



Submission on EPBC Act Referral: Barmah 'Ecological Thinnings' Trial

Referral title: DSE Vic & NSW Environment & Heritage/Natural resources management /Murray Valley NP NSW & Barmah NP Victoria/VIC & NSW/Eco thinning trial in NSW & Victorian River Red Gum Parks.

1. Lawyers for Forests Inc (**LFF**) are deeply concerned by the current proposal to conduct so-called 'ecological thinning' inside Red Gum National Parks. The proposed logging trial has been poorly designed and directly contradicts the management objectives of this significant protected area. The design of the proposed action is questionable and environmentally insensitive, to be conducted in a unique wetland of national significance. This will result in an experiment with dubious ecological outcomes.

2. In line with the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (**The Act**), the environmental impacts of this activity, combined with the importance of the protected ecosystem, constitute matters of national environmental significance. LFF believes that the Minister should wholly reject the logging trial in its current form.

At a minimum, the proposed action must be deemed a controlled action, and requires a rigorous Environmental Impact Statement or public inquiry.

3. Matters of National Environmental Significance

Ramsar wetland

The areas proposed for this activity form part of the Barmah-Millewa red gum forest wetland system, which is the largest complex of red gum wetlands in the world. These wetlands are vital habitat for threatened species, large numbers of migratory birds, and colonies of nesting

waterbirds. They also provide healthy waterways for the breeding and migration of native fish.

The proposed action effectively constitutes a set of inappropriate logging operationsⁱ, planned both within the Ramsar site itself and inside the protected area of the Barmah-Millewa National Park. While the referral claims that the activity will not impact upon the Ramsar site because ‘no plot will be located within 100 metres of a named or mapped wetland’ (Referral p. 16), the mapped Ramsar wetland site covers the full extent of the Barmah-Millewa National Park and includes all of the thinnings plots.ⁱⁱ The iconic forests that will be impacted by this activity are a unique feature of this wetland, and account for its inclusion on the Ramsar list, under Criterion 1.ⁱⁱⁱ

Impacts on the Ramsar Wetland

4. The Referral notes that ‘the implementation of thinning [in the Ramsar site] may cause some short-term damage to retained trees, increase soil compaction, and potentially introduce pathogens to a site, which may increase the risk of disease and parasitism in the stand.’ (Referral P. 13)

The referral outlines other potential impacts on the ecological character of the Ramsar wetland site to include felling, damage and removal of vegetation; soil compaction and alteration; potential contamination of soil and water through use and storage of fuels, chemicals and herbicides; potential for transference of diseases and pathogens, and the potential for siltation and Noise pollution and emissions.

5. Threatened species

The thinnings operations are planned within the habitat of a number of nationally listed threatened species. The large scale, mechanized removal of vegetation, soil disturbance, road construction and transport involve with the activity pose a series of threats to the habitat values of the area and to these species. While some provisions have been made to avoid known Superb Parrot nesting sites, the trial will inevitably impact on the parrot habitat through vegetation removal, disturbance, noise pollution and transport and haulage activity.

Given the matters raised above, the proposed activity will, or is at least likely to, have a significant impact on listed threatened species as well as on the ecological character of the

Ramsar site. As a result, if not rejected outright, the activity must be deemed a Controlled Action under the Act.

6. Ecological outcomes

The referral itself notes that this site is ‘particularly important...from an ecological perspective’ (Referral p. 20).

While the planned activity is purportedly to address ecological issues in River Red Gum Forests, including structure, health and tree mortality as a result of human activities in the area, there is insufficient evidence that this experimental, impact-laden intervention will achieve these ecological objectives.

The trial will be conducted to ‘quantify potential benefits’ (Referral p. 4) and to test hypothetical results, not to produce an assured environmental outcome. As the Robinson Report prepared for the proponents states, the ‘overall effect of thinning upon these [ecological] conditions is not known.’^{iv} The trial involves subjecting a site of known national environmental significance to a disruptive experiment with no guaranteed ecological benefits. It therefore involves an inappropriate level of risk.

7. Other options

The Victorian Environment Assessment Council has previously identified altered water regimes as the main threat to the health of the Ramsar site. There is evidence to suggest that enhanced flooding may present a much more natural and sustainable long-term management solution to the ecological problems facing red gum forests. These options should be adequately explored before commencing mechanised thinnings trials.

8. Logging by another name

The NSW EPA notes that the proposed action shares similarities with forestry activities.^v The action resembles a timber harvesting operation in many ways: use of mechanical harvesting, felling and removal of timber, road construction and haulage. The 2008 VEAC River Red Gums Forest Investigation Final Report specifically recommended the exclusion of timber harvesting from the Barmah National Park, in order to meet nature conservation objectives.

The proposed activity undermines those conservation objectives for which the Park was created.

Alternative Sites

If evidence can be found to indicate that “ecological thinning” is to be considered the best feasible, long term, landscape level response to the ecological problems occurring in River Red Gum forests, a more sensitive trial in an alternative location should be considered. While the Referral states that ‘There are no alternative sites that provide opportunity to undertake a comprehensive, cross border investigation...’ (Referral p. 6), no other option is presented as having been explored and there is no information as to why a different site within the 12,000 hectares of River Red Gum state forest outside of National Parks would not be suitable for experimental purposes.

Traditional Owners Consultation

The Yorta Yorta Traditional Owners (TOs) have a joint management arrangement for the National Park in which the logging trial is planned. While information in the referral suggests that Traditional Owners have consented to the trial, anecdotal evidence suggests that this consultation has been limited to verbal communication and cultural heritage assessments, rather than adequate and timely consultation and that the pace of the project has been unexpected. LFF requests that you require adequate consultation be held with the TOs and that collaborative planning occur to arrive at more sensitive responses to the ecological issues in Red Gum forests, in line with the co-management arrangement.

Lawyers for Forests Inc.

23 January 2013

i NSW EPA, Michael Hood to Ross McDonnell, 14/12/12.

ii Ecological Thinning Trial Plot Locations Map

iii <http://www.environment.gov.au/cgi-bin/wetlands/ramsardetails.pl?refcode=64>

iv Robinson, Andrew. *Review of Ecological Thinning Study Design*. 2011.

v NSW EPA, Michael Hood to Ross McDonnell, 14/12/12.