He Pou a Rangi
Climate Change Commission

OIA Ref: 2022-018 and 2022-021

[redacted]

7 November 2022

Tēnā koe [redacted]

The following letter is He Pou A Rangi Climate Change Commission's response to two of your requests for information under the Official Information Act 1982 (the Act). These requests were given the reference numbers 2022-018 and 2022-021. As communicated with you on 28 October 2022, the Commission made the decision to combine our responses as both requests are closely aligned with each other.

On 10 October 2022 the Commission received your first request for information (2022-018) under the Act, see below:

> *Part 2/2A*
> *Maybe the question was too vague, so here is some clarification;*
>
> *Assuming the inventory includes a list of ALL GHGs, and then the inventory list should include quantities of each gas. All measured at a given location, at a specific date and time.*
>
> *a) How does the CCC collect and monitor the quantity of each GHG*
> *b) How and where will the measurements be taken?*
> *c) How often (weekly?) will new quantity measurements taken and recorded?*
> *d) Which (one) Government agency will have control of the inventory?*
> *e) What does the CCC hope to achieve as a result of the GHG quantity changes?*
>
> *Part 9A*
> *There is evidence that the reports from the IPCC are based on modelling data only and that the modelling is not proven scientifically as being factual.*
>
> *It would be prudent for CCC to therefore do independent checks to ensure the information being used is factual and scientifically correct.*
>
> *Do you agree?*
>
> *It is my understanding the CCC has been referred to the paper by Coe et al.*
>
> *What was the outcome of that reported information and the advice given to Government?*

There is currently no transparency as to the accuracy of advice provided by CCC or trust in the information released by the CCC.

Refer also to the findings recently published by Professor Nicola Scafetta, a physicist from the University of Naples.

Part 10A
The answer is a total cop out and is therefore not acceptable.

Someone other than the IPCC and MfE must hold information about the effects of nitrous oxide?

To help others who will read this paper; the CCC needs to confirm that they are aware that the IPCC is not a scientific body.

The IPCC is the Intergovernmental Panel on Climate Change.

The IPCC is a United Nations body for assessing the science related to climate change.

The IPCC does not conduct its own research or do any science, but receives reports from individuals and groups around the World (which it alone approves) and puts together as its reports.

In putting together those reports there appears to be no checking, questioning or ability by the IPCC panel to assess the validity or accuracy of the papers they receive as they do not have the expertise to do so.

Some of the IPCC reports are checked by other so called "scientists" who already agree with the submitter of the paper included in the IPCC reports. So cross questioning (checking) by an outside neutral agency or body does not exist at the UN.

Those papers and work that the IPCC do not agree with and do not use, are either discarded or deemed unaccepted.

No alternative finding or point of view is tolerated by the IPCC.

Based on that concern, it must be prudent for the CCC to ensure the reports are checked before they are used for policy decisions regarding GHGs, including nitrous oxide?

To help here is some information about nitrous oxide.

Foot note:

> *The concentration of nitrous oxide in the atmosphere in 2021 was reported at 334 pp billion.*

Part 11

The IPCC reports.

A paper recently published in the peer-reviewed literature (Nexus) has shown that the study the IPCC relied on had made some mathematical errors, and also relied on obsolete data.

In fact IPCC did not even use the updated data the IPCC itself used elsewhere in its report.

Further, it has been reported that the Institute of Physics, that also publishes scientific journals, retracted 500 papers in September 2022 because of ''suspicious and unethical activities''. The Institute of Physics also retracted some 350 papers in February 2022.

This suggests that the reports from the IPCC need to be checked with care.

Why has the CCC not checked the IPCC reports in light of these and other reported errors and suspicious activities?

Part 12

Further, mathematician Nic Lewis has noted that if the analysis were re-done dropping the 1860s, for which there are hardly any reliable temperature records, and using some recent IPCC estimates of the aerosol cooling effect, the ECS (Equilibrium Climate Sensitivity) best estimate fell even further, to 1.8 C. So the best estimate of ECS is below the level that the IPCC said it couldn't possibly be. Economists in the US have shown, if ECS is down around 2 degrees C the whole basis for imposing costly climate policy falls apart.

Please refer to the research paper ''Climate sensitivity, agricultural productivity and the social cost of carbon in FUND'', by Dayaratna, McKitrick and Michaels, January 2020.

Has the CCC (or MfE) had any checks done on this 2020 research paper by a New Zealand economist, before the CCC gave advice to the Government for the Net Zero 2050 project and related climate emission policies?

Part 13

It has come to my notice that NASA has recently reported that methane breaks down more quickly than previously recorded. Due to NASA checking chemical reactions in the atmosphere.
Like the oxidation within the troposphere by the hydroxyl radical (OH). The hydroxyl radical is responsible for the breakdown and removal of a host of trace gases, including methane, and for this reason is known as the 'cleanser of the atmosphere'.

a) Can the CCC please provide the evidence they have that shows the NZ Taxes will be able to change the natural chemical reactions that are now breaking down methane in the atmosphere?

b) What percentage of the proposed levies will be used to 'manage' all methane gas in the atmosphere?

Part 14

Please provide evidence of a NZ Energy Production Plan that includes;
a) An outcome of an investigation into the actual feasibility of the 'Net Zero by 2050 Project'.
b) An outcome that confirms the period of time the public of New Zealand will be expected to pay for the estimated cost of $330,000 per household.
Being the household cost to fund the Governments estimated total cost of $550 billion.
c) Do you agree that NZ households can not and will be able to fund the Net Zero Project?

Part 15
At the latest 2022 G20 meeting in Bali, all the BRICS countries rejected the 1.5°C goal as being inconsistent with current IPCC science.
If you agree with this rejection and inconsistency of the IPCC, when will the CCC be advising Government to make changes, and cancel the 'Net Zero Project'?

New Zealand does not need this Project and can not afford to pay for it, based on current Government estimates.

Part 16
Please advise the names and dates of New Zealand Emission related reports prepared by CCC.

Have any of the CCC Emission reports been submitted to the IPCC for inclusion in their reports?

Part 17
What is your evidence that supports both methane and Carbon dioxide are the cause of a temperature rise of greater than 1.5°C, over a given period of time?

The answer please should also address the temperature changes of all Green House gases during the corresponding same period.

Including water vapour (98% of all GHGs)
Carbon dioxide (1.58% of all GHGs)
Methane (0.18% of all GHGs)
Nitrous Oxide (0.12 % of all GHGs) - as 334 ppb in 2021.
Other gases (0.12% of GHGs)

All of the above gases occur in the Green House gases, as due to both natural and human related activities.

Part 18
Here is a recent quote;
'For every new molecule (of methane) emitted today, an old molecule from the same herd disappears.

Accordingly, inflows are matched by outflows, and there is no net addition to the stock of methane in the atmosphere (0.0166%).

There has been much new atmospheric research since the old Kyoto Protocol days, but the current government has its fingers stuffed in both ears.'

What evidence does the CCC have that confirms the concentration of methane is increasing in 2022, both in the atmosphere and the GHGs?

On 25 October 2022, the Commission then received a partial transfer of your request for information (2022-021) from the Ministry for the Environment (MfE) under the Act. We will be responding to the following three questions (bolded below), and MfE will be responding to the remainder of your request separately:

Part 6A (MfE)

The IPCC Fourth Assessment Report was released September 2007. Some 15 years ago and I would suggest is now out of date.

How has the MfE and CCC checked the modelling data in this report, to show that the conclusions are scientifically and factually correct?

Please provide reference to the clauses that were scientifically fact checked and confirmed before recommendations were made to Government.

Part 9A (MfE)

A new paper just published in a peer-reviewed literature has shown that the study the IPCC relied on made some math errors and also relied on obsolete data.
'In fact IPCC did not even use the updated data the IPCC itself used elsewhere in its report.
Why has the CCC not checked these errors?'

Mathematician Nic Lewis has noted that if the analysis were re-done dropping the 1860s, for which there are hardly any reliable temperature records, and using some recent IPCC estimates of the aerosol cooling effect, the ECS (Equilibrium Climate Sensitivity) best estimate fell even further, to 1.8 C. So the best estimate of ECS is below the level that the IPCC said it couldn't possibly be.

Economists in the US have shown, if ECS is down around 2° C the whole basis for imposing costly climate policy falls apart.
Please refer to the research paper ''Climate sensitivity, agricultural productivity and the social cost of carbon in FUND'', by Dayaratna, McKitrick and Michaels, January 2020.

Further, it has been reported that the Institute of Physics, that publishes scientific journals, retracted 500 papers in September 2022 because of ''suspicious and unethical activities''. The Institute of Physics also retracted some 350 papers in February 2022.
This suggests that the reports from the IPCC need to be checked with care.

What checks have been completed by MfE and qualified economists, before giving advice to the CCC or Government?

Part 11A (MfE)

With reference to the paper by Coe et al.

To quote Clause 5.2 from this paper;

''5.2. Effect of Recently Increased Atmospheric CO2
It is of some interest to calculate the increase in temperature that has occurred due to the increase in atmospheric CO2 levels from the 280ppm prior at the start of the industrial revolution to the current 420ppm registered at the Mona Loa Observatory. (K. W. Thoning et. al. 2019) [17].
The HITRAN calculations show that atmospheric absorptivity has increased from 0.727 to 0.730 due to the increase of 140ppm CO2, resulting in a temperature increase of 0.24Kelvin.
This is, therefore, the full extent of anthropogenic global warming to date.''

Please confirm that the CCC and MfE have, or will consider the Coe et al. paper and check your evidence as to the effects of methane and nitrous oxide on atmospheric infra-red absorption.

What are the effects of methane and nitrous oxide on atmospheric infra-red absorption?

In response to the first part of your request, 2/2A, the Commission does not measure greenhouse gases or control the inventory of greenhouse gases (GHG). This is a function held by the MfE. Any changes made to the GHGs published inventory will be reviewed by the Commission and upon further assessment we will update our advice accordingly, if necessary. The GHG inventory helps to inform our work of developing sound advice that helps reduce emissions and moves Aotearoa towards our 2050 target of net-zero. You can find more information about our 2050 net-zero target on our website, at: https://www.climatecommission.govt.nz/our-work/reducing-emissions/. You can also find our upcoming work programme through to December 2024, at: https://www.climatecommission.govt.nz/our-work/our-upcoming-work/. If you have any follow-up questions about the GHG inventory, we recommend that you contact MfE, at: OIA@mfe.govt.nz.

Part 9A of your request asks the Commission to form an opinion about our role, which is not within our remit but is rather set out under the Climate Change Response (Zero Carbon) Amendment Act 2019 (CCRA). Further, forming an opinion would require the Commission to generate new information which we are not required to do under the OIA. In response to both parts 9A and 11A (MfE), the Commission has not reviewed the Coe et al. paper you refer to and has no plans to do so at this stage, although we may assess it as part of our future work program. Therefore, this part of your request is refused under Section 18(e) of the Act as this information is not held by the Commission.

To answer parts 10A, 11, and 6A (transferred from MfE) of your requests, the Commission uses a wide range of scientific literature and reports to inform our work. This includes but is not exclusive to reports put together by the IPCC. We rely on the quality control processes established by expert organisations to ensure that the wide breadth of the material and analysis underpinning and contained in our advice is the most up to date and accurate. As previously outlined to you in correspondence dated 9 September 2022 it is not the Commission's role to independently audit information from other organisations, including the IPCC.

For more information on part 10A of you request, please refer to Chapter 1 of the Supporting Evidence behind our advice, which is publicly available on our website, at: https://www.climatecommission.govt.nz/our-work/advice-to-government-topic/inaia-tonu-nei-a-low-emissions-future-for-aotearoa/supporting-evidence/. You may also find Chapter 9 of *Ināia tonu nei: a low emissions future for Aotearoa* to be useful, at: https://ccc-production-media.s3.ap-southeast-

2.amazonaws.com/public/Inaia-tonu-nei-a-low-emissions-future-for-Aotearoa/Inaia-tonu-nei-a-low-emissions-future-for-Aotearoa.pdf.

For further clarification around part 11, as well as 9A (transferred from MfE), of your requests, any potential errors that may come to our attention will be assessed by the Commission, and any necessary corrections to our advice will be notified via an erratum published on our website. If an error is identified that the Commission considers materially affects any part of our advice, the Commission will notify the Minister of Climate Change in writing as soon as possible.

The Commission is refusing part 12 of your request under Section 18(e) of the Act, as we have not reviewed the research paper listed, and we therefore hold no information regarding it.

In response to part 13A, the Commission is an independent Crown Entity with an advisory role within the wider system for climate change policy in Aotearoa. We do not set government policy, rather we provide advice to the Government of the day for them to consider. As such, we are not responsible for how the government chooses to spend taxpayer money on climate related policies. However, we provide advice to the Government on emission reduction plans and emissions budgets, which if implemented, will result in less methane in the atmosphere. For information on how the emissions budgets, and ultimately the 2050 target, may realistically be met, including by pricing and policy methods, please see Chapters 5-7 and 11 in *Ināia tonu nei: a low emissions future for Aotearoa* (linked above). Furthermore, section 8.9 of *Ināia tonu nei* 'How emissions budgets could impact government taxation and spending' may be of interest to you.

The Commission considers part 13B of your request to be more closely aligned with the functions of MfE. We have asked for their input on this question, and their response is as follows:

"The Government has not yet made a final decision on how revenue from levies will be invested. It is proposed that the revenue from the emissions pricing levy will be invested back into the primary sector as informed by advice from the Revenue Recycling Advisory Body. A priority area for the investment is research and development into, and support for adoption of, mitigation technologies, including those relating to methane. The Government welcomes feedback on pricing agricultural emissions. You can find information on how to submit here: https://consult.environment.govt.nz/climate/agriculture-emissions-and-pricing/."

For part 14 of your request, we would like to clarify our role as legislated by the CCRA. The Commission's role is to give advice to the Government on the direction of policy. Following that, Government agencies review that advice to help inform their plans, rules and legislation. Given that role, we have not produced a National Energy Reduction Plan. However, *Ināia tonu nei* (linked above) does contain analysis that looks at the potential impacts of climate policy on New Zealanders, and this is contained in Chapter 8. Because we have not developed a National Energy Production Plan, we are refusing this portion of your request under Section 18(e) of the Act.

To answer part 15, as part of its role under the CCRA the Commission must advise whether there should be a change of targets each time we give advice on emissions budgets. The conditions under which we can recommend a change are set out in 5S and 5T of the CCRA, at: https://www.legislation.govt.nz/act/public/2019/0061/latest/LMS183848.html#LMS183792. Our next emissions budgets advice will be provided to the Government by the end of 2024.

In regards to part 16 of your request, you can find all our emissions-related reports on our website at, https://www.climatecommission.govt.nz/our-work/advice-to-government-topic/. However, we must refuse

the second portion of your request under Section 18(e) of the Act, as none of the Commission's reports have been submitted to the IPCC.

In response to parts 17 and 18, we refer you to Chapter 9 of *Ināia tonu nei* (linked above) '*Contributing to limiting warming to 1.5°C.'*. Section 9.1 'The science of greenhouse gases' explains why carbon dioxide and methane are the two most important greenhouse gases to focus on. The evidence that supports this chapter is as above (in response to 10A).

Please note, where we have referred you to information that is in the public domain throughout this response, the Commission is also refusing to provide more information in relation to those portions of your requests in accordance with Section 18(d) of the Act, because the information requested is already publicly available.

I hope this has been helpful, however, you have the right to seek an investigation and review of my response by the Office of the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on their website, at: www.ombudsman.parliament.nz

Please note that the Commission has a policy of proactively releasing OIA responses to help others have access to more information, so this letter will shortly be published on the website with your name and contact details redacted to protect your privacy.

Ngā mihi,

Dr Grant Blackwell
Chief Science Adviser