

RIDDLE CREEK MARTINS CREEK FOREST BLOCK

LONG FOOTED POTOROO DETECTION WITHIN VICFOREST
SCHEDULED LOGGING COUPES

Report on remote camera survey of *Potorous longipes*

Date of Report	25/08/2010
Study area	Within the VicForests scheduled logging coupe listed below. Near Riddle Creek and Scanlons Creek Track (within the Martins Creek Forest Block). See study location map below for more details.
Coupe Numbers Concerned	836-509-0003, 836-509-0004, 836-509-0020, 836-509-0021, 836-505-0010
Date of study	11/07/2010 – 20/08/2010
Aim of study	To determine presence/absence of <i>Potorous longipes</i>
Method of study	Baited remote survey cameras
Abstract	<ul style="list-style-type: none">• This survey detects the presence of <i>Potorous longipes</i> within or adjacent to the coupes listed above.• These detections are by way of video footage. Evidence of these detections is detailed below.• <i>P. longipes</i> has been detected within VicForests scheduled clear-fell logging coupes.• Management requirements specific to the conservation of this species have the potential to affect further scheduled, active and now completed clear-fell logging coupes in the area.
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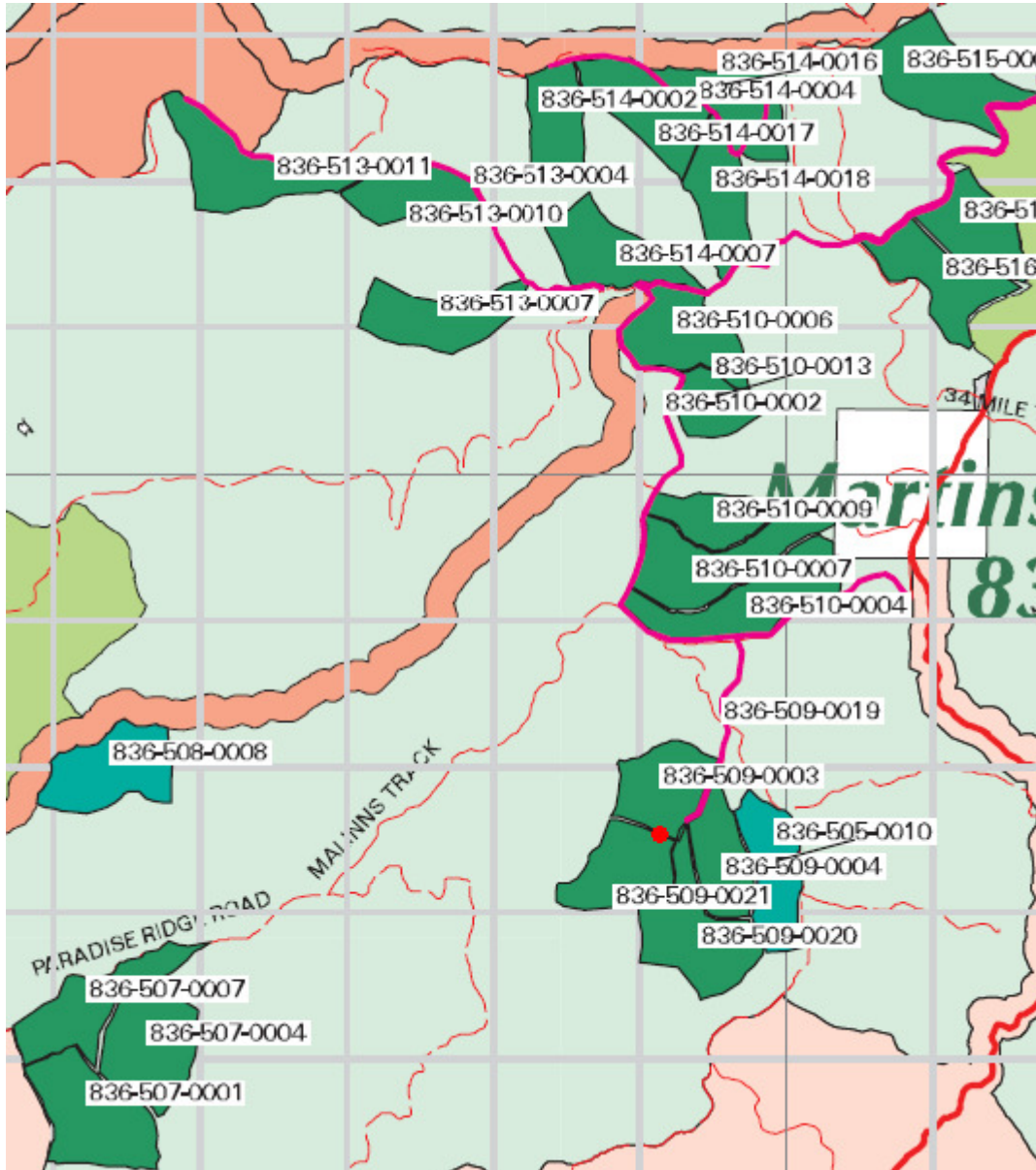
Study location

Incorporating coupes listed in “Coup numbers concerned” above and displayed on the following map titled Figure 1. Detection sites have been drawn on this map and are explained according to the following key.

Map Key:

- *Potorous longipes* remote camera detection

Figure 1: Study area displayed on; Detail from *East Gippsland FMA - Orbost District, Approved Timber Release Plan with amendments applied - Harvest Years 200910 – 201314 – Vicforests, 16/07/09*
Datum: GDA 94



Results of survey

1. *P. longipes* remote camera detection.
Camera used; Scout Guard
Camera settings; 1x 34 second video
Bait; Honey/Oats/Peanut Butter/Truffle oil

Camera Location

55H 0639054 // 5857602
(GDA94, UTM/UPS)

(Corresponding to Figures 2-6 below. Note; figure 2a is the opening image of the video and figures 2b is a still captured from later on in the 34 second video)

Date and Time of Recording

31/07/2010

Camera time settings were not updated correctly when this camera was put out and so appear as incorrect on the time stamp recorded in conjunction with the video captured. (see Figure 2a)

It is likely that the error was made with regards 24hour/AM-PM time format. Thus, the time shown as 16:46 in the afternoon is most likely to actually mean 04:46 in the morning.

Video footage taken from this camera on the date of setup demonstrates this likelihood and also that the recording of the date as displayed in figure 2a was not affected by this error.

Figure 2a.



Figure 2b.



Summary *P. longipes* was detected by way of video footage at the location specified above.

Discussion Coupe 836-505-0010 is currently been logged and coupes 836-509-0004 and 836-509-0020 have recently been logged.

These areas, been from 100m to at furthest 1km from the site of detection evidenced in this report are in direct conflict with the need to implement the required zoning amendments as detailed in Appendix 1 of the *P. longipes* FFGA Action Statement as attached to this report.

The forest for which these coupes will remove, or what remains of them, are highly likely to be required for inclusion in the required minimum 50ha retained habitat or minimum 150ha SMA to be managed with reference to the requirements of the species.

Despite the fact that records of the species exist in the general area, including the existence of a now almost completely logged SMA designed for the species, it is likely that the required zoning measures alerted to are not presently occurring.

The conclusion can also be drawn from this situation that the coupes listed as logged above, and also the nearby coupes of 836-510-0004 and 836-510-0007 (now logged) who also have a close proximity to the LFP SMA mentioned have been logged without recourse to the likely presence of the threatened species, the Long Footed Potoroo.

Unless these coupes were surveyed prior to the commencement of logging and the presence of the species was proved absent the situation described can be summarised as of a like nature to what Justice Osborn described regarding the detections of the Long Footed Potoroo at Brown Mountain in 2009 and the requirements for precaution with regard to threatened species;

Paragraph 770 of Justice Osborn's judgement¹ states:
"I do not accept that this is a satisfactory formulation. It does not ensure compliance with the Long-footed Potoroo FFGAS. It reflects the assumption which I have rejected that logging by VicForests will be lawful if DSE does not formulate a habitat retention area. For reasons I have explained, the lawfulness of any logging is dependent upon the implementation of an FMZ and habitat retention area."

Paragraph 429;
"If an SMZ and timber harvesting exclusion zone has not been created in accordance with the FFGAS then timber harvesting will be unlawful within those areas comprising the best Long-footed Potoroo habitat in the potential SMZ area."

¹ Osborne J, Judgement in Environment East Gippsland Inc v's VicForests, Supreme Court of Victoria, Melbourne, 11 August 2010

and paragraph 777(b);

“The precautionary principle requires surveys to be undertaken to ascertain the presence or otherwise of the Giant Burrowing Frog and the Large Brown Tree Frog within the Brown Mountain coupes in circumstances where they are threatened species, their presence is probable and adequate surveys have not been carried out;”

The conclusion that can be drawn from this situation is that logging in the areas the subject of this report will be unlawful if no habitat retention areas are created responsive to the detection evidenced in this report and any other detections of the species.

It is necessary therefore that any logging currently occurring in the area of a Long Footed Potoroo detection, including that within coupe 836-505-0010 should cease immediately as it is possible that the habitat contained within this coupe is required for the appropriate Forest Management Area Zoning Scheme amendments.

If you are involved in either the destruction of the concerned habitat or are responsible for ensuring the protection of this habitat, please respond to this situation as soon as possible and confirm your awareness to this report and its content and of the actions you are going to take responsive to it.

This confirmation and further information regarding this detection can be addressed to the author of this report at the e-mail address given below.

Author

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25/08/2010 (Pages; 7)

Below are extracts from: “Action Statement – Flora and Fauna Guarantee Act – No. 58 (revised in 2009) – Long-footed Potoroo – *Potorous longipes*”, DSE, 2009

Conservation status

The Long-footed Potoroo (*Potorous longipes*) is listed as ‘endangered’ in Australia under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The Long-footed Potoroo (*Potorous longipes*) is listed as ‘threatened’ in Victoria under the *Flora and Fauna Guarantee Act 1988* (FFG Act).

The Long-footed Potoroo (*Potorous longipes*) is considered ‘endangered’ in Victoria according to the Department of Sustainability and Environment’s (DSE) *Advisory List of Threatened Vertebrate Fauna in Victoria – 2007*.

Conservation Objective

Long term objective

To ensure that the Long-footed Potoroo can survive, flourish and retain its potential for evolutionary development in the wild.

Intended Management Actions

The intended management actions listed below are further elaborated in DSE’s Actions for Biodiversity Conservation (ABC) system. Detailed information about the actions and locations, including priorities, is held in this system and will be provided annually to land managers and other authorities. It is intended that the targets specified below be met within the five year timeframe of this Action Statement.

Objective I To protect populations or habitat from potentially incompatible use

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Action 4 Protect Long-footed Potoroo habitat at detection sites on public land outside the Core Protected Area

Establish additional protected areas where Long-footed Potoroos have been detected in State forest or other public land outside the Core Protected Area. In State forest, apply the protection measures specified in Appendix I. The protection measures will be formally reviewed in 2014.

Responsibility: DSE, VicForests

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Objective IV To increase community awareness and support

Target: Opportunities for involvement have been identified, promoted and supported.

Action 13 Develop and distribute community awareness material

Information on the need for special management of the Long-footed Potoroo and on the species’ ecology will continue to be distributed to the community, especially in East Gippsland (including the Dargo area) and north-east Victoria. The unique occurrence of the Long-footed Potoroo in these areas should be included as part of the promotion of ecotourism, forest management and the wildlife of the regions. Liaison with deer hunting associations (and especially hunters who use hounds) will be increased to improve their understanding of the importance of the baiting program for the great Dividing Range population and to try to develop mechanisms to minimise the risks of baiting to hunters’ dogs. Fact sheets should be added to the DSE website to increase the accessibility of information.

Responsibility: DSE, Parks Victoria

Action 14 Involve the community in recovery activities

Involve the community in the management of the Long-footed Potoroo by providing opportunities for volunteers to assist with field work if appropriate.

Responsibility: DSE

Appendix I: Prescriptions to be applied in State forest:

1. Each Long-footed Potoroo (LFP) detection site outside the Core Protected Area will generate a Special Management Zone (SMZ) of approximately 150 ha.
2. As far as possible, SMZ boundaries will follow recognisable landscape features such as ridges, spurs and watercourses.
3. Within each SMZ, at least one third (~50 ha) will be protected from timber harvesting and new roading.
4. This will be known as Long-footed Potoroo Retained Habitat.
5. The LFP Retained Habitat will include the best LFP habitat in the SMZ, which will generally be in gullies and on lower, sheltered slopes.
6. The LFP Retained Habitat may include areas otherwise unavailable for timber harvesting due to restrictions under the Code of Practice for Timber Harvesting.
7. The SMZ will also have a general restriction of one third of the total area that can be harvested in any three year period. If more than one coupe is to be harvested in an SMZ in the same year, the coupes must be separated by at least the equivalent of another coupe width.
8. The SMZ, with the LFP Retained Habitat clearly delineated, will be shown as part of the Forest Management Area zoning scheme.
9. The SMZ will be designed by DSE, in consultation with VicForests, and approved by DSE.
10. If the ~150 ha area includes any part of an existing conservation reserve or Special Protection Zone (SPZ), these areas will retain their existing reservation or zoning status but will be considered for inclusion as part of the area of retained habitat. In such cases, the final area designated as SMZ may be correspondingly smaller.

End of extracts.