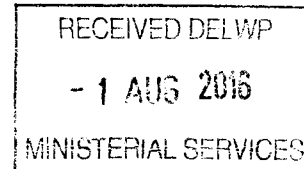


Ken Deacon
Convenor, Rubicon Forest Protection Group
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Rubicon VIC 3172

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22 July 2016

The Hon Lily D'Ambrosio MP
Minister for Energy, Environment and Climate Change
Level 36, 121 Exhibition Street,
Melbourne, VIC 3000



Dear Minister,

Suspension of logging and Code of Practice breaches by VicForests in Rubicon State Forest

The Rubicon Forest Protection Group wishes to draw your attention to serious concerns in relation to the forest harvesting operations by VicForests in the Rubicon State Forest.

The extraordinary scale and intensity of current logging in the Rubicon State Forest, combined with the extensive impacts of the 2009 fires, are jeopardising forest values and environmental services, especially biodiversity including the survival of Leadbeater's Possum, water yields, carbon sequestration, scenic beauty, and forest tourism, recreation and educational opportunities. Detailed assessments by RFPG are set out in our submission which we previously provided your ministerial predecessor, The Hon Lisa Neville MP and which can be found at www.rubiconforest.org.

Attached is a letter that RFPG sent to VicForests seeking urgent information, particularly in relation to alleged breaches of the 2014 Code of Practice for Timber Harvesting, in addition to briefings with forest modellers, however we are still awaiting a response. Given the gravity of alleged breaches, and your responsibilities in relation to monitoring implementation of the Code, we request your assistance in resolving these matters that were first raised with VicForests five weeks ago.

In addition, we are aware of the forthcoming report from the Forest Industry Taskforce which will bring forward recommendations for future policy. However, the threat of further logging is our immediate and urgent priority as an **ecological catastrophe is taking place in the Rubicon**. During our meeting on 17 June with VicForests we were advised that, despite the deliberations of the Taskforce, VicForests is obliged to continue logging in order to satisfy timber supply contracts.

At the same time, VicForests advised that there was some flexibility in relation to deferring specific coupes, and we therefore respectfully request that you require VicForests to suspend logging of all as yet unlogged TRP coupes on the northern end of the Torbreck, Royston, Rubicon and Blue Ranges (north of latitude 37°23') as an immediate protection area pending receipt of the Taskforce report and finalisation of the Leadbeater's Possum Recovery Plan.

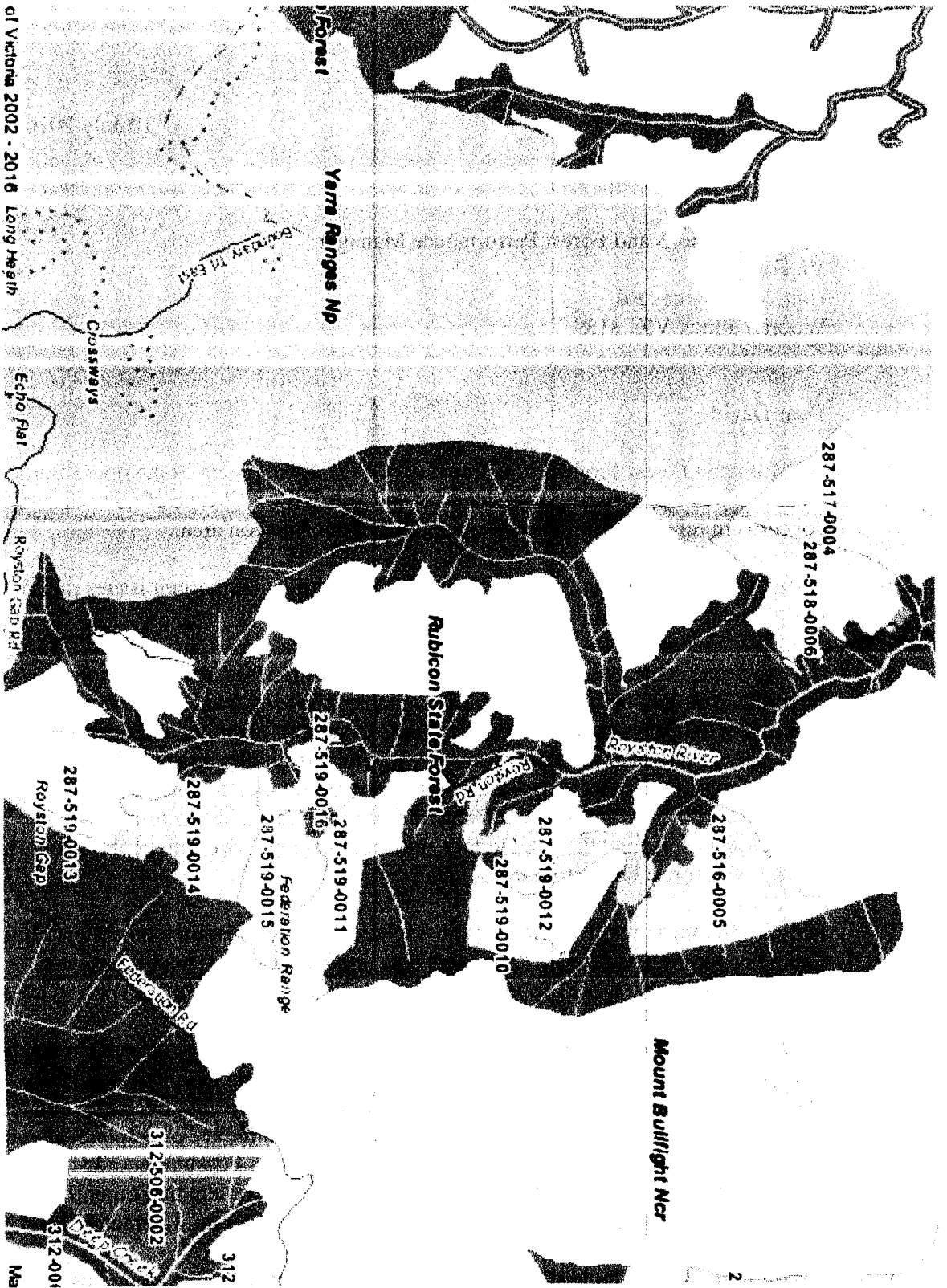
We also seek interim protection for a number of coupes at the southern end of the Rubicon State Forest. The group of coupes in question impact significantly on the large special protection zone (SPZ) which occupies most of the area to the west and south of the Mt Bullfight nature conservation reserve (see attached map). This area is still relatively lightly affected by logging and all of these coupes intrude in some way into the Special Protection Zone which protects the myrtle beech rainforest in the headwaters of the Rubicon and Royston Rivers. Sitting as it does between the Lake Mountain extension of the Yarra Ranges National Park and Mt Bullfight, this area would also be a very high priority to be included in an expanded conservation reserve system.

Given her portfolio responsibilities, I am writing in similar terms to your ministerial colleague, The Hon Jaala Pulford, Minister for Agriculture.

Yours sincerely,



Ken Deacon
Convenor
Rubicon Forest Protection Group
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of Victoria 2002 - 2016 Long Haul

Mount Bullfight NCr

- TIMBER RELEASE PLAN 2013-2016**
- Clearfelling
 - Clearfelling - Salvage
 - Cause Driveway Access
 - Group (or Gap) Selection
 - Road Alignment - Construction
 - Road Alignment - Improvement
 - Seed Tree (includes retained overwood)
 - Log Storage Facility
 - Single Tree Selection
 - Thinning from Above
 - Thinning from Below
 - Unmanaged
 - Regrowth Retention Harvesting
 - Untagged area within tagged coupe
 - Unknown
 - Regeneration
- FOREST MANAGEMENT ZONES**
- General Management Zone
 - Special Protection Zone
 - Special Management Zone
- WATERBOODIES**
- Watercourse Area
 - Permanent Wetland
 - Wetland Area
 - Inundation Area
- BUILT UP AREAS**
- PARKS and RESERVES**
- National/State Park
 - Proposed Park (NP Act)
 - Wilderness Park
 - Other Park (NP Act)
 - Marine National Park/Reserve
 - Nature Conservation Reserve

10 July 2016

David Walsh
Communications and Forest Performance Manager
VicForests
Unit 2/7-9 Symes Rd
Woori Yallock VIC 3139

Dear David

The Rubicon Forest Protection Group (RFPG) greatly appreciates the opportunity to meet with Nathan Trushell, Liz Langford and yourself on 17 June 2016 to discuss our concerns in relation to VicForests operations in the Rubicon area.

Thank you for the minutes. In addition, RFPG highlights important issues raised during the meeting and items for follow up.

On numerous occasions during the meeting, the Chair, Margaret Rae, emphasised the importance of data being made readily available, knowing what is actually happening to mitigate environmental and social impacts from both planning and operational perspectives and ensuring better transparency, understanding and collaboration. Chair Rae also raised road safety as a major issue, the importance of considering the concerns of other groups such as Rubicon Outdoor Centre, Camp Jungai, tourism and recreational users, and the need to take messages back to government about key issues arising with forest harvesting in the area.

RFPG welcomes the offer to meet with VicForests' forest resource modeller, Murray Lawrence to provide details of available data, explanations and how it has been evaluated, so RFPG would appreciate a date be set for this briefing as soon as possible.

In addition, RFPG emphasized the immediate, critical threat to biodiversity loss due to current logging rates and intensity concentrated in the Rubicon/Royston/Blue Range area and the paucity of acceptable field assessments of biodiversity values, especially threatened species in the context of the precautionary principle, relevant legislation and recovery plans. The issue of Leadbeater's Possum records in the Flea Creek coupe have been raised previously. Leadbeater's Possum and other threatened species records are shown on the publicly available Biodiversity Interactive Map.

Accordingly, RFPG requests written responses to a number of key concerns that we were assured would be forthcoming.

In particular:

1. Details of all field surveys and desktop assessments including results of biodiversity values undertaken in the Rubicon/Royston/Blue Range area.

2. A response to each of the alleged breaches and concerns raised by RFPG:

The RFPG has observed numerous breaches of the **2014 Code of Practice for Timber Production** including

- Landscape sensitivity areas not identified, or if identified not properly acted upon including Flea Creek, Calvin, Little Jacqui and Archibald. **Refer clauses 5.3.1.5 (Calvin, Little Jacqui and Archibald) and 5.3.1.6 (Flea Creek) of 2014 Management Standards.**
- Areas where aggregate logged areas of adjacent coupes exceed permitted threshold of 120 ha over a 5yr period, incl. group of most northerly coupes on top of Royston Range incl. Flea Creek (138 ha) and group of coupes around Hobin Gap (211 ha). **Refer clause 2.4.1.2 of 2014 Management Standards.**
- Failure to protect streams, such as Flea Creek headwaters (incl. source spring), with appropriate buffer strips. **Refer clause 3.3.1.1 of 2014 Management Standards.**
- Exceeding the 50 ha threshold in a rolling 5yr period for logging RVHA (Little Jacqui, 26 ha + Archibald, 23.5 ha + Calvin roading 2.5ha = TOTAL 52 ha) **Threshold as advised by VicForests – source authority not cited.**
- Significant losses of retained trees in coupes following regeneration burns. **Refer clause 7.2.4.1 of 2014 Management Standards.**
- Minimal, if any, field surveys for flora and fauna for proposed logging roads, log dumps and coupes with reliance on existing database records. **Refer clauses 2.2.2.2 and 2.2.2.3 of 2014 Code.**

And overall failure of planning processes to properly comply with the critical overarching Mandatory Actions under the Code, set out in clause 2.1.1.1, which states

Long-term forest management planning must:

- i. meet the requirements of this Code and the Management Standards and Procedures;
- ii. provide for the perpetuation of native **biodiversity**;
- iii. maintain a range of forest age classes and structures;
- iv. identify and mitigate impacts on all cultural heritage values;
- v. minimise impact on water quality and quantity within any particular catchment;
- vi. minimise adverse visual impact in **landscape sensitivity areas**; and
- vii. facilitate effective **regeneration of harvested forest.**

3. A response, accepting or rejecting the assessment and assumptions made in the RFPG's report "Unsustainable", with explanations and provision of necessary data so that RFPG can evaluate this information prior to meeting with Murray Lawrence.
4. Details on how VicForests is addressing the poor revegetation of logging coupes, the application of fire to minimise environmental impacts, how water, soil and ecology are considered in the TRP and why logging is now occurring throughout the year, even in winter during wet weather that greatly exacerbates environmental impacts as evident on the numerous recent roadworks, creek crossings and steep sections of logging coupes.
5. A response to RFPG request to be involved in coupe by coupe assessment and timelines for the analysis of each coupe.

As it is now almost a month since the meeting, Rubicon Forest Protection Group requests that the above information be provided no later than 17 July 2016, including a date set for a briefing with Murray Lawrence.

Regards,



Ken Deacon
Convenor
Rubicon Forest Protection Group
rvhorseriding@virtual.net.au