

8 April 2018

The Hon Josh Frydenberg MP
Minister for the Environment and Energy
Parliament House
CANBERRA ACT 2600

Dear Minister,

I write to raise concerns about how the Coorong is currently being managed. The Coorong is a Wetland of International Importance listed under the Ramsar Convention and so its ecological character is protected under the Federal EPBC Act. The region is critically-important for a wide variety of water birds including a suite of migratory shorebirds that are afforded additional protection under signed international migratory bird agreements which are also embedded within the EPBC Act

The over-extraction of water for human use within the Murray Darling Basin has had a dramatic effect on the Coorong. However, the current issue for the southern Coorong is the ongoing releases of water from the Upper South East Dryland and Flood Mitigation Scheme (USEDAMS) at Salt Creek. When this scheme was being assessed in the 1990s environmental consultants flagged potential risks of nutrients being added to the southern Coorong that could lead to algal blooms. Under the EPBC Act the releases were permitted by the then Federal Minister Robert Hill provided the unique hypermarine ecology of the southern Coorong was not disrupted. Filamentous algae are now widespread throughout the southern Coorong and causing significant environmental impacts on migratory and non-migratory shorebirds and their food resources. The South Australian Government through the Department of Environment, Water and Natural Resources (DEWNR) has developed a South East Flows Restoration Project (SEFRP) that will deliver significantly more fresh-water (also with nutrients) into the southern Coorong. The State Government has also secured Federal funding for this scheme. The State Government has put this forward as a Sustainable Diversions Limit Adjustment Mechanism (SDLAM). DEWNR state that there is 'no risk' to the ecology of the Coorong from these increased flows, as does the Murray Darling Basin Authority (MDBA). As an ecologist who has monitored the biota of the Coorong since the 1980s there are serious risks that should not be ignored. These are the same risks that were flagged in the 1990s that have come to fruition and are now conspicuous. How can state and federal government agencies state that there are 'no risks' to the ecological character of the Coorong and migratory shorebirds from releasing additional water into the southern Coorong? Why are State and Federal Government Agencies allowing these releases of water even though they are likely to have negative impacts on the unique ecological character of this globally important wetland? Doing so is not only contrary to the intended goal of the Water Act but also contrary to the EPBC Act. Governments of all persuasions have a duty of care to protect biodiversity, particularly biodiversity assets that are supposedly afforded greater protection under the EPBC Act.

At this point in time the 605 GL of SDLAMs for the southern basin are yet to be introduced into the Senate, let alone approved. However, significant earthworks have recently commenced within the Coorong National Park that are associated with the SDLAM that involves increased releases of

water into the Coorong. The MDBA internal assessment of the SDLAMs identified no issues of major concern and passed back to the States the onus to review and implement the SDLAMs.

It is entirely inappropriate for State Governments to be both the proponents and the adjudicators of their own SDLAMs. The process lacks transparency, lacks independent review and is bad governance.

In November 2017, I formally lodged a submission to the MDBA that expressed concerns including providing evidence for my concerns. I have received no response to these concerns. I have attached my submission to this letter.

I would be grateful if you would answer the following questions.

As Federal Minister for the Environment with responsibility for the EPBC Act what assurances can you give that the Coorong is not being harmed by releases of freshwater at Salt Creek and will not be harmed further by significantly increasing those flows?

Will you stand up and protect the migratory shorebirds and unique ecological character of the Coorong, both supposedly afforded significant protection under the EPBC Act?

The Prime Minister, Malcolm Turnbull, recently stated that Australia honours its international agreements. Why are those international agreements being ignored when it comes to the Coorong?

Yours sincerely,

David C. Paton AM

Associate Professor
Ecology and Environmental Sciences
School of Biological Sciences
University of Adelaide.
Adelaide SA 5005