



26 September 2014

GPO Box 1801
Canberra ACT 1801
By email: engagement@mdba.gov.au

To Whom It May Concern,

RE: Basin-wide Environmental Watering Strategy

I am writing in regard to the recent invitation for submissions to the Basin-wide Environmental Watering Strategy. The Australian Dairy Industry Council (ADIC) strongly values the opportunity to provide comment on this work as the Environmental Watering Strategy is significant for the implementation of the Basin Plan and the achievement of the objectives of the Plan. Following an extended period to prepare this document, the short response time is disappointing, particularly given the analysis and investigation that responding to such a document deserves.

We have reviewed the draft Strategy and have identified several deficiencies and points for further consideration:

- The strategy is inconsistent with both the Basin Plan and the Water Act. It goes well beyond both by setting prescriptive expected outcomes. Setting these out in the strategy creates a risk that they will be interpreted as hard and fast targets that were agreed by all parties, despite none of these quantitative outcomes being prescribed in the Water Act nor are they part of the Basin Plan which was subject to a comprehensive community consultation process.
- The prescriptive targets are based on percentage increases but with no scientific backing or any baseline references. For instance, the outcomes for waterbirds on page 29 fail to explain how increased flows alone will deliver the prescribed percentage increases in breeding, how this would be measured, or the baseline levels against which progress would be measured. The strategy is also inconsistent, for example, referring to waterbird populations increasing from 'current' observations, but also aiming to return waterbird levels to those observed in the early 1990s. These two levels are quite different and neither may be ecologically meaningful given the Basin's extremes of droughts and floods. Another example of this evasiveness is a prescribed target on page 25, which is not included in previous tables. It claims that by 2019, the desired population outcome for *R. Tuberosa* is to occur in 80 percent of sites across at least a 50km extent. However, it is difficult to understand the magnitude of the task as no baselines are included and there is no discussion on whether this outcome can be achieved exclusively by more water flowing down the Murray.

- The strategy appears to be based on assumptions that 2750GL will be recovered for the environment in the form of entitlements only. The strategy does not acknowledge the commitment by Basin governments to identify environmental works and measures that will offset the need to recover 650GL in entitlements from irrigators. This commitment is a critical element of the Sustainable Diversion Level Adjustment Mechanism, which itself was developed in recognition of the need to minimise the Basin Plan's negative economic and social impacts. Environmental works and measures are also a critical tool in managing environmental water to maximise positive environmental outcomes, as they will be more effective in delivering sufficient duration, depth and temperature of water in high-value sites to ensure successful bird and fish breeding events. Trying to engineer overbank flows to achieve the same outcomes will be much less reliable, particularly in dry years, assumes an easing of constraints that are not yet agreed, and may not be possible without unacceptable third-party effects.
- The inconsistent use of data in this draft Strategy renders fixed quantitative outcomes, not only unsound but misleading. It is recommended that all quantitative targets be replaced by qualitative outcomes consistent with the Basin Plan and the Water Act.
- The prescribed outcomes also appear to be based on assumptions about the nature and extent of physical and operations constraints that may or may not be eased, and are yet to be approved by the Basin governments. For example, on page 2, the strategy claims that it builds on the work that underpinned the Basin Plan, including "the outcomes of the implementation of the Constraints Management Strategy." Considering the Constraints Management Strategy (CMS) has not yet been finalised or approved by the States, it is inappropriate for the Strategy to set quantitative outcomes based in part on unknown MDBA assumptions about what will and will not be permitted in the CMS. Knowing what these assumptions are would be helpful in allowing stakeholders to judge whether the prescribed outcomes are actually feasible.
- It would be beneficial for the Strategy to include full referencing of all data, so that stakeholders and the wider public can independently determine the merit of the assumptions and data that underpin the Strategy's objectives. In addition, the completion of the 2013 Basin condition assessment and its release would provide stakeholders and the community with further relevant information. The comment on page 22 that the assessment "is expected before this strategy is finalised – this will provide extra information on the outcomes that can be expected" is not useful for stakeholders who strive to understand the Strategy in order to provide meaningful input.
- As in the draft Environmental Framework, the draft Strategy fails to take social and economic costs and benefits into full consideration. The only economic benefit mentioned throughout the document is that recreational fishing will generate 10,590 jobs in the Basin and contribute \$1.3 billion. The draft Strategy does not acknowledge any other economic or social costs or benefits. This is a significant shortfall in understanding the context and impacts of the Strategy.

- The draft strategy is also undermined by a lack of clarity in how the Strategy will be executed and monitored. Greater explanation of benchmarks would enable more meaningful assessment of whether outcomes contained in the Strategy are being achieved. The document is also unclear about which agencies will gather this data, and who will cover the costs for data collection, monitoring, evaluation and reporting (MER). It is worth noting that the MDBA has already scrapped two important MER programs – the Sustainable Rivers Audit and the Native fish Strategy – on cost grounds.
- The draft strategy needs to provide greater clarity on how MDBA interacts with federal and state bodies when it comes to environmental watering. With the number and range of agencies with roles and interests in the implementation of the Basin Plan, agencies are left to define their own roles in the absence of clarity in implementation documents such as this strategy. The strategy provides an important opportunity to ensure roles and responsibilities for environmental watering and related functions are clear, efficient and aligned.
- There is a need for greater transparency about the other environmental works and measures that are required to achieve the desired outcomes, such as fish ladders, environmental infrastructure, feral animal and fish control, and weed management among others.
- There is an important connection between this Basin-wide Environmental Watering Strategy and the annual watering plans. We take this opportunity to note our support for the current arrangements for the development and management of the annual watering plans at a catchment level led by the Commonwealth Environmental Water Holder (CEWH) in conjunction with state water holders, local communities, CMAs and other relevant government agencies. It is important that the Basin-wide Strategy does not prescribe matters which are better left to the catchment level consideration, for example how natural high flow events would be managed.

It is our submission that another draft strategy should be prepared that resolves specific shortcomings such as those raised above and by other stakeholders; involves proper consultation and engagement on its development; and, provides opportunity for further public feedback.

We would welcome the opportunity to further discuss the comments above and the next steps in progressing a Basin-wide Environmental Watering Strategy.

Yours sincerely,



Noel Campbell
Chairman



Daryl Hoey
Policy Advisory Group Chair