

Date: 22 August 2019

To: Jacquelyn Shannon, Acting Deputy Director-General Operations

CC: Martin Kessick, Deputy Director-General Biodiversity

From: Hilary Aikman, Director National Operations

Subject: NEW PERMISSION TO REPLACE PERMISSION 6007486 – ARTHUR'S PASS RODENT CONTROL OPERATION 2019

Purpose

1. To consider revoking Permission ID 6007486 and granting a new Permission (ID 6048537) which incorporates two changes for undertaking 1080 aerial pest control operations in Arthur's Pass. Your urgent attention is requested as this operation is ready to be undertaken at the next suitable weather window.

The Arthur's Pass Permission granted on 16 July 2019

2. On 16 July 2019 the Deputy Director-General Operations, Mr Mike Slater, granted Permission 6007486 to Vector Control Services, a business unit of the West Coast Regional Council for a 1080 (aerial) rodent control operation. This Permission (which was incorrectly dated 11 July 2019) was varied on 19 July 2019 by amending the requirement to comply with the Application form as the operation is now to be conducted in two parts.
3. Further revisions are required to amend the maximum target aerial sowing rate for 1080 toxic baits, and to remove a condition from the Performance Standards as this operation is exempt from that condition.

Why a new Permission is recommended

4. Changes to the Permission granted on 11 July and varied on 19 July are recommended:
 - a. The first condition (which requires the operation to be carried out in accordance with the Application Form submitted on 13 May 2019, except that the operation is in two parts and the timing and sowing rates is in accordance with the variation letter) is confusing;
 - b. The sowing rate of the baits has again been revised; and
 - c. The Performance Standard Sheets referred and attached to Permission 6007486 included condition 2 requiring that the Code of practice for aerial 1080 in kea habitat must be followed "(exemption for EDR [deer repellent] use and 3kg/ha sowing rate in OFP block)". This is confusing as the Permission exempts the operation from compliance with the Code of Practice. Condition 2 needs to be struck through to indicate that it does not apply.
5. As Permission 6007486 has already been varied once, it is considered that revoking the Permission and granting a new replacement one is preferable to undertaking a second revision of the original permission.

6. Issuing a replacement Permission avoids the confusion that could otherwise be caused as a result of the final form of the Permission being comprised in what would be three documents that would need to be read together. Revoking the earlier Permission and granting a new one is a much cleaner and less-confusing approach.

Revised sowing rates

7. As originally proposed, the target maximum sowing rate was set at 1.5kg/ha for toxic 1080 baits in the operation area generally but 3kg/ha in the orange fronted parakeet (OFP) Blocks due to overlap. As a result of the variation and the operation occurring in two distinct parts the OFP Blocks were to be sown first at 2kg/ha with the whole of the operation area to be treated later at 1.5kg. This resulted in the overlap area being sown at 3.5kg/ha (2 + 1.5 kg/ha).
8. The sowing rate for toxic feed of 1.5kg/ha has now been revised following the monitoring of recent operations. This year's unprecedented 'mega mast' has provided abundant food for rats, making predator control more challenging. The monitoring results for the three recently completed aerial 1080 operations show nearly 20% rat survival; significantly more than the anticipated level of less than 5%. The exceptional amount of seed from the South Island's biggest beech mast in 40 years means rats don't need to travel far for food from their home ranges. Gaps in bait coverage have left pockets of rodents that did not travel far enough to be exposed to the bait.
9. It is vital that this operation is successful in order to avoid losing the vulnerable orange fronted parakeet and negatively impact the great spotted kiwi. It will also assist other native species in the area which are vulnerable to rat plagues.
10. The Department's technical advisory team has revised the bait application rate for this and some other operations to ensure more even bait spread. This is at an increased rate of 2kg/ha, being spread in two lots of 1kg/ha with overlap. This adjustment aims for complete bait coverage to reach all rodents. It will be applied by sowing baits in overlapping swathes, so that the entire area is sown with baits twice and there is no possibility of gaps. By sowing twice and achieving the same kill rate for each individual swath, the operation is expected to achieve at least a 94% mortality for rats.
11. The change from a 1.5kg/ha to 2kg/ha sowing rate for the 1080 toxic baits was recommended by the Battle For Our Birds (BFOB) Technical Advisory Group (TAG) increase the effectiveness of the predator control. You are able to rely on the information on potential risks in the Assessment of Effects which forms part of the Application, and the Assessment Report which accepts that assessment.
12. The BFOB TAG considered that any additional risk of by-kill to non-target species is acceptable in light of the significant potential benefit of increasing the sowing rate, compared to the known risk of an unsuccessful operation should 1.5kg/ha sowing rate be used instead.
13. It is noted that the proposed increased sowing rate at 2kg/ha exceeds the guidance in the current Method Best Practice for BFOB aerial 1080 baiting which has specified 1.5kg/ha as current guidance. A sowing rate of 2kg/ha has however been used in many past operations, and the operation will continue to meet other best practice guidance.
14. The effect of increasing the sowing of the general block to 2kg/ha has a direct impact on the OFP Blocks which are to be sown at 3kg/ha (being two sowing of 1.5kg/ha with

overlap). As the sowing of the whole operation area includes the OFP Blocks this results in a possible 5kg/ha in the OFP Blocks (1.5 + 1.5 + 1 + 1). It is, therefore, necessary to recognise this in the permission. Again, the technical advice is that any increased risk to species, other than rodents, is acceptable.

15. As the change from 1.5kg/ha to 2kg/ha for the operational area generally and the potential increase from 3.5kg/ha to 5kg/ha in the OFP Blocks from the two applications does not change the potential effects of the operation in a material way, you can rely on the analysis undertaken when Permission 6007486 was granted.

Performance Standard Sheets – compliance with Kea Code of Practice

16. The recommended standard in the kea habitat code of practice is a maximum of 2 kg/ha. An exemption was granted for the OFP Blocks but, given the increased sowing rate, an exemption is now sought for the whole of the operation area which is reflected by deleting condition 2 from both Performance Standards #1 and #140. Operationally the Code of Practice for Aerial 1080 in Kea Habitat will be followed as much as is practicable, but making it a requirement imposes difficulties because of the sowing rates specified, and the use of deer repellent (EDR) in part of the operation area (the Code of Practice specifying that only baits with cinnamon lure may be used). The exemption from the Code is based on specialist advice.
17. An amendment is, therefore, required to remove Condition 2 of the Performance Standard Sheets attached to the Permission. That condition is inappropriate as the Code of Practice cannot be followed in its entirety for this operation, and an exemption from compliance with the Code of practice has been provided for in the operation design.
18. The required change can be effected by substituting the attached Performance Standard Sheets with the wording struck through in place of the version of the Performance Standard Sheet attached to the Permission as originally granted. You should also sign the replacement Performance Standard Sheets and initial the deletion of Condition 2.
19. As the addition of this paragraph does not change the substance of the Permission you can rely on the analysis undertaken when the Permission was granted.

Decision

It is recommended that you:

1. **Note** the need for the recommended changes as set out in the above memo;

Agree / Disagree

2. **Agree**, given the limited nature of the changes and the support of the Department's technical staff, that you adopt the analysis already undertaken for the granting of Permission 6007486 (including the variation in DOC-6014094). Discussion on the various legislative provisions is set out in the previous memo DOCCM ;

Agree / Disagree

3. **Agree**, under sub-delegation from the chief executive of the Environmental Protection Authority and delegation from the Minister of Conservation and the Director-General of

Conservation, to revoke Permission 6007486 (including the variation in DOC-6014094) to enable the changes needing to be made through a replacement Permission;

Agree / Disagree

4. **Agree** that the proposed permission and conditions consider the adverse effects of the use of sodium fluoroacetate (1080) on DOC managed or administered land and that granting the permission is in accordance with the purpose of the Hazardous Substances and New Organisms Act 1996, recognising the life-supporting capacity of ecosystems and the well-being of people and communities and taking into account the principles and other matters in sections 5, 6, 7 and 8 of that Act;

Agree / Disagree

5. **Agree**, under sub-delegation from the chief executive of the Environmental Protection Authority, to grant permission under s 95A of the Hazardous Substances and New Organisms Act for the use of 1080 on the land managed or administered by DOC in the operation area;

Agree / Disagree

6. **Agree** you are satisfied that, in the area of the operation, rodents are causing damage to wildlife and the killing of this unprotected wildlife will meet the purpose of the Wildlife Act 1953;

Agree / Disagree

7. **Agree**, under delegation from the Director-General of Conservation, to grant an authorisation under section 54 of the Wildlife Act for the killing of rodents in the operation area by the use of 1080 aerial drop;

Agree / Disagree

8. **Agree** that, for the purpose of providing greater protection for protected indigenous species, individual protected wildlife may be killed as a result of this operation even though the conditions on the permission are complied with, and that this is in accordance with the purpose of the Wildlife Act;

Agree / Disagree

9. **Agree**, under delegation from the Director-General of Conservation, to grant an authorisation under section 53 of the Wildlife Act for the killing of protected indigenous wildlife for the purpose of greater protection of indigenous wildlife in the operation area;

Agree / Disagree

10. **Agree**, in relation to the area of operation within the Arthur's Pass National Park, that this operation is in accordance with the purpose of the National Parks Act 1980 and is consistent with the Arthur's Pass National Park Management Plan;

Agree / Disagree

11. **Agree**, in relation to the area of operation within the Arthur's Pass National Park and under delegated authority from the Minister of Conservation, to authorise under section

51A of the National Parks Act the killing of non-indigenous animals (particularly rodents);

Agree / Disagree

12. **Agree**, in relation to the area of operation within the Arthur's Pass National Park and under delegated authority from the Minister of Conservation, to authorise under section 5 of the National Parks Act the possible killing of indigenous animals as part of this pest control operation;

Agree / Disagree

13. **Agree**, in relation to the area of operation that is conservation area that the hunting of animals by the use of poison is in accordance with the purpose of the Conservation Act 1987, that no conservation management plan applies (but the operation is in accordance with the relevant conservation management strategies and conservation general policy), and that public safety has been provided for;

Agree / Disagree

14. **Agree**, in relation to the area of operation that is conservation area and under delegated authority from the Director-General, to grant a permit under section 38 of the Conservation Act for hunting animals by the use of poison;

Agree / Disagree

15. **Agree**, in relation to the area of operation that is scenic reserve and local purpose reserve, that the killing of fauna by the use of poison is in accordance with the purpose of the Reserves Act 1977, the management of the scenic reserve and local purpose reserve, and the relevant conservation management strategies and conservation general policy;

Agree / Disagree

16. **Agree**, in relation to the area of operation that is scenic reserve and under delegated authority from the Minister, to authorise the killing of fauna on the reserve as part of this pest control operation;

Agree / Disagree

17. **Agree**, in relation to the area of operation that is local purpose reserve and under delegated authority from the Director-General as administering body, to authorise the killing of fauna on the reserve as part of this pest control operation;

Agree / Disagree

18. If you have agreed to the above, **sign** the attached Permission ID 6048537 which immediately revokes Permission 6007486 (and variation 6014094) and immediately replaces it with a new permission covering the above matters; **initial** the attached Maps; and **initial and sign** the attached replacement DOC Performance Standard Sheets for Pesticide Use #1 and #140 which has Condition 2 struck through.

Agree / Disagree

s 9(2)(a)



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Hilary Aikman, Director National Operations

Decision made by me on 22 August 2019

s 9(2)(a)



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Jacquelyn Shannon, Acting Deputy Director-General Operations

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