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Dear MDBA

Basin-wide environmental watering strategy 2019

The Inland Rivers Network (IRN) is a coalition of environment groups and individuals that has been advocating for healthy rivers, wetlands and groundwater in the Murray-Darling Basin since 1991.

IRN welcomes the opportunity to provide feedback on the draft Basin-wide environmental watering strategy 2019 (draft BEWS).

We are concerned that the Basin Plan is now in its seventh year of implementation and a large body of additional work has been identified in regard to a full update of the BEWS.

We note that the process of partial update has been caused by the significant policy developments that have occurred over the past five years and the need to change hydrological modelling used to inform the expected environmental outcomes.

IRN had understood that these policy decisions were based on the premise that there would be equivalent environmental outcomes with these policies in place.

We have concerns in regard to the impact of policy changes on the outcomes of the BEWS and how these will be addressed. The impact of less physical water to deliver for environmental benefit is a key issue that must be identified in the BEWS.

The delivery of the Sustainable Diversion Limit Adjustment Mechanism (SDLAM) projects is of particular interest to IRN.

The discussion on policy change does not include the impacts of the 1500 GL cap on water buybacks with an emphasis on gaining additional environmental water through efficiency measures and the losses to the environment cause by these measures.

There is also a lack of consideration of necessary changes to modelling caused by the inclusion of the floodplain harvesting (FPH) assessment in the Northern Basin. The NSW Government now has agreement to extend this assessment to 2021.

IRN wishes to submit the following comments on the draft BEWS:

1. Targets for the four key indicators

IRN supports the targets established in the BEWS for flow regime and connectivity, vegetation, waterbirds and native fish. These targets must be maintained in the BEWS to ensure that the Basin Plan meets its environmental objectives and the commitment to international treaties acknowledged in the *Water Act 2007*.

We also support the consideration of adding targets for other key environmental indicator themes such as ecosystem types, other vertebrates and ecosystem function.¹

Macroinvertebrates are another key indicator of ecosystem health that should be added to the suite of tools in the BEWS for achieving Basin Plan objectives.

2. Policy Changes causing modelling updates

IRN notes that the draft BEWS identifies that *'the impact of policy changes on the expected environmental outcomes is yet to be determined'*.²

It is expected that these changes will result in a series of trade-offs and further information is required to provide a *'balanced assessment'* of the overall changes to expected outcomes. This may require a new methodology.

IRN considered that the 2,750GL was already a major environmental trade off. The volume of physical water gained, if the 450GL upwater is achieved, is now 2,545 or 7.7% of the annual average Basin inflow of 32,500GL.

There is no more room for environmental trade-off if the objectives of the Basin Plan are to be met.

2.1 Northern Basin Review

The draft BEWS notes that the reduction in water available to the environment by 70GL in the Northern Basin, offset by the hopeful benefits of the toolkit measures, will be assessed by updated hydrological modelling by 2022.

¹ Draft BEWS Report p 92

² Ibid p 21

IRN had expected that this modelling work was undertaken to inform the outcome of the Northern Basin Review. If the toolkit measures do not achieve anticipated environmental outcomes then a revision of the Northern Basin SDL must be flagged.

IRN notes that the volume to be licenced for FPH in north-west NSW was not included in the Northern Basin Review. The impacts of this water take have not been considered in the draft BEWS or updated hydrological modelling. More discussion of FPH follows later in this submission.

A significant toolkit measure is the protection of environmental water, both planned and held, to improve longitudinal and lateral connectivity in the Northern Basin and assist in achieving the other key indicator targets.

The rules being developed by the NSW Government to be included in Water Resource Plans (WRP) must be rigorous, so that the targets in the BEWS can be met.

Environmental water protection rules in NSW must be given close consideration during the MDBA accreditation process. These rules have not yet been included in the WRPs exhibited for public comment.

2.2 SLDAM projects

The draft BEWS notes that the reduction in water available to the environment by 605GL in the Southern Basin through the implementation of the SLDAM projects will be assessed by updated hydrological modelling by 2022.

IRN had expected that this modelling work was undertaken to inform the outcome of the SLDAM. We expressed concern at the time that trade-offs to environmental benefits were wired into the SLDAM process.

If new methodology and hydrological modelling demonstrates that the BEWS targets cannot be met through the SLDAM process because the equivalent to 2750GL will not be met, then more physical water must be acquired for environmental benefit.

2.3 PPMs

IRN is concerned that the PPMs are now considered to be ‘in effect’ as of July 2019.

IRN questioned the proposed PPMs in the draft Murrumbidgee Surface Water WRP, as exhibited. We understand that these are to function only to the Yanco Creek offtake and not the full length of the Murrumbidgee River. The Murrumbidgee PPMs need to be checked for their ‘in effect’ suitability.

There has been no public release of the PPMs for the NSW Murray-Lower Darling WRP area. We understand that there may not be consistency between the Victorian PPMs and NSW PPMs in the Murray. This is a significant issue that must be addressed.

Because implementation of PPMs is a vital component for achieving the expected BEWS environmental outcomes, it is imperative that they function well. They are a significant element of the SLDAM modelling.

PPM rules must be given close consideration during the MDBA accreditation process.

The note that each jurisdiction needs to commit to further work to refine and improve PPM implementation over time identifies a need for clear and timely direction so that these important elements do not lag. This is critical in the seventh year of Basin Plan implementation.

2.4 Constraints

It is critical that constraints projects be given high priority so that the additional 450GL environmental water, as agreed in the Basin Plan, can be delivered.

We understand that the removal of constraints was included in the modelling for the SDLAM. These projects are a significant feature of the SDLAM process and must be implemented.

We note that the success of over-coming constraints may also require updated hydrological modelling.

2.5 WRP

IRN has raised a number of concerns about the rules in draft Water Sharing Plans (WSP), the risk assessments and water quality management plans placed on public exhibition in NSW within draft WRPs.

The issue of no net reduction in protection of planned environmental water, protection of held and planned environmental water, assessment of FPH and a number of other key issues associated with Basin Plan and BEWS outcomes need to be carefully considered by the MDBA accreditation process.

The draft BEWS notes that jurisdictions may have an amount of water that is neither entitlement-based nor PEW and this "non-PEW" water can support environmental outcomes. There is a suggestion that WRPs might include other suitable mechanisms to ensure those outcomes continue to be realised.

IRN supports this suggestion and would like to see some clarification of how this might be considered through mechanisms in WRPs before they are accredited.

2.6 LTWP

It is concerning that not all states have identified priority environmental assets, priority ecosystem functions and their environmental watering requirements in accordance with the Basin Plan, in developing LTWP.

This issue should be rectified immediately, rather than waiting for the second phase of the BEWS update in 2022.

3. FPH

The volume of FPH in the NSW Northern Basin has now been assessed to be much higher than that included in the original estimation of water take in the Basin Plan. The impact of this additional take of important flood flows and their significant environmental value was not assessed.

IRN strongly objects to the proposal to increase the SDL in each catchment area by the volume assessed for licencing as FPH take. This will add further to the 70GL decrease in water available to the environment in the Northern Basin, as modelled at the time of the Northern Basin Review. The full extent of FPH take was not included in that decision.

IRN maintains that the losses in the system, not accounted for as licenced take, besides basic rights access, is planned environmental water under the *NSW Water Management Act 2000*. The fact that the newly assessed volumes of FPH were originally modelled as losses means that they were factored as planned environmental water in the WSP models.

The volumes of water to be licenced for FPH must be shared across the current SDLs in each catchment, otherwise there will be a substantive reduction in the protection of planned environmental water in the five impacted catchments.

The assessment of FPH volumes has now been extended to 2021. It is imperative that this additional licenced take, not previously included in Basin Plan modelling, is subject to updated hydrological modelling by 2022 to inform the BEWS.

4. Assessment of ecosystem services

The draft BEWS notes the lack of development of tools to measure the social and economic benefits of restoring the health of the Basin's environment.

IRN considers it essential that priority be given to the assessment of the economic value of ecosystem services.

We note that the MDBA is undertaking a work program to identify the best possible environmental outcomes from environmental watering that include opportunities to improve social and economic outcomes.

The outcome of this work program will feed into the 2022 BEWS update.

It is essential that the value of ecosystem services is included in any further economic analysis of the Basin Plan. It is also essential that the environmental outcomes required through environmental watering are not compromised in any way.

5. Climate Change

IRN has been critical of the failure of the Basin Plan to take climate change impacts into account.

The draft BEWS outlines a process commenced in February 2019 to consider climate change impacts and that this work will also be used to inform the 2022 BEWS update.

IRN considers it imperative to fast track this work so that climate change impacts, such as the intense drought in NSW and associated fish kills, can be better managed. The resilience of water dependent species has been degraded through many decades of excessive water extraction. There is now limited capacity to withstand prolonged, intensified heat and drought.

The draft BEWS must address the need for first flush flows and floods to be protected across the Basin to assist in the restoration of environmental resilience.

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Yours sincerely



Bev Smiles

President