

CLIMATE JUSTICE TARANAKI NEWSLETTER, 11 MAY 2015

Yesterday, 350 launched a new video to remind us all of the Pacific Climate Warriors' declaration: "We are not drowning, we are fighting!" <http://350.org/pcw6monthsvideo/?akid=6713.1039586.LaTW80&rd=1&t=2> . In July, NZ will become chair of the UN Security Council. Let's call on the Prime Minister to put climate change on the agenda: http://act.350.org/sign/NZ_Security/

Last week (6-7 May 2015), Climate Justice Taranaki (CJT) presented at the EPA hearing on Shell Todd Oil Services (STOS)' marine consent application. STOS wants to drill another 22 side-track wells and continue production and waste dumping at the Maui platforms for another 35 years. CJT's key concerns are:

- The lack of best available information provided by STOS.
- Inadequate assessment of the effects on the environment and existing interest.
- Integrity of wells and other aging structures.
- STOS' documented non-compliance.
- Impacts on endangered species and NZ's international obligations.
- STOS' economic analysis failed to take into environmental and societal costs.
- Climate change.

Here we share with you some of the highlights of the hearing from our perspective:

When the decision making committee (DMC) enquired about CJT's objectives, Urs replied: "*Climate Justice is... an idea, a movement that seeks action on the root causes of climate change. So we incorporate environmentalism together with social justice activism. For us, the economy is really the root cause of our climate problems... the environment problems we have. So we want to combine both social justice and environmentalism, and for us that is climate justice. That is to keep fossil fuels in the ground and ... advocate and campaign for a sustainable future, energy reduction, energy efficiency, sustainability, gardening, all those kind of good, fuzzy, warm, good feeling things that we are into....*"

In response the DMC's question re the adequacy of information, Lyndon had this to say:

"We found it ourselves to be quite disturbing that across many areas we were being given information that was coming from overseas or from models rather than actual data. I think, given that there was an audit done in 1988 of stage 2 of the programme and there were very strong recommendations made in terms of monitoring at that time, it is a little bit disturbing for us that it has taken until 2007 when actually legislation was put in place for any monitoring really to happen ..."

CJT is grateful to have two witnesses on the case. Witness Ms Sarah Roberts highlighted this:

"...since 30 June 2013 there have been 130 petroleum dangerous occurrence notifications received by WorkSafe New Zealand. This is for a period of less than 2 years. Eighty-nine of these were attributable to Shell Todd Oil Services...

There is no updated marine oil spill risk assessment or specialised oil spill response centre at Port Taranaki... A tier 2 response is the responsibility of the regional councils ... It appears clear from Taranaki Regional Council's ... that ... it is unable to provide adequate support... MNZ might be the designated combat agency... however, as to their capability of dealing with a tier 3 spill it would appear that this is also limited. This is further illustrated by the statement ... that in the event of loss of well control it would take 106 days to mobilise a drilling rig from overseas to drill a relief well."

CJT witness Steve Goldthorpe pointed out this:

"... all 14 of the mother bores at the Māui A foundation, that is the foundation top section of 30 those wells beneath the Māui A platform, were completed more than 30 years ago... therefore, past their nominal use-by date. Likewise, all except two of the mother bores at the Māui B wells are more than 20 years old... approaching their use-by date. Nonetheless STOS is requesting permission to continue a programme of drilling side-tracked wells from these mother bores for another 35 years.

... how much gas escapes from the Māui gas wells into the surrounding strata and hence into the sea? Is it a trivial amount that is of no consequence, or is it a significant amount of natural gas and condensate discharging into the sea? ... STOS apparently have no data... I conclude that leakage of natural gas, and condensate, from the seafloor into the ocean below the Māui gas platforms could be several percent of the gas produced. Such leaks from these aging gas wells would be unobserved, unmeasured, unfixable, non-hazardous, non-commercial and certainly non-zero...."

In her personal submission, Catherine point out:

"On day two of the hearing Ms McConnell emphasised that while there have been sightings of the dolphins out there: 'They are very, very few and far between, so I strongly believe that the platform represents the very periphery of the dolphins' habitat.' But the reason that they are very, very few and far between is because there are so few of them left. We have driven them close to extinction by allowing more threats from fishing to marine transport, pollution and mining to proliferate. The use of inadequacy of sightings of a critically endangered species to justify an exploitative activity is akin to celebrating the effect of global warming melting the Arctic, allowing drill ships to go further north to extract more fossil fuels. It's a perfect vicious cycle that works in favour of the exploiter...."

In her joint representation with Rae Ranginui and Uenuku Tangaroa Ponga, Tanea Tangaroa emphasized:

"All children and mokopuna have a right to enjoy undisputed and inherent tangatamoana and should be recognized absolute under the Whakaputanga o te tiriti o te Moana ki Nu Tireni by all governments, corporations, departments and organisations."

With a series of informative slides showing destructive activities from seismic surveys to fishing in the area, Emily demonstrated their serious cumulative effects on marine mammals. She also discussed the problems with NZ's climate policy and gave a passionate plea:

"... You look at climate change policy in New Zealand and just to get the ETS, which is the only legal policy we have in New Zealand on climate change, it took them years and years ... We finally got the ETS, and even that's been broken ... So the EPA, the RMA, Ministry of Environment, everyone is hog-tied; can't do anything on the climate change issue. We can't even talk about it today.

Yes, so we just have to keep fighting this. What can I say? Our seas are a mess, they're so full of rubbish, they're so over-fished that people can sail from here to Canada and not see any life. ... Environmental Protection Agency, we need you to do whatever you can, because the sea is dying. Yes, please help..."

Urs further commented:

"... STOS, as a corporation, doesn't have feelings; it doesn't have feelings like you and I do when we see a seabird covered in oil. Its sole purpose is to make money, and I think, ultimately, that's the problem: we have developed a life, an economy and systems of governance and decision-making that rely entirely on the extraction of fossil fuels over the last 150 years. When the war started in 1860 in Waitara, it was five years later, in the midst of the war, that the first well was drilled down the port...

... Taranaki leader, Wiremu Kīngi Te Rangitāke... in 1860... compared himself and his people to a seagull sitting on a rock. He was referring to the tides coming in ... the seagull - him and his people - were losing their livelihood, they were losing the rock that they were sitting on... Of course, the tide coming in was the taking of land and the rock eventually disappeared with the confiscation of 1 million plus acres of land. That statement rings true today

in terms of climate change, and the interesting thing is that the tide is coming in and it's not just the land that's been taken, it's the actual tide coming in, in terms of sea level rises..."

On May 7th, Lyndon DeVantier presented his personal submission:

"... based upon the clear scientific evidence that the cumulative effect of continuing mining and combustion of fossil fuels is rapidly acidifying the oceans... While it is true that the Maui operation is a minor contributor to acidification, this is not the case for the partners, with Shell in particular being a major contributor. And the ancient proverb about straws and camels is entirely relevant here... Each such application contributes directly to the 'tragedy of the global commons' ... through release of pollutants to ocean and atmosphere. In these crucial respects, 'dilution is not the solution to pollution'..."

STOS, as indeed some departments of the New Zealand government, make much of the perceived economic benefits of the application; yet do not consider the projected losses by other industries. A recent international acidification workshop ... [MPI 2014] noted: "Revenue from mussels, oysters and salmon was in excess of NZD \$300M in 2011 with shellfish representing the majority by volume (89%) and revenue (79% ...).

'...on-going ... monitoring ... shows that the open ocean waters off New Zealand are acidifying at rates comparable to average global trends. ... Ocean acidification will impact a range of marine species, food webs, and marine ecosystems.'"

At the CJT closing representation, we reiterated our position and key conditions for the consent:

- CJT opposes the proposed drilling of 22 side-track wells or any new wells from Maui A and B in full.
- CJT asks that the permit be limited to FIVE years which will allow time for winding down STOS' current operations at Maui ... and time to develop an appropriate decommissioning plan.
- Exclusion of well stimulation technologies.
- Requirement of a decommissioning plan including environmental and cultural impact assessment.
- Requirement of a bond to ensure integrity of all Maui structures and adequate finance for decommissioning.
- Requirement of public liability insurance to cover costs for detailed environmental and ecological assessment, restoration and monitoring, in the event of a major incident.

After showing the Committee a brief video featuring Lord Oxburgh, former head of Shell UK, Lyndon reminded us all of the secret meetings among Shell, PEPANZ, and Ministers Steven Joyce and Simon Bridges, and a poignant quote from Adam Smith (1776): *"The proposal of any new law or regulation of commerce which comes from this order [ie. industrialists], ought always to be listened to with great precaution, and ought never to be adopted till after having been long and carefully examined... It comes from an order of men, whose interest is never exactly the same with that of the public, who have generally an interest to deceive and even to oppress the public, and who accordingly have, upon many occasions, both deceived and oppressed it."*

All CJT presentations, slides, videos and the Hearing transcripts can be downloaded from EPA website, day 6 and day 7 of the hearing: <http://www.epa.govt.nz/EEZ/stos/the-hearing/transcripts-proceedings/Pages/default.aspx>

There's been several media stories covering STOS application and the hearing:

<http://www.radionz.co.nz/news/te-manu-korihi/273301/is-the-epa-up-to-dealing-with-maori>

<http://www.stuff.co.nz/business/industries/68307519/climate-justice-change-position-on-maui-gas-field-consent>

<http://www.radionz.co.nz/news/national/272583/maui-consent-should-be-withheld-campaigners>

<http://www.radionz.co.nz/news/national/272303/future-of-maui-gasfield-under-examination>

A decision on the application is expected to be announced in early June.