

Modernisation of the Victorian Regional Forest Agreements – Submission, with comments on the Independent consultation paper on by W. Jackson

By

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Recommendations

These are based partly on my comments below on the independent consultation paper, as well as an assessment of RFAs published in 2018 by the Ecological Society of Australia (<https://www.ecolosc.org.au/hot-topics/regional-forest-agreements-fail-meet-their-aims>) which concluded, with many supporting references (absent in the consultation paper), that “RFAs have comprehensively failed to achieve their key aims. Instead, vertebrate species declines, timber overharvesting, and forest instability is evident. Industry future is uncertain” – a much more realistic assessment of the Victorian RFAs than the one presented in the consultation paper.

I recommend that modernisation of the RFAs should include the following:

1. Due to the rate that new scientific knowledge is being acquired, **the duration of an RFA should be no more than 10 years** and much less than the previous 20 year periods. Any new RFA must be a transitional one in which timber harvesting is phased out of native forests and shifted into plantations. The rate of plantation establishment on already cleared land should increase.
2. **The current exemption from the Environment Protection and Biodiversity Conservation Act (EPBC Act) for the timber industry must not be allowed to continue.** The complete absence of any data indicating an improvement in forest conservation during the lives of existing RFAs supports this position.
3. Around 92 per cent of so-called reserves created under all the Victorian RFAs are informal (special protection zones etc.). Only 8 per cent of reserves related to RFAs are protected in formal reserves, in contrast to other jurisdictions such as NSW, which protected 23% of the area in formal or dedicated reserves and less than 4% in informal reserves. Consequently, the Victorian RFAs created a forest zoning system and did not deliver a CAR reserve system as described in the national agreed JANIS criteria. **Most of the current informal reserves should be included in formal reserves and protected under the National Parks Act.**
4. **JANIS criteria for determining the CAR reserve system are ecologically poor and more ecologically appropriate criteria should be used.** The CAR reserve system uses JANIS and Bioregional Conservation Status (BCS) criteria for determining the endangered status of ecosystems. The JANIS and BCS criteria consider only the areal extent of an ecosystem and nothing about the structure or function of an ecosystem, so they are completely inadequate for determining an ecosystem’s endangered status. For example, many animals require trees with hollows and such trees are only present if they are relatively old. Young forests, without such hollows, may occupy a large percentage of the original extent of that forest type, so they would not be considered endangered by JANIS or BCS criteria, but the absence of hollows and hollow-dependent species would mean that ecologically, those forest ecosystems are endangered. This is precisely the situation with mountain ash forests in the Central Highlands, which are considered endangered by the IUCN, using proper ecological criteria, but not by JANIS.
5. **Climate change, and its impacts, must be considered.** This is particularly important with respect to tree growth, available wood volumes, and fire regimes and the impacts of forest harvesting on such regimes. Any RFA must acknowledge that forest harvesting increases the likelihood of dangerous crown fires compared to long-undisturbed forest. Timber harvesting should cease in forests where climate change-induced declines in wood volumes will be significant.
6. **Carbon sequestration, and the impacts of forest harvesting on this, must be considered.** There is no evidence that timber harvesting improves C sequestration.
7. **Forest management planning must be made more transparent and the public must be given greater and more meaningful opportunities to comment on management plans which affect our (public) forests.**

8. **Forest management planning should be guided by more acceptable economic analyses, such as the United Nations System of Environmental and Economic Accounting framework, and public subsidies to VicForests should no longer be given.**
9. **Plantation establishment on already cleared land should greatly increase** to maintain forestry jobs and wood fibre supplies.
10. **The codes of practice involving Timber Production and Bushfire Management should be updated to reflect current public concerns and enforcement should be greatly strengthened and made much more transparent.**
11. **No native forest area should be harvested prior to a comprehensive ecological assessment of that area and harvesting should not occur if the area contains endangered species or ecosystems. The federal EPBC Act should ALWAYS apply to all RFA areas.**
12. **No RFA should be renewed for an area such as western Victoria, where the increasingly scarce forests contain many endangered species and where timber harvesting requires a public subsidy as it is uneconomic.** Thus, across western Victorian forests, 70% of the area targeted for logging contains native vegetation types that are either endangered (19%) vulnerable (11%) or depleted (40%). In the Horsham Forest Management Area, 54% of the vegetation proposed for logging is endangered. More than 20 threatened native animals and 14 threatened native plants were found in or closely adjacent to a third of all proposed logging areas. In 2010 the *Independent Review on Progress with Implementation of the Victorian Regional Forest Agreements Final Report* recommended that the Western RFA be cancelled. This particular RFA is an anachronism which should be cancelled, particularly since the woodchipping, for which it was originally established, no longer exists.

Comments on the independent consultation paper by W. Jackson

In general, this paper is unduly optimistic about the success of RFAs. This is generally not supported by any evidence or data. In particular -

1. **Progress on protecting species is unclear.**

The paper states (p. 21) that "Of the 88 species identified in the five RFAs as priority for the preparation of Victorian Government Action Statements or Commonwealth Government Recovery Plans, more than 80 per cent have been addressed, and in most cases new or revised Action Statements and/or Recovery Plans have been prepared." This statement tells us nothing about how these 88 species are faring. Have their populations increased, or decreased, or become more viable, etc.? It also tells us nothing about species conservation in general – have more species become endangered or have some species been taken off the endangered species list since the beginning of the RFA process? No assessment is provided at all of how effective the RFA process has been in protecting endangered species. The paper does state that 4 more forest-dwelling species have become endangered with forestry operations being the primary threat during the 2011-2016 period (p. 22), suggesting that the RFA process has not been successful in protecting species, however.

The paper states (p. 23) that "biodiversity continues to be lost in Victoria. More effort is needed to stop the overall decline of threatened species and improve the extent, condition and connectivity of forest habitats." This again indicates that the RFA process has not worked when it comes to protecting our flora and fauna.

It is pertinent to point out that the RFA process has had little to do with the establishment of new national parks and reserves in Victoria, and has been a block rather than a driver to the creation of protected areas and it is in these protected areas that species and ecosystems are being protected. Adequate protection of Leadbeater's possum in mountain ash forests can only occur through the creation of a large area in which timber harvesting does not occur.

2. **Climate change must be considered in any RFA modernisation**, as indicated in the paper (p. 23). One impact of climate change is to increase bushfire activity. The RFA modernisation must take into account recent research that has shown that logging of mountain ash forests produces younger forests which are more likely to support high intensity crown fires than old forests (Bradstock and Price 2014; Price and Bradstock 2012; Taylor et al. 2014), which is consistent with studies showing older eucalypt forests tend to be less flammable than younger forests (e.g. Dixon et al. 2018, Wilson et al. 2018), as well as

with my own work and other studies in western North America which have found similar trends (). Section 3.2.2 (p. 26) ignores this.

The brief discussion of planned burning (p. 27) also ignores the recent evidence that planned burning in Victoria has led to a decline in hollow-bearing trees, and hence biodiversity and ecosystem health (Bluff 2016).

Another major concern about climate change is its impact on forest productivity. This is not properly discussed in the consultation paper. A recent VEAC assessment of fibre and wood supply in Victoria's mountain ash forests indicated that temperature increases are likely to reduce tree growth, wood volumes, and the area suitable for mountain ash growth (VEAC 2017). This should be a major consideration in any new RFA and timber harvesting should cease in any forests whose growth will be seriously reduced by climate change.

3. Conservation of soil and water resources is unclear, in contrast to the assertion to the contrary in the consultation paper.

The conclusion (p. 28) that "the management of Victoria's public forest estate contributes to soil conservation and river health" is not supported by any evidence presented. Logging of ash forests in the Central Highlands has been shown to reduce streamflow and result in a long-term decline in water yield (Bren et al. 2013, Vertessy et 1998). Victoria's Code of Practice for Timber Production says nothing about water yield so forest harvesting may be compatible with this Code of Practice but still contribute to reduced river health. Furthermore, the 2018 State of the Forests report for Victoria (Commissioner for Environmental Sustainability Victoria 2018) considers the current status of the change in river health characteristics is unknown (p. 125). The report suggests that "Victoria's current river condition is likely to be either stable or declining... based on outdated data" and that "the condition of water quality in river basins is generally poor and deteriorating". The only way to determine if forest harvesting has conserved soil or maintained healthy rivers is to compare sediment yields and river health in streams flowing from harvested areas to those flowing from non-harvested forested areas. This has not been done in the consultation paper and I am aware of only few such studies in Victoria so no conclusion about soil conservation can really be made.

4. Victoria's ecosystems are not adequately protected in contrast to the unduly optimistic assessment in the consultation paper

The paper considers the Victorian CAR system to be satisfactory. This is despite the facts that - there is no demonstrable link between the RFAs and an increase in the conservation estate; creation of national parks in the last decade in Victoria is at its lowest in the last 50–60 years; and there is no evidence that the RFAs either promoted or provided any funding for private land conservation. Most (84%) of Victoria's reserve system was in place before the RFAs. Most newer park area was created either outside the RFA areas, or was created from public pressure in spite of the RFAs.

The paper also completely ignores the conclusions of the Victorian government's Biodiversity 2037 strategy which include - 1) "...many ecosystems, habitats and threatened species are inadequately represented in the reserve system and need increased protection"; and 2) "...the estimated gap in additional protected areas required to meet Australia's criteria for a comprehensive, adequate and representative reserve system is 2.1 million hectares..."

The recent final report of the VEAC Central West investigation, commenting on its recommendations, stated "Of the 37 EVCs currently with significant (greater than 50 hectares) shortfalls against the nationally agreed targets for protected area representation, the recommendations would result in targets being met or almost met for 12 bioregional EVCs. Many of these EVCs currently have representation shortfalls of many thousands of hectares e.g. Herb-rich Foothill Forest and Grassy Dry Forest. For a further ten EVCs, while representation targets would not be met, significant additions are recommended. For another 21 EVCs ecosystem representation targets would not be met. Clearly, not all ecosystems will be adequately protected even after this non-RFA process to improve representation.

The Victorian government maintains data on the endangered status of different EVCs (https://www.environment.vic.gov.au/data/assets/pdf_file/0012/50511/Bioregional-Conservation-Status-for-each-BioEVC.pdf) (many forested ones are considered endangered) and on the degree of protection of each. Why were none of these datasets used in the consultation paper? In the absence of an analysis of these datasets the CAR system can not be considered satisfactory.

5. Carbon sequestration must be considered in the RFA modernisation

The conclusion on p. 28 of the paper that “Victoria’s forests play an important role in sequestering greenhouse gases. The rate of forest-related carbon sequestration is related to the level of afforestation and reforestation activities” is valid but there is absolutely no evidence that current practice is good practice. Where is the evidence that harvesting forests results in greater C sequestration than leaving them unharvested, for example?

6. **Regulations for ecologically sustainable forest management are currently very poor**, not satisfactory as indicated in the paper (p. 35)

The discussion on p. 34-35 of the paper indicates an unquestioned acceptance that Victoria’s Code of Practice for Timber Production protects biodiversity and soil and water resources and allows ecologically sustainable forest management. This is not the case as the Code says nothing about managing for threatened species or water yield or C sequestration, it does not consider climate change, and it allows for an increase in forest fuel hazard. It incorporates some good practices but ignores others.

Likewise, the Code of Practice for Bushfire Management may be based on good practice but that good practice often does not occur and there seems to be no few attempts to ensure the Code is followed – such a regulatory framework with little enforcement is truly poor and not satisfactory. Penalties for not following the Code should be given.

Examples include – the Code states that planned burns should be timed “to reduce the risk of smoke impacts”. Massive smoke pollution from planned burns in the upper Yarra valley area in spring, 2018, indicates smoke management is not really considered. I have been unable to find a planned burn prescription which properly incorporates smoke management. Recent (2018) prescribed burns by the CFA for the Yarra Ranges Shire had absolutely no smoke management considerations in their burning prescriptions.

The Code also states that planned burns will be monitored, but monitoring results do not seem to exist and are generally not publically available.

The Code states that “fire will be used to maintain or improve the resilience of natural ecosystems and their ability to deliver services such as biodiversity, water, carbon storage and forest products” but then ignores the fact that planned burns decrease hollow-bearing trees and hence biodiversity.

7. **Current forest management planning is poor.**

Overall forest management plans are generally not available to the public. Only bits and pieces, such as timber release plans (which change very frequently) are made available. Public comment on such plans is farcical as VicForests is the agency which considers public comments on its own plans. An independent body is required to properly assess critiques of an agency’s plans. Continuing court cases, such as the current Leadbeaters possum one, indicate that planning is poor.

The paper considers Victoria’s strategic wood supply modelling process is sound but this process is based on 15-25-year-old data and does not appear to take into account increased fire activity and decreased forest productivity caused by climate change or increased protection required for endangered species.

Furthermore (p. 41), the Victorian Auditor General’s (2013) report on its audit on managing Victoria’s native timber resources concluded that VicForests could improve its process for estimating sustainable forest harvest levels.

Based on these points, it is unclear why the paper would consider that current forest management planning is anything other than unsatisfactory.

8. **Auditing and compliance are clearly unsatisfactory**, despite being considered satisfactory in the paper (section 3.3.5).

The paper provides no evidence to support the assertion that auditing and compliance are satisfactory; no assessments of audit results or of public acceptance of audits are given. Auditing only occurs on a relatively small percentage of coupes; citizen scientists are continually finding endangered species in proposed logging coupes; and the government is currently holding an enquiry into changing auditing procedures. All these suggest that auditing, at least, is not satisfactory.

9. **Consultation and partnerships with stakeholders and the community are very poor** and clearly not satisfactory, contrary to the paper’s conclusion (p. 42).

Consultation by Parks Victoria can be considered satisfactory but this is not the case with VicForests. No evidence is provided in the paper to support this statement. The fact that 80% of submissions from

stakeholders to a recent review of RFAs were critical of the RFAs should suggest that stakeholders are unhappy with what has been happening with RFAs, and that consultation and partnerships are poor. The fact that VicForests continually changes TRPs and very poorly publicises these changes, making it difficult for public to comment, and that VicForests acts as the fox in charge of the chickens by assessing public comments on its own plans, should all suggest that consultation about forest management is poor.

10. Current economic considerations for RFAs are simplistic and not in the public interest

The economic considerations associated with RFAs and forest management seem to only consider number of jobs and the value of wood fibre. The economic value of other forest resources and the public subsidies given to VicForests are ignored, resulting in a major economic loss to Victoria. For example, Using the United Nations System of Environmental and Economic Accounting (SEEA) framework, it has been shown that the economic value of water, tourism and C sequestration is considerably greater than that of wood fibre in Victoria's Central Highland ash forests (Keith et al. 2016) and that ceasing ash forest harvesting would lead to an increase in the economic value of these forests. VicForests continually requires government loans of taxpayer's money to operate. Forest management which lowers the economic value of our forests is not in the public interest.

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