

1st February 2012

Submission to proposed Forestry Code changes

Via email: forestry.code@dse.vic.gov.au

Environment East Gippsland Inc has been working to protect the forests of East Gippsland for almost 30 years. We have a long history of tracking the politics of forest management and so are quite informed about the forests' natural history, their logging history, the political history and of course their ecology.

Our formal membership and supporters list contains over 800 people from across Victoria. We submit our below comments on behalf of the many Victorians who are appalled by the most recent proposal to render the protection measures under the logging Code ineffectual. We strongly object to these proposed changes. Our arguments follow.

The proposed changes to the Code are designed to exempt logging from laws that protect our rare wildlife, and as such are a serious threat to not only our environment but our democracy. If wildlife was the priority, the Code would remain as is and other environment laws strengthened. The cartoons which accompany this submission reflect the irrational and absurd claim of the planned 15 word change – (unless determined by the Secretary that the requirements of an Action Statement do not apply).

There is one proposal we are pleased to support however – the plan for more research into Victoria's rare wildlife. This research must be credible, thorough and well resourced to update an abysmal lack of current data and information our state has on its wildlife. Until this work is done and the data compiled and analysed – there must be no moves to implement the planned Code changes.

Logging as the major threat to forest dependent rare species

Victoria's clearfell logging regime has caused the most significant environmental impact in our forested catchments over the past 200 years; more so than bushfires. Fires leave a large part of the forests' natural structure and plant diversity intact; logging doesn't.

However, we strongly believe the most recent fires of '03, '06 and '09 were fuelled by our altered climate coupled with the widespread transformation of our public forests to young short rotation, tree crops – a highly flammable monoculture.



We believe that continued logging will only add to this threat of bushfires and subsequent species extinction in Victoria. Logging directly impacts on the loss of age and species diversity which is essential for our wildlife. It also impacts through altering the ability of forests to maintain their damper, cooler, microclimate underneath several stories of a natural blanketing canopy. Forests and climate are closely linked. Continued logging adds to hundreds of years of stored carbon being released and forests drying out.

Wildlife is already in serious decline

Our state's current knowledge base on our wildlife and their needs, threats and population viability is abysmally inadequate. However there is enough information from limited survey data to recognize that populations of some key species such as owls and quolls are shrinking to what is

likely to soon be beyond the tipping point of recovery.

The laws, plans, regulations and codes that are in place currently are pitifully inadequate but where they do exist are conveniently ignored. As the Brown Mountain case showed, the disregard of laws was shamelessly contravened and challenged by our land managers.

The FFGA's listed species which are lucky enough to have Action Statements make it extremely clear that much more information is needed on rare and threatened species or communities. But despite this clear acknowledgment there is lack of action to improve our knowledge. Like our wildlife, the research dollar has been reduced over the years. This effectively ensures the knowledge base dwindles. Much of our current information is shockingly out of date.

We understand that the government has offered funding and resources to carry out surveys. We support this overdue research and hope it is used ultimately protect these species. We cannot see the results of these surveys and investigations showing anything but a need to increase protection measures of forested areas. Species cannot continue to be pushed into small areas for their own benefit and survival as implied in recent public statements (!). The ultimate aim of this project appears to be the intent to prove that our rare wildlife can 'survive and flourish' inside reserves and parks alone. Although there is limited data, there is enough knowledge on many species to show that anything less than increased protection will be shovelling our wildlife into the pit of extinction.



The government should also consider the findings of the Victoria Auditor General 2009 report, *Administration of the Flora and Fauna Guarantee Act 1988*.

The report found that the Act is failing to achieve its objective to "*conserve threatened species and ecological communities and to minimise activities that posed a threat to Victoria's ecosystems*". Any changes that would weaken the Victorian legislation further will effectively and knowingly increase the threat to biodiversity in the state. The planned changes, even with a mask of several months of survey work, cannot be claimed to be based on science.

Current reserves inadequate

Current reserves are unable to ensure species such as large forest owls, the Quoll and gliders will survive. Reserves have historically been declared when the resource extractive industries have put a claim on the richest most productive public lands. The needs of species that depend on old growth forests with large hollow bearing trees are not adequately catered for in existing reserves. Top order predators need much larger areas to maintain the genetic diversity necessary to adapt to new pressures (more so now with approaching climate extremes). Studies on Powerful Owls show they need much larger home ranges than the 500 ha they are given. True home-ranges are in the order of 1000-4500ha, in the short-term. With events such as fire and drought, this would increase. This essential survival space however is constantly compromised by the demands of a very short term, uneconomic logging industry which could easily be shifted into the plantation estate (owls can't survive in plantations, but the handful of remaining native forest workers most definitely can).

Almost 3 million hectare of forest has been burnt in Victoria in the past decade. There are pockets which were less severely burnt but overall, what was consumed by the fires would have had a devastating impact on *all* wildlife. This has not been assessed or added into the equation of these planned measures to rewrite the Code which effectively reduces scarce intact habitat. It will however increase the 'real estate' for the logging industry and conversion forestry. The mega fires that have destroyed the populations and habitat of so much wildlife must be planned for again and accounted for now. Large scale intense fires will become more common. They must be included in the threat scenario of the future. Parks and reserves are not immune from these events.

What makes this proposal even more outrageous is the recent Logging Action Plan that proposes to also log inside parks and reserves. The PR company and spin doctors employed to sell this one will have a very difficult task!

Current laws inadequate

Current protection measures are not being adhered to due to the pressure on the government to supply the demands of the logging industry. There is a lack of political will or vigour in assessing their true needs.



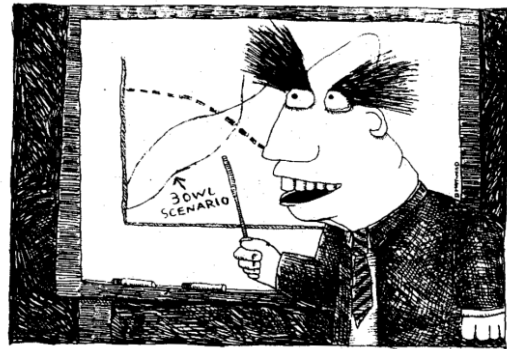
Victoria's forest management is currently designed in such a way as to ensure species continue to be overlooked and populations crash (such as with our last surviving Quoll species, which has been in rapid decline for the past 20 years). Along with logging we now

subject our environment to the unnecessary prescribed burning of unachievably large target areas of forest and woodland – regardless – and without any knowledge of long term (or even short term) impacts. This is changing and putting enormous stress on Victoria’s fragile and declining ecosystems. Despite our (limited) laws, they are unable to protect our species adequately either inside or outside reserves.

The current Action Statements are based on insufficient information and assumptions. They are the only laws we have, and they are greatly lacking. Any attempt to undermine even these minimal and often woolly or ambiguous laws will be seen as a careless act by an unconcerned government. It would reduce populations of much of our wildlife – rare or not.

‘Population viability’ tool unusable

Before the government can even begin to use the tool of population viability, unparalleled survey and research efforts will be needed across the entire landscape. This should involve baseline data, surveys in each season, for each species, their habitat needs, food requirements, breeding habits, vulnerabilities to predation and altered fire regimes, and other direct and indirect threats. Without such information, claims of ‘population viability’ can’t be proven. This would be another assumption, which would build upon other recent assumptions that are already laced with past assumptions – all coloured by the overriding call for supposed ‘balance’.



In order to make Victoria internationally competitive, we'll have to reduce the number of Sooty owls to three.

Habitat modelling inadequate on its own

The use of habitat modelling will only be useful if adopted in conjunction with other methods of wildlife conservation. It is inadequate as a stand-alone tool. One only has to look at the Smoky Mouse and the Spot-tailed Quoll to realise that suitable habitat does not mean the species exists in those areas. There are far too many other influences on our species which is not understood.

Parks and Reserves disjointed

The landscape is currently becoming managed as a sea of industrial tree crops with islands of parks and reserves. Connectivity is critical and this requires much more than creek buffers and narrow corridors. These are vulnerable to edge effect and disturbance. Confining the Powerful Owl to – for example – the Errinundra National Park would be a death sentence. This park’s shape is extremely susceptible to edge effect. It is only a relatively small 26,000 ha area – enough in the short term for maybe 10-20 owls, which are highly territorial. Evidence in the Brown Mt case given by Dr Andrew Smith claims that the park does not supply suitable habitat throughout as the rainforest areas can’t provide the needs of the owl’s prey species. Greater gliders must have large hollows on high fertility sites (as gliders rely on eucalypts for their diet).

'Landscape level protection'

Claiming that there can now be a 'greater focus' on conserving species at a 'species or landscape level' is nonsense and a nonsense term.

These species have been listed as needing special protection for the very reason that they no longer occur 'at a landscape level' but in small often isolated pockets. With some species, every single breeding female is critical to the population. With the objective to extinguish rare species outside of, and limit their existence to inside existing parks and reserves, this would actually reduce 'landscape level' protection. It would limit a species to small disconnected patches – one step closer to the extinction abyss.

Secretary to approve logging

In this instance the title **Secretary** is very fitting. The power of the secretary to decide to exempt logging from the law is verging on autocracy. This decision can be carried out in total secrecy without any accountability. The reason for this has not been explained. If this type of decision-making is allowed, the public would see this as the thin end of a very dangerous wedge. A move to allow possibly dishonest and clandestine decision making within the Baillieu government is a horrifying move in a democratic state.

This government promised quite clearly that it would restore integrity, transparency and accountability. These promised words put next to plans to give a department secretary power to wipe away rare wildlife without need to explain or justify, is not a minor issue. The government needs to seriously look at this one again and consult others than Garry Blackwood or Peter Ryan.

Conclusion

Changing the law to exempt the logging industry's demands is as preposterous as exempting alcoholics from road laws, then build roads for drunks only.

Every stand of forest which supports a listed species **MUST** be protected. The laws **MUST** be strengthened for those species which are on the edge of extinction. Others, such as the gliders that do not have enough quality habitat remaining must also be protected.

The SE Australian forests are being burnt and logged beyond their ability to recover or support its natural suite of wildlife – from the owls and gliders to the bandicoots, small native mice and amphibians. Both NSW and Victoria are in lock-step to weaken environmental laws that do exist. This area is a small stronghold of the county's best temperate forests. The attempt to convert public land to pulpwood plantations has claimed the majority of public lands on the best sites over the last 50 years. To continue this is sheer bloody-mindedness.

No matter who they vote for, the public love forests. This proposed Code change **MUST NOT** go ahead.

Jill Redwood
Coordinator.