

Memorandum of Understanding on Lake Rotorua Science and Policy Reviews

Final Version: 9 August 2016

Introduction

This Memorandum of Understanding (MOU) is between Bay of Plenty Regional Council (BOPRC), Lake Rotorua Primary Producers Collective (the 'Collective') and Lakes Water Quality Society (LWQS). These are the MOU parties. This MOU is a non-statutory statement on the context, scope, timing and policy implications for reviewing science related to nutrient limits for Lake Rotorua and its catchment.

MOU scope

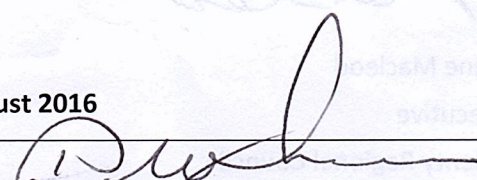

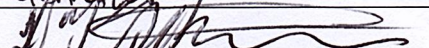
1. The MOU relates to Lake Rotorua and its groundwater catchment.
2. The MOU does not limit any statutory rights and responsibilities, or the ability of any MOU party to engage with others as it sees fit.

Science and policy reviews

3. BOPRC will carry out a method M2 science review in 2017 and every five years thereafter. In addition:
 - a. BOPRC will seek and have regard to the views of the MOU parties in developing the 'Terms of Reference' for science reviews.
 - b. All science reviews will include a peer review by a suitably qualified independent expert and the Water Quality Technical Advisory Group;
 - c. All reviews will be published;
 - d. For the 2022 and subsequent science reviews, BOPRC will monitor and publish the economic, social and cultural impacts of PC10, in parallel with the Science reviews.
4. As provided for in method M3 of proposed PC10, the BOPRC will be responsive to formal M2 science reviews when developing future nutrient reduction policies. In addition, BOPRC will:
 - a. Integrate the views of the MOU parties into its deliberations on science reviews including views on the need for policy changes and ongoing science investment needs and priorities;
 - b. Expedite changes to statutory nutrient targets and reduction requirements where any science review and associated impact analysis substantiates such changes.

MOU Signatories

Signed by the following parties in Rotorua on date 9 August 2016

Chairman, Bay of Plenty Regional Council	
Co-Chairs, Lake Rotorua Primary Producers Collective	
Chair, Lakes Water Quality Society	

Context

On 29 February 2016, Proposed Plan Change 10 (PC10, a change to the Regional Water and Land Plan) was publically notified. PC10 aims to give effect to the 435 tN target in association with the Incentives Scheme and Advice and Support service. PC10 includes Methods M2 and M3 (appended to this MOU) which respectively describe the scope of the science review and the policy response to such reviews. This MOU is consistent with Methods M2 and M3, the expectations of the Stakeholder Advisory Group which informed PC10 and the Oturoa Agreement which all emphasised the importance of science reviews.

Should Methods M2 and M3 be amended during the plan change process, this MOU will apply to the amended M2 and M3.

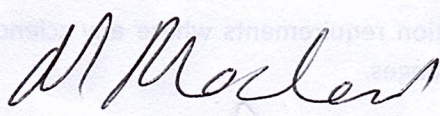
Proposed Plan Change 10, Lake Rotorua Nutrient Management, Methods M2 and M3

LR M2 Regional Council will review and publish the science that determined the limits set in the RPS and the Regional Water and Land Plan for Lake Rotorua on a five yearly basis. These reviews may include:

- (a) Review of trends in lake water quality attributes including nitrogen, phosphorus, Chlorophyll a, algal blooms, clarity, trophic level index for in-lake, inflows, and outflow where relevant.
- (b) Review of progress towards achieving the RPS Policy WL 6B(c) 2022 catchment nitrogen load target.
- (c) Review of the RPS Policy WL 3B(c) catchment nitrogen load, and a nominal phosphorus (external and internal) catchment load of 37 tP/yr₃, and any other nitrogen and phosphorus load combinations that catchment modelling shows would meet the Lake Rotorua Trophic Level Index of 4.2. This may necessitate:
 - (i) a review and rerun of the lake model (or any successor model), including its ability to replicate recent years data;
 - (ii) a review and rerun of ROTAN (or any successor model), including nitrogen loss rates, groundwater trends and attenuation rates, including OVERSEER* or similar estimates;
 - (iii) an assessment of the efficacy and risks of alum dosing and an assessment of land-based phosphorus loss mitigation.
- (d) Review of relevant New Zealand and international lake water quality remediation science.
- (e) Recommendations.

LR M3 Regional Council will respond to the recommendations that result from Method LR M2 science reviews through a formal and public decision making process. This may include initiation of a plan change and review of resource consent conditions.

* For full proposed rules, see <http://www.rotorualakes.co.nz/vdb/document/1400>



Mary-Anne Macleod

Chief Executive

Bay of Plenty Regional Council

