

RUBICON FOREST PROTECTION GROUP SUBMISSION TO INQUIRY INTO ECOSYSTEM DECLINE IN VICTORIA

The Rubicon Forest Protection Group (RFPG) was established in 2015 to protect and promote the unique natural values of the Rubicon State Forest.

Over the past 5 years, RFPG has been pressing the State Government to halt the current unsustainable logging of the Rubicon State Forest and also more broadly within the Central Forest Management Area.

Current logging operations are leading to a widespread loss of biodiversity and ecological integrity, and this loss will become irreversible once the remaining unburnt ash forests in this area are logged out, which could be as soon as 2021.

This intensive clearfell logging, together with its associated infrastructure, is also destroying any chance of an ecotourism-based future for the area. Many worthwhile jobs can be created by dramatically expanding non-exploitative forest uses, especially tourism. The ash forests of the Central Highlands could become tourist meccas, and not just for Victorians, but for international visitors as well.

The recent Federal Court judgement by Justice Mortimer in the case of Friends of Leadbeater's Possum vs VicForests highlighted RFPG's concerns, specifically that:

- VicForests did not apply the precautionary principle to the conservation of biodiversity values,
- VicForests' forestry operations damage or destroy existing habitat critical to the survival of two species (greater glider and Leadbeater's possum) and they also prevent new areas of forest from becoming such habitat in the future, and
- coupe planning for forestry operations is seldom modified to seriously accommodate detections of Greater Glider, or to avoid logging high quality Greater Glider habitat.

Without landscape scale flora and fauna surveys, we already may be losing many species and ecological processes that have not yet been recorded in the brief, very selective coupe by coupe surveys focused only on known threatened species.

Terms of Reference

On 30 October 2019 the Legislative Council agreed to the following motion: That this House requires the Environment and Planning Committee to inquire into, consider and report, within 12 months, on the decline of Victoria's ecosystems and measures to restore habitats and populations of threatened and endangered species, including but not limited to the five terms of reference listed below.

The RFPG responds to each of these terms of reference as follows:

(a) the extent of the decline of Victoria's biodiversity and the likely impact on people, particularly First Peoples, and ecosystems, if more is not done to address this, including consideration of climate change impacts;

Detailed assessments by RFPG demonstrate the unsustainability of logging in Rubicon State Forest and other State Forests in the Central Highlands, in particular our 2020 report *Fire and logging as a biodiversity threat with serious and potentially irreversible ecological consequences for the Rubicon State Forest*¹.

Past logging has left the forest highly fragmented and massively skewed to immature age classes under 40 years, most under 10 years, as RFPG analysis has demonstrated. The scale of this fragmentation has now been confirmed in a recent peer-reviewed study² to This has left the forest susceptible to catastrophic ecological harm, in the face of climate change and further megafires.

Research based on the 2009 Black Saturday fire has demonstrated that juvenile ash forest (whether arising due to fire or logging) is much more susceptible to being killed by fire than older forest³, so compounding the risk of ecological catastrophe in the Central Highlands ash forests north of the Great Divide.

In addition, the Victorian Governments' 2018 *State of the Environment Report (SOER)* highlights the generally poor to fair condition of Victoria's ecosystems. It also demonstrates that the data and science available to answer many of the critical questions about biodiversity condition and extent in Victoria is inadequate.

For example:

- Conservation of Victorian Ecosystems – FAIR
- Fragmentation of native forest – POOR
- Status of forest dependent species at risk of not maintaining viable breeding populations as determined by legislation or scientific assessment – FAIR
- Proportion of timber harvest area successfully regenerated by forest type – FAIR.

Unfortunately, the SOER does not assess the quality of forest regenerated following logging. RFPG argues that "regenerated" coupes have been substantially degraded, with major soil disturbance, regrowth becoming a fire risk, invasion by blackberries and a greatly impoverished understorey and ground flora that does not reflect the natural forest biodiversity.

There has been almost no research into the extent to which saturation logging leads to drastic ecosystem simplification, contrary to the precautionary principle and other Code of Forest Practice provisions. For example the loss of tree ferns in the zone between rainforest streamside buffers and clearfelled areas, leads to a drier more impoverished understorey and exposes the adjoining rainforest, and the forest more broadly to a much greater risk of loss in fire. Other long-lived understorey species also disappear from areas after clearfell logging, some likely to never return.

According to recent research on the impacts of the 2009 wildfire on cool temperate rainforest⁴, "the greatest threat to remaining stands of Cool Temperate Rainforest in Victoria is the predicted increase in the frequency, extent and intensity of fire due to climate change." This study also concludes that "Myrtle Wilt is widespread in the Central Highlands and tends to occur more often when the rainforest stand has been disturbed by logging or roading activity".

¹ www.rubiconforest.org/documents

² Taylor C and Lindenmayer D. (2020) Temporal fragmentation of a critically endangered forest ecosystem, *Aust Ecol.* 45:340-354

³ Taylor, C et al. (2014) Nonlinear Effects of Stand Age on Fire Severity. *Conservation Letters* 7:355-370

⁴ ARI Technical Report 298 Post-fire dynamics of Cool Temperate Rainforest by Tolsma et al, 2019

The ongoing ecological assessment of the impact of this summer's fires have shown that alpine ash forests have now suffered multiple stand-killing fires in the past 20 years, and according to Victoria's key expert, Owen Bassett of Forest Solutions, seed supplies to allow such stands to be artificially regenerated are exhausted⁵.

Suggested Actions:

Cease native forest logging pending the results of a public inquiry that needs to be established into the sustainability of timber harvesting in State Forests.

Dramatically expand timber plantations on currently cleared private lands.

Implement and monitor Action Statements for all threatened species and ecological communities in accordance with the *Flora and Fauna Guarantee Act 1988*.

Provide funding and resources to significantly improve knowledge about the condition and threats to Victoria's ecosystems on private and public lands.

Instigate surveys and monitoring of ecological communities and flora fauna species that are likely to be at risk over the next 50 years to proactively address threats to their survival.

Implement fire management based on ecological fire regimes and recognising the need to protect cool temperate rainforests from fire.

(b) the adequacy of the legislative framework protecting Victoria's environment, including grasslands, forests and the marine and coastal environment, and native species;

RFPG expresses serious concern about the rejection of the nomination for listing of the Mountain Ash ecological community under the *Flora and Fauna Guarantee Act 1988*. The rejection was based on inadequate assessment of the available long-term scientific research that clearly demonstrates this community is in imminent state of collapse.

Importantly, native forest harvesting operations are inconsistent with Victoria's *Biodiversity Plan 2037* and many of the core environmental protections in the *2014 Code of Practice for Timber Production and Management Standards and Procedures* inadequate or seriously deeply flawed.

Numerous alleged breaches of the Code that impact on biodiversity and other forest values have been submitted yet most are rejected without satisfactory assessment, despite the creation of the Office of Conservation Regulation.

For example:

- The definition of rainforest in the Management Standards and Procedures is at odds with the definition in the Code and is contrary to Victoria's accepted definition of rainforest
- The recent draft definition of oldgrowth forest adopted by the Office of the Conservation Regulator for enforcement as part of the Code is at odds with the National Forest Policy (see Submission by RFPG on Draft Old Growth Forest Field Identification Procedure⁶)

Nor are the provisions of the Code being adequately implemented by VicForests, or enforced by DELWP, as established by the recent Federal Court judgement.

There currently exists an irreconcilable conflict of interest in DELWP's enforcement, regulatory reform and environmental protection roles in relation to native forest harvesting resulting in

⁵ "Fires set stage for irreversible forest losses in Australia", New Zealand Herald, 19 Jan 2020.

⁶ www.rubiconforest.org/documents

ineffective compliance and enforcement of the Code instead of an independent authority. This is a classic example of regulatory capture.

The changes previously proposed by DELWP as part of the abandoned review of the Code would have removed detection-based threatened species in State Forests open to logging despite existing biodiversity protections in the Code needing strengthening.

Suggested Actions:

Establish an independent authority, or a division within VCAT, to adjudicate native forest logging regulatory compliance.

List the Mountain Ash and Alpine Ash ecological communities under the Flora and Fauna Guarantee Act 1988 based on the extensive, long-term scientific research available together with the preparation of Action Statements/Recovery Plans to ensure their future survival, their biodiversity and ecological function.

(c) the adequacy and effectiveness of government programs and funding protecting and restoring Victoria's ecosystems.

Native forest logging results in significant habitat loss and highly fragmented forest remnants, with reseeded or revegetated forests that do not reflect the original forest structure and composition. Wherever logging, logging roads, creek crossings and other infrastructure are carried out, the resulting blackberry infestations rapidly take over the remnant and regenerating forest environments.

Significantly, particularly for forest dependent species, Rubicon State Forest and other State Forests subject to logging, are now predominantly young age forests, with few if any, hollow-bearing trees essential for the survival of many species.

Suggested Actions:

The unsustainability of current native forest logging operations from an ecological supply perspective needs to be urgently addressed via a public inquiry with an immediate moratorium on native forest logging in ash forests of the Central Highlands while this is underway.

Improve monitoring and management of public land, in particular management of pest plants and animals like cats, deer, foxes, blackberries and St John's Wort.

(d) legislative, policy, program, governance and funding solutions to facilitate ecosystem and species protection, restoration and recovery in Victoria, in the context of climate change impacts;

Unlogged native forests are key carbon sinks and protect water supplies.

For example:

- based on a 'shadow' wholesale price of water harvested in Melbourne's water catchments of \$1,000 per megalitre⁷, and the 'Macaque' model of water yield as applied to alpine ash forests in the Thomson catchment⁸, the logging of 44 sq km of ash forest in the catchment over the past 30 years⁹, means that by 2100 Melbourne's dams will have missed out on around 700

⁷ *The Economic Value of Water in Storage*, University of Melbourne School of Engineering, 2018

⁸ *Predicting the Water Yield Impacts of Forest Disturbance in the Maroondah and Thomson Catchments Using the Macaque Model*, Cooperative Research Centre For Catchment Hydrology, Technical Report 00/14, 2000

⁹ data.vic.gov.au (accessed July 2020)

gigalitres of inflow. This is more than the current volume in the Thomson Reservoir and it has a value of around \$0.7 billion.

- the value of unlogged native forests as carbon sinks is likely much greater than that of logged forest since although a re-growing forest may sequester more carbon for several decades, this is not enough to offset the carbon debt from harvesting and log transport and the rapid return to the atmosphere of more than 90% of the woody biomass of logged forest, less than 10% moving into long-term carbon storage.

Suggested Actions:

End native forest logging as soon as practicable and certainly well before 2030.

Adopt strategies and monitoring to achieve climate change adaptation and mitigation through increased resilience of natural ecosystems to these and other threats like pest plants and animals.

Adopt strategies and targets that will improve the condition of the environment that reflect the real value of natural ecosystems in terms of the services they provide and the importance of their ecological integrity.

(e) opportunities to restore Victoria's environment while upholding First Peoples' connection to country, and increasing and diversifying employment opportunities in Victoria;

Essential to actively involve First Peoples' in the management of all public lands, especially State Forests subject to logging and wildfires, and ensure recognition of their rights, traditional ecological knowledge and connection to the land through caring for country.

Full disclosure of meetings with Elders and First Nations representatives are necessary, allowing sufficient time for these representatives to properly consult with each other in the process of decision making.

Set demanding targets for the employment of Aboriginal Victorians in all roles with Agriculture Victoria and in Forest Fire Management Victoria.

Provide funding incentives for the restoration of de-populated Aboriginal food plants (e.g. yam daisy fields) throughout their original range.

Increase funding for Traditional Owner clan corporations and other TO groups to develop Aboriginal interpretive signage and Aboriginal-guided natural history tours through Victoria.

Rubicon Forest Protection Group

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