

REGIONAL COUNCIL'S ROLE IN FOREST HARVESTING MANAGEMENT

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INTRODUCTION

Regional councils, as successors to catchment authorities, have now assumed the role of water and soil agencies together with the wider range of resource management responsibilities defined under the Resource Management Act. The forest industry has been involved with catchment boards since the 1959 amendment to the Soil Conservation and Rivers Control Act 1941. Section 34 notices applied over certain land uses that were likely to cause erosion or sedimentation in streams and watercourses. The use of this permit system varied throughout New Zealand. In Hawke's Bay, the original area covered by the Section 34 notice was in the hill country west of the Mohaka River, totally indigenous logging. At that time, pastoral land clearance was allowed as a permitted use, often on much steeper hill country. Over a 12 year period, the area covered in Hawke's Bay by Section 34 increased to cover all hillcountry and both farming and forestry practices that may cause erosion.

The passing of the Resource Management Act in 1991 meant that the existing Section 34 requirements became regional rules under transitional provisions. Thus, the final form of Section 34 provisions under the old Soil Conservation and River Control Act 1941 will continue for two years until replaced by a Regional Plan.

WHAT ARE THE REGIONAL COUNCIL RESPONSIBILITIES UNDER THE ACT?

The Resource Management Act defines that the Regional Council has the function of controlling land use under Section 30 of the Resource Management Act.

Council functions are:

1. soil conservation.
2. the maintenance of water quality and quantity.
3. to avoid and mitigate the effects of natural hazards.
4. the control of the taking, use, damming and diversion of water.

Looking at this list, most in the forest industry would say that they have complied with the philosophy of the Resource Management Act, simply by managing a forest in comparison to managing farmland. You may also realise that your industry falls into the category of requiring a resource consent to carry out certain activities.

Under the terms of the Act, there are five activities; permitted, controlled, discretionary, non-complying and prohibited.

The existing Hawke's Bay transitional regional rules defines harvesting, tracking and landing construction as a discretionary activity and therefore requires a land use consent. Pastoral

farming requires similar consents for the same tracking and harvesting practices. To many in the forest industry, there would seem to be an anomaly between the pastoral and forestry industry where pastoral farming and erosion on the East Coast are synonymous and a forest land user who maintains trees for 30 years and reduces erosion. The pastoral industry has historically been less restrained by land use legislation.

DEVELOPING A REGIONAL POLICY STATEMENT AND REGIONAL PLAN

Over the next 6 months, the Council will be developing a Regional Policy Statement.

This document is likely to be followed by a Regional Plan, setting rules for soil conservation purposes, in late 1993. This will be prepared following consultation with all interested public and industry groups. The current water and soil orientated resource consent requires a wider overview due to the Regional Councils' wider functions, these are;

1. the preservation of natural character of wetlands and rivers.
2. the protection of outstanding natural features and landscapes.
3. the protection of native flora and fauna.
4. the maintenance and enhancement of public areas to and along the margins of lakes and rivers.
5. Maori culture and tradition especially Pa sites.

These additional functions mean that wider consultation and planning is required before a consent is issued.

IS A CONSENT REALLY NEEDED?

As a discretionary land use, a consent is required. With the development of a Regional Plan, it may be quite

reasonable to define forest harvesting as a permitted land use but this may entail some conditions within the defined permitted use. The development of the Regional Plan and the freeing up of the consent procedure would go hand in hand with the development of an appropriate monitoring system which would allow the setting of performance standards. A cooperative approach between the industry and Regional Councils in determining performance standards would enable the forest industry to be fully aware of the downstream water quality and quantity requirements while allowing for the enhancement of pastoral catchments.

WHAT IS A PERFORMANCE STANDARD?

Monitoring the environment is required to ensure that the aims of a Regional Plan are being met. This means that the Regional Councils have to collect data and define baseline conditions for the environment. From this knowledge, Councils and the landusers (forestry and farming) can assess how their use of the land resource measures up in terms of sustainability. Standards may be stream turbidity, stream chemistry or ecology. The simple visual standards may not be representative and are highly variable. The collection of data and the establishment of minimum standards is going to be labour intensive and the regional database is far from complete. Possibly, a more appropriate performance standard could be based on the planning procedures rather than the mechanical/operational parameters. This would ensure that all the necessary planning and consultation processes take place prior to an operation commencing. The operational overview is best dealt with by the national acceptance of the Operational Guidelines as a standard. Certain monitoring would then be carried out by Regional Councils but this would allow for such variation as caused by Cyclone Bola and not penalise land users.

WHAT ARE THE DOWNSTREAM ISSUES?

A relatively common complaint or comment by public is the accumulation of "slash" in culverts or against flood gates following severe storms. Another visible downstream effect is water discolouration and siltation of alluvial flats. Often uninformed comments about stream discolouration have lead to purely natural erosion events being identified. Public perception of the problem is usually greater than the fact. Although, tracking and landing construction within forests is identified as the major sediment supplier, the comparison of adjacent pastoral land in the Hawke's Bay/East Coast area generally indicates how trivial the forest based problem really is.

Landscape changes are another feature that attracts comments. As a Council, we have attracted adverse comments by logging the Devil's Elbow. People get used to the forest cover and when it is removed and the slip scars which precipitated the original planting are now visible again, the forest manager is accused of initiating the problem. If the appropriate performance standards were applied to adjacent pastoral and harvested sites there would be no detrimental water quality effect (supposing that another Cyclone Bola didn't occur within five years) but a visual standard may not be maintained.

Major commercial forests in Hawke's Bay are located in major recreational catchments - Tutaekuri, Esk, Ngaruroro and Mohaka. The first three are used by the people of Napier and Hastings for swimming, fishing and boating. The high public usage means that reduced water quality and quantity would be quickly noticed by the wider public. Current operations have not caused any deterioration in our river system. There is a perception, however, that increased forestry establishment could reduce flows in our low rainfall areas.

With the development of Regional Plans, rivers could be classified on the same basis as coastal waters. This would mean that water temperature, rates of sedimentation and clarity are used in determining performance standards.

RESOURCE CONSENTS - WHAT DOES IT INVOLVE?

The current Hawke's Bay Regional Council consent consists of three pieces of paper;

1. The basic name, location and what type of consent is required.
2. Specific Land Use consent application requesting information on what you want to do.
3. Assessment of the effects of your proposed operation.

Going back a step means that you will have already spoken to the Environmental Officer who will give you the basic advice on how to proceed. An important decision made by Council staff at this stage is whether the scale of the operation and the effects require public notification of the application. If no public notification and time for submission is required, the consent can be approved in ten working days, otherwise the public input stage requires up to 30 working days. The forester or logger can assist in this vital stage by having carried out the appropriate planning before the consent is applied for. The greater the consultation with the environmental and consent sections of Councils will ensure that both sides have understanding of the practical and bureaucratic limitations to the consent systems. A limitation in the consent system is responding to the spot market for logs where you finish one compartment on a Friday and want to go somewhere on Monday that has not been approved in your annual logging plan already notified to the Council. This doesn't happen often because the roading network is reasonably established but for on-farm logging operations it can be a problem.

A simple non-notified consent is typical of production forests in Hawke's Bay, i.e. Esk Forest. Notified consents generally have more perceived problems and because of a variety of factors will attract public attention, i.e. logging in the Tangoio Conservation Reserve.

SUMMARY

The Regional Council should not be in the business of using red tape to strangle the forestry industry. What we do see is that the Resource Management Act reinforces the requirement for sound planning and operations. Industry and Councils must ensure that practical, co-operative dialogue takes place to ensure that practical constraints are identified and rectified within the operation. Another important feature is the improvement of the public perception of the forestry landuse. This may involve active public promotion, use of forests by schools, etc, to ensure the public understand all aspects of forest operations. The regional councils can assist in this educational process by ensuring that the appropriate data is collected by the Regional Council as part of its environmental monitoring. The reporting of this on an annual basis can reassure the wider public that your industry has achieved a sustainable basis.