

8 April 2018

Hon Steven Marshall
Premier of South Australia
Government House
North Tce
Adelaide SA 5000

Dear Premier,

I write to raise concerns about how the State is currently managing the Coorong. The Coorong is a Wetland of International Significance 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.

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 (USED FMS) 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 is 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 state 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 this State ignore the obvious changes that are taking place and say there are 'no risks'? Why would the State want to damage this unique and globally important wetland? Doing so is contrary to the intended goal of the Water Act.

The rumour is that the State Government has signed a contract for funding that if it does not deliver the SEFRP as an SDLAM there are significant financial implications for the State. Are you able to confirm if this is the case?

I provided a formal report to the MDBA's request for public comments on the proposed SDLAMs. However the concerns raised by me on the SEFRP as an SDLAM have been ignored, as have many other concerns raised by others about other SDLAMs. At this point in time the 605 GL of SDLAMs for the southern basin are about to be introduced into the Senate, and the responsibility for review and approval of the proposed SDLAMs passed back to the individual States to self-assess and proceed with implementation. I note that significant earthworks have recently

commenced within the Coorong National Park that are associated with the SDLAM that involves releases of water into the Coorong. I re-iterate that the SDLAMs are yet to pass the Senate.

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

I would be grateful if the State Government would respond to the concerns raised in my original submission (attached) about the proposed additional releases of water into the southern Coorong at Salt Creek. In that response I seek (i) a clear statement as to why water from the current USED FMS is still being released at Salt Creek (the original approval indicated that releases were only to be done if there was no threat to the unique ecology of the southern Coorong); (ii) a clear statement as to why further releases from the SEFRP are justified and the circumstances under which they are justified; and (iii) whether the SEFRP meets the requirements (set by the MDBA) to be a legitimate SDLAM.

Finally, will a Marshall-led Liberal Government actually adhere to the EPBC Act or will this legislation continue to be ignored in this State?

Yours sincerely,

David C. Paton AM

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