

19-D-02509

19-D-02214

Chris Johnston
fyi-request-11318-98c5562b@requests.fyi.org.nz

Dear Chris

Thank you for your email of 30 September 2019 requesting the following under the Official Information Act 1982 (the Act):

Dear Ministry for the Environment, Please provide any records (e.g. documents, emails, notes or minutes) mentioning scientists Ned Nikolov and/or Kari Zeller and/or Dr Roy Spencer as mentioned in the link below. For context - so that you can correctly identify the individuals - some links relevant to their work are mentioned in the links below. 1) 2017 Peer Reviewed and Published Paper Describing How Earth's Long Term Average Temperature can be estimated from NASA data on other planets without referencing the composition of Earth's atmosphere. That is, the finding is that CO2 does not have an impact on the long term average temperature of Earth.

<https://www.omicsonline.org/open-access/New-Insights-on-the-Physical-Nature-of-the-Atmospheric-Greenhouse-Effect-Deduced-from-an-Empirical-Planetary-Temperature-Model.pdf> 2)

Blog reply by Ned Nikolov in response to a critique by Dr Roy Spencer

<https://tallbloke.wordpress.com/2019/01/17/nikolov-zeller-reply-to-dr-roy-spencers-blog-article/>

This response has also taken into consideration the following points you have raised in your follow up request of 04 November 2019:

1) Combined response - I asked for responses to be separate. Combining the responses makes it harder to establish whether the question has been answered. Please do not combine your responses to separate requests. It frustrates the requester and those people that may access this OIA request at a later date.

2) Excluding responses to the Select Committee that are publicly available. If you follow this link you will discover that the Parliamentary Select Committee web page is only searchable by keyword of the author - and not content. Therefore I cannot even find submissions that I know are there by searching for keywords included in the text. For example:

<https://www.parliament.nz/en/pb/sc/submissions-and-advice/?criteria.Keyword=nikolov&criteria.Author=Environment+Committee&criteria.ParliamentNumber=-1&criteria.Timeframe=&criteria.DateFrom=&criteria.DateTo=>

3) Information in previous OIAs excluded - I have previously submitted an OIA but records mentioned in that OIA were not included in this one. <https://fyi.org.nz/request/9425-all-documents-mentioning-climate-scientists-nikolov-and-or-zeller>

The Ministry for the Environment has identified 27 documents in scope of your request, as listed in the attached table. Some information within these documents has been withheld under the following sections of the Act:

- 9(2)(a) to protect the privacy of natural persons
- 18(d) the information is already publicly available

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the withholding of this information is not outweighed by other considerations that render it desirable to make the information available in the public interest.

Some out of scope information has also been removed from the documents being released to you.

I acknowledge the concerns you raised in relation to our initial response to your request and apologise that we did not notify you of our intention to combine your three requests into one response. As requested we will now provide you with the three individual requests, and provide you with copies of the in scope submissions to the Climate Change Response (Zero Carbon) Amendment Bill. I can confirm that the documents included in your previous OIA request (19-D-00091) are included in this response. They are listed as documents five and seven in the table below. You also noted that we did not include the response to the email included in Document 5. The response does not include reference to the names in your request, so is not in scope.


You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, 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 due to the public interest in our work the Ministry for the Environment publishes responses to requests for official information on our [OIA responses page](#) shortly after the response has been sent.

If you have any queries about this, please feel free to contact our Executive Relations team.

Yours sincerely




Roger Lincoln
Director, Climate Change

List of documents

No.	Date	Content	Decision	OIA Section/s applied
1	10 April 2008	Emails: CC hotspots vs. observations	Release in part	9(2)(a)
2	1 August 2011	Ministerial	Release in part	9(2)(a)
3	3 August 2011	Email: something on Spencer	Release in part	9(2)(a)
4	1 August 2016	Ministerial	Release in part	9(2)(a)
5	12 June 2017	Ministerial	Release in part	9(2)(a)
6	11 September 2017	Ministerial	Release in part	9(2)(a)
7	4 October 2018	Kevin Hearle - submission to public consultation on Zero Carbon Bill	Release in full	
8	18 February 2019	OIA response letter – 19-D-00091	Withhold	18(d)
9	June - August 2019	Barbara McKenzie - submission to the Environment Committee	Release in full	
10	June - August 2019	Chris Johnston - submission to the Environment Committee	Release in full	
11	June - August 2019	Dougal Strahan - submission to the Environment Committee	Release in full	
12	June - August 2019	Edward Tye - submission to the Environment Committee	Release in full	
13	June - August 2019	Elizabeth Turner - submission to the Environment Committee	Release in full	
14	June - August 2019	Gary Stephenson - submission to the Environment Committee	Release in full	
15	June - August 2019	James Turner - submission to the Environment Committee	Release in full	

No.	Date	Content	Decision	OIA Section/s applied
16	June - August 2019	Jock Allison - submission to the Environment Committee	Release in full	
17	June - August 2019	John Benson - submission to the Environment Committee	Release in full	
18	June - August 2019	Mark Jones - submission to the Environment Committee	Release in full	
19	June - August 2019	Rob Colmore - submission to the Environment Committee	Release in full	
20	June - August 2019	Roger Turner - submission to the Environment Committee	Release in full	
21	June - August 2019	Shane Borrell - submission to the Environment Committee	Release in full	
22	June - August 2019	Simon Turner - submission to the Environment Committee	Release in full	
23	June - August 2019	Stephen Eichler - submission to the Environment Committee	Release in full	
24	June - August 2019	Stephen Eichler - submission to the Environment Committee	Release in full	
25	June - August 2019	Stephen Eichler - submission to the Environment Committee	Release in full	
26	June - August 2019	Tina Sleigh - submission to the Environment Committee	Release in full	
27	June - August 2019	Wallace Westland - submission to the Environment Committee	Release in full	