

Dear Stephen Colquitt,
Timber Harvesting Compliance Unit Team Leader,
Department of Environment, Land, Water and Planning
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Protection of watercourse upstream of *Galaxias aequipinnis* and recent logging disturbance

Flow of water in east & west branches of the northern stream adjacent to coupe 830-507-0023

I understand from our various telephone conversations since 13 January 2016 that the Department of Environment, Land, Water and Planning (“the Department”) were not going to ensure that all forest areas upstream of the Critically Endangered *Galaxias aequipinnis* were protected from the impacts of VicForests logging and specifically not protected from those currently occurring within active logging coupe 830-507-0023.

Instead, I understand that a 100m buffer was to be placed only on those forest areas within 1km “upstream” of the *G. aequipinnis* populations that were also considered by the Department to be “permanent streams” and also defined as the “primary” arm/branch/fork or tributary of a particular watercourse on account of having a greater volume of water than other branches of the same watercourse. This approach disregards the fact that the effects of disturbance in any upstream portion of a watercourse may degrade a river system to a specific point downstream such as through increased sedimentation and other alterations to the flow and quality of a watercourse.

These reductive interpretations of the regulatory framework concerning threatened *Galaxias* species are completely unacceptable and it remains deeply concerning that the Department would take such lack of action while disregarding the views of relevant experts and failing to uphold the demands of the precautionary principle as it relates to the management of species threatened with extinction.

Nonetheless, included in the Department's reasoning for taking such a position was discussion of the need for watercourses to be permanently flowing (as opposed to say ephemeral streams). Following this course of action I understand that the Department only sought or achieved 100m buffer protection for one (the western) arm/branch/fork or tributary of the watercourse (the Little Arte River section of the Arte River) within and/or adjacent to coupe 830-507-0023, implying that this branch was the “permanent primary” branch of the relevant stream.

Recent investigations within coupe 830-507-0023 have shown that in fact there is little or no water flowing above ground in the western branch of the relevant stream and that it is the eastern branch of the relevant stream that has observable flowing water more voluminous than its western counterpart.

As such, if the Department wishes to maintain the implementation of its woefully inadequate strategy of only protecting one part of the relevant watercourse, or one portion of what is properly and plainly understood to be “upstream”, then the eastern branch of the stream adjacent to coupe 830-507-0023 on its northern border must be protected with at least a minimum vegetative buffer of 100m.

The photos attached below show the comparative flow of water between each of the eastern and western branches of the relevant stream and the map following shows the location where these photographs were taken and further detail regarding flow of water and minimum protection.

Logging disturbance in eastern branch of the northern stream adjacent to coupe 830-507-0023

The Department's failure to investigate the above matters on site, instead ostensibly relying on

information from VicForests, has lead to logging disturbance already occurring within the small area that the Department claimed was the maximum protection it would request from VicForests.

Included in this investigation was the discovery that a tree stump and root ball has been cut within the current logging operation of coupe 830-507-0023 and thrown down slope in to the eastern branch of the watercourse flowing on the coupes northern border.

The photographs attached to the end of this letter show the cut stump root ball thrown into the relevant stream and still present at 55 H 657493 5845916 (GDA94 UTM). This location is also shown on the map included within this letter.

This action by the logging contractors operating within coupe 830-507-0023 constitutes a clear breach of what should be the 100m minimum buffer for the Critically Endangered *Galaxias aequipinnis* and a clear breach of the regulatory framework governing logging operations in Victoria's State Forests including Sections 3.3.1.1 and 3.3.1.2 of the "Management Standards and Procedures for timber harvesting operations in Victoria's State forests" (Department of Environment and Primary Industries, The State of Victoria, October 2014).

I call on the Department to enforce the protection of the minimum 100m buffer on the eastern branch of the relevant stream described above (and all upstream areas of *Galaxias aequipinnis* populations) by restraining all logging operations within this area as a matter of urgency given the ongoing logging operations in coupe 830-507-0023.

Further, the Department must prosecute the logging contractors operating within coupe 830-507-0023 for flagrantly degrading the stream detailed above by throwing a cut stump root ball into the upstream habitat of the Critically Endangered *Galaxias aequipinnis* and breaching Sections 3.3.1.1 and 3.3.1.2 of the "Management Standards and Procedures for timber harvesting operations in Victoria's State forests" (Department of Environment and Primary Industries, The State of Victoria, October 2014).

If the Department does not intend to investigate and prosecute this case please inform me of this decision as soon as possible and provide the Department's reasons for not doing so and inform me of any further decisions or actions taken by the Department concerning the issues raised in this letter.

In order that we may gain a full and clear understanding of circumstances surrounding threatened species and other biodiversity conservation matters management within coupe 830-507-0023, please provide a detailed description of the Department's (and separately the Department's understanding of VicForests') decisions and actions taken to date regarding these matters, including for *Galaxias aequipinnis*, as soon as possible.

Thankyou, I look forward to receiving this information and hearing the Department will fully investigate and act on these matters as a matter of urgency.

Andrew Lincoln
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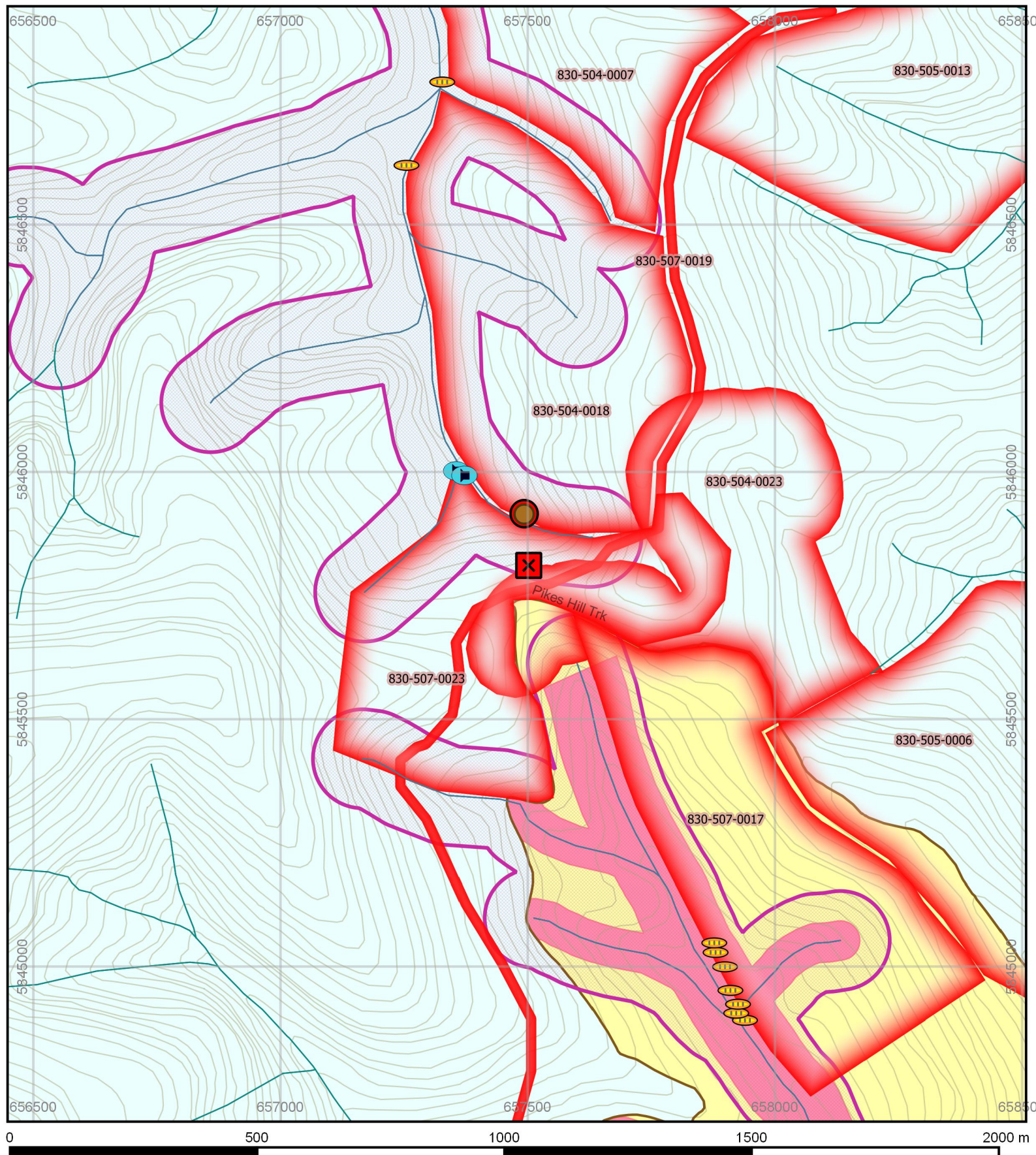
Photographs of watercourse on northern border of coupe 830-507-0023

Figure 1(a). Eastern branch of watercourse (Little Arte River, Arte River) 55 H 657372 5845993 (GDA94 UTM)















Figure 1(b). Western branch of watercourse (Little Arte River, Arte River) 55 H 657355 5846002 (GDA94 UTM)






Legend

	Photograph locations of eastern and western branches of northern stream		100m Buffer 1km upstream and downstream on selected <i>G. aequipinnis</i> detections		Special Protection Zone
	Cut stump root ball thrown into eastern branch of northern stream		Scheduled Logging Coupes (VicForests, TRP) [Approved_TRP_August_2015]		Special Management Zone
	Logging disturbance within 100m of Northern Stream				General Management Zone
	<i>Galaxias aequipinnis</i> detection locations (selected)				Roads
					Watercourses
					Contours

Projection: EPSG: 28355
GDA94/MGA Zone 55

Map Scale:
1:10,000



Photographs of cut stump root ball thrown into the Arte River (830-507-0023)

Figure 2(a). Cut stump root ball thrown into the Little Arte River, Arte River on northern border of coupe 830-507-0023



Figure 2(b). Cut stump root ball thrown into the Little Arte River, Arte River on northern border of coupe 830-507-0023

