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Submission to Alpine Grazing Referral 2011/6219

Environment East Gippsland appreciates the opportunity to comment on this referral. EEG has been interested in the environmental issues of the region and wider Gippsland area since 1982. We have a membership of over 550 and a supporter base of over 800. A large part of our work involves research and investigation. We have taken a keen interest in the controversy surrounding alpine cattle grazing issue and believe we have a good grasp of the issues.

The Alpine Grazing project was commenced by the Victorian Government very soon after narrowly winning the last election. Thanks to promises made to the Mountain Cattlemen's Association we have a toxic brew of National Party politics and suspect science.

The Commonwealth Government was ignored earlier this year when the Victorian Government secretly moved cattle into our Alpine National Park. We believe this was payment to the National Party for winning the East Gippsland seat from Craig Ingram.

Since its inception, the Baillieu Government has been very dishonest with the Commonwealth Government about the running of this project, and the Victorian Government referral documentation demonstrates that nothing much has changed. We consider Environment Minister, Ryan Smith's claim that he always intended to have the grazing project referred to the Commonwealth as total nonsense. The overwhelming body of evidence and previous studies already demonstrates that grazing provides very little assistance in making Victoria safer from wildfires. In fact it could create more flammable landscapes.

However, we have no objection to the State Government trialling cattle grazing to test fire severity if done carefully and in a scientifically valid manner in State Forests. Given the importance of the Alpine National Park, we do not support the return of grazing to this area.

Background to the trial

In 2007, the Bushfire CRC commenced the HighFire project that included a study of the impact on grazing for wild fire mitigation. The project was run by Mark Adams from Sydney University and he established a number of study sites all on land in the High Country but outside any National Parks. This project, which was partly funded by the Commonwealth, completed baseline data collection for the sites, which we understand are still being maintained. However, no final report was produced by the project which has since been terminated.

During the time HighFire was running, Mark Adams and Maria Taranto from the University of Sydney and Shaun Cunningham, a colleague from Monash University, prepared a report "Fire Management of the High Country: A critical Review of the Science", which was highly critical of the standard of research that underpinned the Victorian Government's removal of cattle from the High Country in 2005. A brief summary of this research was published as a Bush Fire CRC FireNote in 2009. In this FireNote, Adams promised that the research summarised in the FireNote was going to be submitted to a peer reviewed journal. Despite the scathing criticism of other workers in the summary, the research report promised by Adams was never accepted by a journal and has still not been published in a peer review journal. None of the researchers attacked in this literature review have ever been given a chance to see the details of the criticism levelled at their work. However, one reason for the review not being accepted for publication is its heavy reliance on Journal Impact Factors to assess the value of articles.

The use of Journal Impact Factors has been heavily criticised as a method for assessing individual papers and it is doubtful that reliable data has been used to compile this data for articles up to 30 years old. Despite these methodological problems, this review was submitted as a key part of the case submitted to the Victorian Government.

In 2009, serious wildfires devastated a large part of the State. This tragedy was used by Mountain Cattlemen to convince the Liberal and National Party that cattle grazing could play a major role in controlling bushfires. This is despite the historic evidence that alpine areas are very rarely burnt in bushfires due to the vegetation and sensitive wetland-like vegetation which suppresses fire.

In 2010, the Coalition Government narrowly won the State election with a promise to reintroduce grazing in our Alpine National Park.

In the dying days of the Brumby Government, the Gunai-kurnai Settlement Agreement was signed that included provisions for consultation over land use issues. Some of the area affected by the grazing proposal includes Gunai-kurnai land.

Virtually days after being sworn in, supporters of the Alpine Grazing proposal had met key staff at the Department of Sustainability and Environment. The Coalition had a policy of reintroducing cattle grazing, but because the previous Government had banned grazing, honouring this promise was not straight forward. A scheme was concocted in the Department that could provide a justification of moving back into the Park without any changes to legislation or regulations. Environment East Gippsland and the VNPA obtained documents under FOI for the period from early December 2010 until the cattle were released in early January 2011 that showed that:

- Mark Adams was deeply involved in the initial project and played a key role as a scientific adviser and in sending the unpublished literature review he produced during the HighFire project to the Department. This document became a key part of the advice from the Secretary to the Minister for the reintroduction of the cattle as part of a scientific “experiment”.
- DSE initially consulted with Parks Victoria but bypassed them after Parks Victoria’s comment to DSE was not in line with the Baillieu government’s intention. It said:

“Please note the evidence-scientific, economic and social evidence does not support the introduction of grazing into the Alps”.

- The Department identified sites for the project and signed contracts with graziers for specified numbers of cattle.

The fact that the exercise was little more than a stunt get some cattle back into the Alpine National Park rather than a serious attempt to set up a scientific research program is clear in an exchange of emails between DSE and Mark Adams in early December 2010. This was obtained by the VNPA as part of an FOI request:

DSE 9/12/2010: Further to our discussion today, are you able to provide me with an overview of the approach you would take to determine (1) the effectiveness of cattle grazing as a tool to reduce the fire risk in Victoria’s high country (2) the impacts of grazing on the ecological values of the Victoria’s high country.

On 10 /12/2010, Mark Adams sent an email to DSE outlining his plans for research, however Lee Miezi was disappointed with the reply as is clear in his email back to Mark Adams:

DSE 10/12/2010: Approach sounds good. Problem with the first season though – won’t be able to fit collars to cattle because they are already up in the High Country. Can you do something different in first year (which will be half a season) and use collars in subsequent years.

We assume that when he wrote this email, Miezi was just confused – as far as we are aware, the graziers did not put cattle into the High Country until 10/1/2011. Miezi probably meant that by the time the equipment was available, the cattle would be in the High Country. Nevertheless, this exchange of emails clearly demonstrates that the

time table of the project was being dictated by political requirements, rather than the requirements of a scientific research program.

The commencement of the project was announced by the Government in a media release dated 12/1/2011. The Minister stated that the project was being run by Mark Adams, a claim that was later disputed by Mark Adams. The cattle had been introduced into a number of areas without any baseline data being collected, no control areas established, no method of confining the cattle to small areas and no threatened flora or fauna surveys being completed. Both the Minister and Lee Miezi from the Department assured the public that cattle would be properly contained and monitored throughout the trial.

When the announcement was made, the Government outlined the scientific program for the first year of the trial. This was to include fitting some cattle with tracking collars and “establishing methods and techniques for tracking cattle and for establishing their use of different vegetation types.” Furthermore, year one of the trial aimed to establish “methods and techniques for measuring the effects of cattle on fuel loads” and “completing analyses of scientific literature regarding grazing”. As far as we are aware, none of these projects were completed – certainly there has been nothing released publically and none of the cattle had GPS tracking collars attached.

Despite a detailed research plan prepared by Mark Adams, little scientific work was completed during the first grazing period. A review by URS following removal of the cattle showed that several of the cattlemen had failed to deliver the agreed number of cattle to the project and at several sites, there was evidence that cattle had grazed outside of the study areas i.e they had not been properly contained. By the end of the grazing period in April, it was unclear who was running the project. The Victorian Government had announced that they were going to appoint a scientific advisory committee to oversee the project, but at the end of 2011, this committee had still not been appointed.

In March, representatives from the Federal Government toured the area. Members of MCAV accused the touring party of badly damaging tracks in the Park with four wheel drive vehicles and Philip Davis, a Liberal Party supporter of the grazing accused them of dumping litter in the park.

Following this visit and with growing opposition to the grazing project, Minister Burke changed regulations covering the park. These changes forced the Victorian Government to refer the grazing project for approval.

The Department of Sustainability and Environment as an environmental manager

In the light of the Victorian Government’s appalling handling of the cattle grazing issue, we take great exception to the Department of Sustainability and Environment claiming that it is a competent environmental manager. DSE’s decision to use an unpublished literature review as key evidence to the Minister (see previous section) to show that existing research on cattle grazing/fire impacts was defective shows that they are

prepared to use low quality research to justify their actions. The Department then ignored advice from key stakeholders such as Parks Victoria and failed to consult with other stakeholders such as the environmental and aboriginal groups. By the end of the year, it was clear that the whole project had become a complete shambles, with the URS review report finding that cattle had not been confined to study areas and that on some sites had caused substantial damage. Although the cattlemen had lobbied hard for the right to return cattle to the Alpine National Park, in the end they undermined any last vestiges of scientific credibility when it was revealed that several of them had failed to provide the contracted number of cattle for the study.

Successive Victorian Government's starting with the Kennett Government have undermined the Department's capacity to do its job properly by not funding it well enough to meet all its responsibilities. This means in key areas like biodiversity conservation, the sort of field work that was undertaken during the 1980's is no longer being done. Resources for the monitoring of Montreal Protocol indicators that it agreed to do under the Regional Forest Agreements have still not been done. There are large areas of failed regeneration from logging operations that have not been rehabilitated. There are large areas of Crown land with serious weed and animal pest problems. The list could easily be enlarged, but already these problems are causing worsening problems for the Department.

The grazing project has been touted as a project to investigate methods of mitigating bushfires, but even in this area, DSE has a very mixed record on fire management performance.

In 2012, the Victorian Government plans to shed over 3,500 public servants and some of these people will no doubt come from DSE. As the URS review report demonstrated, DSE was not able to deliver on their promise that cattle would be restricted to study sites and cause no damage to the park. It is inconceivable that after losing further staff, DSE will be better placed to guarantee that cattle are restricted to grazing sites next year.

Site selection process

When the Grazing project was announced, the Government provided scant details on its DSE web site about the method used to select sites for the project. Information provided to the public mentioned an eight step process that had been used to identify the sites.

We asked for all documents and reports that had been produced as part of the eight step selection process in an FOI application (FI/03/3442), and one of the documents released set out further details about the site selection process. This document is almost identical to the information contained in the report "Matters of national environmental significance risk assessment" (Attachment 7 of the Victorian Government submission) that has been submitted by the Government as part of its referral.

We believe that this document fails to adequately set out the criteria used by the Government for the selection of the sites. There is insufficient detail in this document to allow the reproduction of the results produced by the Victorian Government if the appropriate datasets were available. For example, in step 5, how were previous stocking rates, slopes, elevation, aspect and ecological vegetation classes used to identify suitable sites? This document sheds no light on the selection process which is quite opaque.

When the selection process was used for the initial site selection, documents obtained through our FOI application showed that a number of different versions of the sites were considered over a period of several weeks. All of these sites were in the Alpine National Park. The current sites have been selected using the same selection process but arriving at a list of sites that have a number of significant changes:

- a) Some sites include areas of State Forest outside the National Park
- b) The proportion of land above 1200 metres has increased from 25% to 39%.

If the selection process was just following the released procedure, we find it very difficult to understand why there is such a large increase in high elevation land and why it is now possible for some of the project to be conducted on land outside the National Park. Indeed, one of the key questions that the Victorian Government submission fails to answer is why all of the experiment can't be conducted outside of the National Park.

We are concerned that despite following a selection process, the types of sites being selected appear to be far from suitable for these types of experiments. We make comments for some of the specific sites based on the findings of the URS review:

i) Site D

This site is essentially the same as the original site D although the area has been slightly reduced for the new proposal. The URS review reported that deer were a major problem at this site contributing to the damage at springs creeks and other sensitive areas. In other words, at this site, there are two grazing hoofed species eating grasses, and it is difficult to see how the effect of grazing due to deer is going to be removed from the grazing effect of cattle. Sensitive areas at this site are already being damaged by deer so it is very odd that the selection process has picked this site – the addition of cattle will only worsen the existing problem. DSE did nothing this year to control deer and cattle at this site.

ii) Site E

Site E includes most of site E used in the grazing earlier this year. The URS review report stated that the site had been heavily impacted by cattle in some wetland areas – “management of access to wetlands and bogs at site E is important to prevent degradation of native vegetation there”. Incredibly, when Site E was split into grazing and control areas, all the grazing was confined to the wet heathlands and bogs most susceptible to damage by grazing. Like other sites, this area is also affected by grazing pressure from deer.

We are also puzzled by the splitting of research areas into grazing and control areas. For research site A, the grazing areas and control areas are on quite different types of vegetation. At Site A, the control is mostly wet heathland while there is very little of this in the grazing area of the site. At Site D and E, grazing occurs mostly on wet heathland and there is little of this vegetation on the control area. (At site D, although the wet heathland does not cover all the grazing area, cattle do not have access to most of the grazing area to the North East).

Numbers of cattle required for the project

When the first stage of the trial began in early 2011, graziers were under contract to provide a number of cattle to each site that was specified in a contract they entered into with the Victorian Government. Although the methodology for determining these numbers was never disclosed, we assume that as part of a research project, the numbers were determined to meet the needs of the scientific objectives.

However, the URS review report revealed that at two of the sites, graziers had been unable to supply their contracted numbers of cattle “due to other commitments”. So, while site E was to have 70 cattle, only 50 were supplied and site F received 60 cattle instead of the contracted 80. After all their lobbying, when it came to provide cattle for their trial, the Mountain Cattlemen couldn’t provide the cattle they had agreed to provide and knocked another huge hole in its scientific credibility.

The Victorian Government has still not provided any information on how the number of cattle for the trial has been determined. The number of cattle grazing on a site is a critical variable in the scientific evaluation of the impact of grazing and fire mitigation. Despite the fact that the area of the original trial and the new proposal are roughly the same, the new trial divides the research sites into grazing and control areas, which mean that the actual area to be grazed has been reduced. However, the number of cattle to be used in the trial remains around the same – 400 head of cattle.

Results from the URS review clearly showed that some of the damage occurring at the research sites was being caused by other pest species such as deer, so the grazing pressure at each site is really the sum of grazing pressure from cattle and other pest species. The presence of these other species does not appear to have been taken into account in setting the number of animals at each research site. We find it quite unacceptable that after the damage reported to research sites earlier in the year, the Victorian Government is prepared to allow the same numbers of cattle into these areas for another season.

We believe that the failure to document the methodology used to determine the numbers of cattle at each site is a very serious omission from the Victorian Government’s submission because it does not allow the Commonwealth to assess whether the numbers are reasonable.

Risk Management

a) Problems with data

Like an earlier referral for aerial baiting of wild dogs, this proposal relies heavily on a desktop assessment of species using the Department of Sustainability and Environment's online biodiversity map and atlas of wildlife. Although it is now over a year since the Government initiated this program, it appears that no resources have been allocated to field work to study the research sites. Once again, the Victorian Government has had to turn to totally inadequate data to make decisions that could have major impacts on environmentally sensitive areas. We believe that the paucity of data available that underpins the Victorian Government's case means that the Commonwealth Government does not have sufficient data to make a sound decision.

We understand and accept that in any application like this, there will be limitations on the amount and quality of the data for decision making. However, at some point, the lack of data means that a sound assessment of the case cannot be made. (or total lack of data means that no assessment can be made at all)

This concern is shared by Ecology and Heritage Partners, private contractors employed by the Victorian Government to perform a risk analysis of their proposal. Where there was any data for a site, they assessed it as "limited and patchy".

For many of the sites, there are no records at all on the Victorian Government databases. Sites B, C and E have no flora records and A,C,E and F have no fauna records. Assessment of the available data has been made more difficult because there is not information provided to indicate which sites have ever been surveyed. This means that a lack of records could mean simply that the Victorian Government has never conducted a survey in the area.

Given the lack of data that underpins the risk assessment, it is pretty clear that the evaluations provided by the Victorian Government are little more than guesses.

b) National Heritage Impact Assessment

Ecology and Heritage Partners claim to have done a National Heritage Impact Assessment for the project but the report submitted with the Victorian Government's application falls far short of the standard that should be required for this type of assessment.

The assessment was a desk top assessment with no field work and no consultation with either Aboriginal or environmental group stakeholders. It is an odd report that spends time showing how areas such as the Yarrangobilly Karst or the glacial features of the Alpine National Park will not be impacted by the project – all hardly surprising since they are located in another State!

However, when it comes to key parts of the assessment such as possible effects on the biological heritage, alpine or subalpine ecosystems or eucalypt communities, all the report offers is a reference to another report completed by Ecology and Heritage

Partners – the Flora and Fauna desktop assessment. It was not the role of that report to make detailed comments on the possible impact of the project on National Heritage values. Therefore the National Heritage Impact Assessment report has effectively failed to properly consider the impact of the proposals on these key values.

For most of the sites, the Flora and Fauna report stated that it was possible the sites contained the critically endangered White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland and a few sites may contain endangered Alpine Sphagnum Bogs. This report recommended field work to verify the presence of these EVCs. The National Heritage assessment report has not taken these findings into account when all the 6 study sites were checked as facing no impact from the proposal under criterion "d" (Rarity).

Furthermore, the claim that the proposed grazing will have no impact on recreation is not backed up by any evidence and appears to be little more than the opinion of the authors.

c) The ISO Standard 31000

The Victorian Government asserts in its "Matters of national environmental significance risk assessment" that its assessment is "consistent with the international risk management standard ISO AS/NZS 3100:2009". However, the assessment is clearly noncompliant for the following reasons:

i) The best available data is not used
Despite the paucity of the data, there are still problems with the National Heritage assessment produced by Ecology & Heritage Partners. As discussed above, this assessment has not been fully completed and therefore its contents do not contain the best available information.

ii) The Victorian Government has not involved all stakeholders
The standard required that the assessment is transparent, inclusive and relevant. It should involve relevant organisations and stakeholders. In its Annual Report, environmental groups are still listed as stakeholders, but none were consulted by the Government. The Government's own National Parks advisory body was not consulted about the grazing project until well after the cattle were introduced to the park.

d) Lack of an environmental management plan

Throughout the submission, the Victorian Government mentions a "draft" environmental management plan (EMP), which has not been submitted as part of the proposal.

From fragments in the submission, the EMP will specify management actions to control threats to the park, monitoring, consultation and Expert Advisory Group. The limited detail provided by the Victorian Government does not allow any assessment of the adequacy of the Plan.

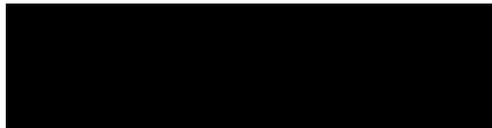
Conclusion

The conduct of this trial has been a National disgrace. It comes at a time when science is under threat from a range of denialist and other anti-science groups. The toxic mixture of National Party politics and science will do nothing to enhance the reputation of science in this country.

We believe that the proposed grazing experiment should be rejected on the following grounds:

- a) The Department of Sustainability and Environment has failed to demonstrate any capacity to manage the project
- b) The Victorian Government has failed to conduct a proper assessment of the project against National Heritage values
- c) The Victorian Government has failed to provide enough information about the site selection process or the methodology used to determine the numbers of cattle for the trial
- d) The Victorian Government has failed to explain why the trial must be conducted mostly in the Alpine National Park
- e) The Victorian Government has failed to conduct field work to collect adequate baseline data for decision making
- f) The Victorian Government has failed to submit a finalised environmental management plan for the project
- g) The Victorian Government failed to consult with all stakeholders - in particular there has been no consultation with environmental groups.

We believe that Governments over the years have already spent a large amount of money investigating issues raised by the Mountain Cattlemen's Association. We believe that while projects such as the HighFire project remain uncompleted, rather than wasting money on repaying political supporters dressed up as an experiment, it would be more sensible to complete the HighFire project and abandon this misguided plan. If the results of the HighFire project indicated that a large scale experiment was warranted, this should be conducted on land outside of the National Park.



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