

5 December 2024

Phoenix Dingle
phoenix@taxpayers.co.nz

REF: OIA-16768

Dear Phoenix

Request made under the Official Information Act 1982

Thank you for your email of 24 October 2024 requesting information about ecological compliance and costs relating to Hochstetter's frogs under the Official Information Act 1982 (the Act). I shall respond to each part of your request in turn.

1. The total costs associated with ecological compliance efforts specific to the protection and relocation of Hochstetter's frogs. Please break this down into individual receipts or invoices when possible (categories if not) including but not limited to:

- Cost of engaging ecologists on site for 327 hours.***
- Cost of stop-work periods undertaken to develop protocols for frog protection.***
- Costs associated with the water testing and re-livening process for the culverts.***
- Any additional costs incurred due to delays directly related to ecological requirements.***

The cost of 327 on-site ecologist hours is \$74,000. These hours include active frog search activities across the four phases of salvage:

1. main clearance before physical works
2. ahead of contractor - spotlight
3. during works morning searches & clearings (incl. false starts)
4. machine assisted salvage

No site-wide stop-work periods have been instigated as a result of the discovery, death, or management of Hochstetter's frogs. Critical works in gully areas that provided potential habitat for Hochstetter's frogs were delayed until the Department of Conservation formally issued the Wildlife Act Authorisation to NZ Transport Agency Waka Kotahi (NZTA) on 8 February 2024. Enabling works and other works continued onsite prior to the Authorisation being issued.

Frog protection protocols were developed as part of the management plans prepared prior to the commencement of main works as part of the application for authorisation under the Wildlife Act 1953.

Following the discovery of a dead frog on 13 March 2024, a culvert head was isolated, and stream works at gully sites temporarily paused while the project team conferred with the Department of Conservation and established the likely cause of frog mortality. The majority of the site remained live, and resources were redistributed to other works areas to maintain progress.

Additional protocols for in-situ concrete pours and culvert re-livening were developed in parallel with project works and works at gully sites resumed on 24 March 2024 (refer to Appendix G of the Hochstetter's Frog Compliance Report referred to later in this response).

A Yellow Springs Instruments (YSI) water meter was initially borrowed from Northland Regional Council to undertake initial potential of Hydrogen (pH) readings. This meter was returned and a dedicated YSI meter was hired for onsite use for the duration of the stream works. These meters provide instantaneous pH level readings onsite using a probe; therefore, no laboratory analysis was undertaken. Additional costs associated with testing and re-livening of the culverts amount to approximately \$10,000 and include meter rental and hours involved in investigating and responding to frog deaths, developing, and implementing concrete treatment measures, and taking pH measurements.

2. Information regarding the financial contribution of between \$100,000 to \$200,000 required as part of the consent conditions for a project to further understand Hochstetter's frogs.

Specifically:

- The exact amount paid and invoices or receipts regarding which project or entity received the contribution.***
- A breakdown of any other payments related to ecological research on Hochstetter's frogs made by NZTA during this period.***

No invoices have yet been received and thusly no payments of this nature have been made to date. As such, this part of your request has been declined under section 18(e) of the Act as the information requested does not exist).

3. A copy of the Brynderwyns Recovery Hochstetter's Frog Compliance Report completed by WSP Consultancy.

- Any additional reports related to the ecological compliance surrounding the installation of concrete culverts and the subsequent frog deaths, including but not limited to water testing results and pH level monitoring.***

The Brynderwyns Recovery Hochstetter's Frog Compliance Report has been proactively released. Therefore, I am refusing this part of your request under section 18(d) of the Act, as the information requested is publicly available via the following link:

<https://www.nzta.govt.nz/assets/About-us/docs/oia2-2024/pro-435-brynderwyns-frog-survey-and-salvage-report.pdf>

A detailed account of events surrounding the mortality of two Hochstetter's frogs is provided at Appendix G of the Hochstetter's Frog Compliance Report, including pH level measurements taken upstream of and within the small pool above the new culvert mouth.

4. A detailed account of the procedures and actions taken when the two Hochstetter's frogs were found dead, including but not limited to:

- All internal and external communications between NZTA, ecologists, and other stakeholders (including iwi/hapū) concerning the frog deaths.***
- Records of any correspondence with Auckland Zoo and Gribbles Laboratory, which conducted investigations into the frog deaths.***

Correspondence relating to the frog deaths and histology reports from Awanui Veterinary (formerly known as Gribbles Veterinary) are included in Appendix G of the Hochstetter's Frog Compliance Report linked in the response to part 3 of your request. The following additional correspondence relating to the deaths of two frogs fall within the scope of your request and are enclosed:

- Attachment 1: Additional Correspondence - Hochstetters Frogs.pdf

Certain information has been withheld under section 9(2)(a) to protect the privacy of natural persons.

Further information has been withheld under section 9(2)(b)(ii) as the release of this information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information.

Te Uri o Hau mana whenua representatives were notified of the frog deaths by NZTA's project manager via phone call. The frog mortalities were discussed during the weekly project planning and environmental meetings, regular meetings usually attended by the project Kaitiaki Advisor.

5. Information on any additional protocols or changes made to the project as a result of these frog deaths to prevent similar incidents, and the costs.

Concrete culvert re-livening protocols are detailed in Appendix G of the Hochstetter's Frog Compliance Report linked in the response to part 3 of your request. Additional costs associated with the implementation of these protocols are provided in response to the first part of your request above.

If you would like to discuss this reply with NZTA, please contact Ministerial Services, by email to official.correspondence@nzta.govt.nz

Yours sincerely

A handwritten signature in black ink, appearing to read 'Robyn Elston', with a stylized flourish at the end.

Robyn Elston

National Manager – System Design