioxin sampling.
- ii. Tani asked if the values referred to risk. Andrew responded that risk comes into play when comparing these values to threshold boundaries. If every congener is less than laboratory level of reporting, they assume it is at the minimum level. Therefore the upper bound reported results are a conservative estimate of concentrations.
- iii. Andrew's review of the Traffic Management Plan (TMP) suggested that more discussion was required with WDC, Police and NZTA to ensure adequate enforcement. He advised that the speed restrictions would need to be communicated in local papers in advance of them coming into effect. He identified an issue with exit and entry being the same point but noted that communication could be used to mitigate accident risk. He acknowledged the value of feedback from community members.
- iv. Andrew also reviewed the Environmental Monitoring and Validation Plan (EMVP) and commented that the EMVP covers essential elements, but should cover consent conditions and trigger levels, and that construction brings up dust issues. Brendon agreed with the need to bring the data table into the plan and Andrew said that this will make it easier for the IM to check that all required monitoring is being carried out. He added that the monitoring roles and hierarchy need to be clearly articulated as there are different people for different monitoring and furthermore delegates were needed in the case of absence. He added that sediment validation was required for confidence in results.
- v. On the subject of the trial bin removal, Andrew said that Brendon, Matt and he discussed the requirements going forward and the need for a hold point when making decisions, so relevant people can be involved. He suggested additional covering of the site and stated that the future of the trial was still to be decided.

- vi. Andrew told the CLG about his joint presentation with Brendon at the Australasian Land and Groundwater Association (ALGA) Conference, on the community engagement undertaken on the Kopeopeo Canal Remediation Project which Andrew said has attracted greater interest than a typical decontamination project because of the very public nature of the Kopeopeo Canal and containment sites.
- vii. As requested at the March CLG meeting, Andrew looked into alternative techniques used for remediation of dioxins. One method is thermal absorption where sediments are pre-processed and dewatered before being incinerated in large furnaces, but that method requires a substantial budget and essentially sterilises sediment, making it unable to support plant or insect life afterwards. He said that the likelihood of dioxins discharging from the geobags is extremely low and there are many checks and balances to prevent this, including groundwater monitoring and bioremediation and coverage which prevent water seeping out of the cells.

**Action (2): Andrew to email comments on alternative remediation to Dr. Paul Butler**

- viii. Roger asked about compliance with UN standards as suggested by Ron McDowall. Brendon responded that there is a lot of scientific literature on how Persistent Organic Pollutants (POPs) are managed worldwide, but the UN Environmental Program toolkit for dealing with POPs provides a high-level framework for use by government agencies to comply with the Stockholm and Basel Conventions. Brendon highlighted that the focus of the toolkit was on obsolete chemical stockpiles and waste streams and in the case of contaminated soils only soils above a level of 50 mg/kg are included. As an example of where New Zealand has complied with the requirements of the Stockholm convention, when Polychlorinated Biphenyls (PCBs), a type of POP, was banned worldwide, obsolete PCBs in New Zealand were collected and shipped to France for incineration. Given the levels of contaminants found in Kopeopeo Canal sediment are well below 50 mg/kg, the Stockholm Convention requirements do not apply. It is however acknowledged that the principles of the United Nations Environment Programme (UNEP) are valid and that the approved variation to the transfer and containment method has been adopted to ensure that these principles can be met.
- ix. Sue Marlow introduced herself to the CLG as a local resident and voiced her concerns about the location of CS1 at the gateway to Whakatāne. She asked if the TMP restrictions would continue into the holiday season. Brendon responded that the sites were selected based on earlier methodology to avoid traffic effects and that the current appearance of the containment site is not permanent; the bioremediation planned involves tree planting and envisages 15 years for treatment through a natural degradation process. The current methodology is the result of substantial consultation with Ngāti Awa to find ways to naturally treat dioxin-contaminated sediment, but this methodology will never be completely satisfactory to everyone. The Project Team has tried to achieve the right balance between technical considerations, cultural beliefs, timing, cost, and community views.

- x. John asked if the fence around CS1 will remain indefinitely. Brendon responded that it is a temporary dust control measure but it will remain in place for the next 1-2 years.
- xi. Andrew Kohlrusch noted the concern about dioxin release, but said that baseline soil and air quality sampling indicates that there is no potential health risk associated with dioxins in air during the current earthworks at CS1. Andrew stated that he will reply to Dr. Paul Butler and Brian Maskell who can forward his comments on to Ron McDowall. On the subject of the UNEP, Andrew said that there is no requirement for compliance with those standards, and the cost to ratepayers also needs to be considered.
- xii. Margi said that she had concerns about dioxins entering the groundwater and that she does not have confidence in the Council's management. Andrew Kohlrusch responded that there is an ongoing consent condition to undertake long-term groundwater monitoring and that the site management plan includes monitoring to make sure that concentrations don't change with rising and falling water levels.
- xiii. Margi asked about the status of CS3. Brendon replied that ground strengthening was required to avoid lateral spread and that CS3 wasn't as affected by April's heavy rain event as CS1, largely because CS3 has better draining soils and is at a higher elevation. Margi stated that she is still concerned about bringing contaminated sediment onto a non-contaminated site and asked about the mass balance calculation between the two sites. Brendon responded that capacity is needed at both sites but he couldn't yet provide the exact split of volume of sediment to be stored at each site.

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**Item 9: Other business and date of next meeting**

- i. No other business noted.

**Next meeting:** Placeholder for Tuesday 20th June 2017

**Meeting closed at 12.20pm**