


25th November 2019

Dear Committee Members

Re: INQUIRY INTO FINFISH FARMING IN TASMANIA

I am writing this submission to share my concerns about the salmon farming industry in Tasmania as it currently operates.

My name is Mark Duncan and I am a 51-year-old born and bred Tasmanian. I am the owner/operator of a tourism business called "Mr Flathead" Bay Fishing & Sightseeing. I have been operating for the past 15 years and I work mainly in Storm, Frederick Henry and Norfolk Bays. I love Tasmania and I have always been proud of my state's clean, green image which is attractive to so many interstate and international visitors.

The evolution of my involvement in the anti-salmon expansion movement has this love of Tasmania at its core. I like so many other Tasmanians started to become alarmed at the conduct of the salmon industry with calamity after calamity: firstly, the Macquarie Harbour environmental catastrophe; secondly the very controversial Tassal Okehampton Bay expansion in the face of community opposition; and then the shock move by Huon Aquaculture to relocate their potentially diseased salmon into Norfolk Bay - my neck of the woods!

After a period of lobbying to build community awareness (the pens were installed with limited consultation by industry or government), myself and others formed South East Marine Protection (SEMP) in late August 2018 in response to significant concerns expressed in our Southern Beaches communities due to fish farms being established in Norfolk Bay. SEMP then joined the Tasmanian Alliance for Marine Protection (TAMP) the governing body representing the numerous community groups, industry groups, recreational fishers and commercial fishers alike, indeed the general public, who have come out asking for better community consultation, oversight and transparency of the expanding salmon industry.

Community forums began to hear the rumblings of concern from members of the scientific community, particularly Christine Coughanowr (a marine scientist with over 30 years' experience in water quality management), related to the proposed doubling of total Tasmanian salmon production into Storm Bay and in particular questioning the capacity of the waterways in Storm Bay to manage the nutrient load generated by such a huge proposed expansion. Ms Coughanowr's concerns are documented in Appendix 1.

On the 30th of October 2018 it was announced that the Tasmanian Government had recommended to allow the expansion of salmon farming in Storm Bay - a complete industrialisation of this shared Tasmanian amenity. Furthermore (and to add insult to

injury!) it came to light sometime later that the two science experts on the Marine Farming Review Panel tasked with reviewing the merits of the expansion into Storm Bay had resigned after their advice to the Panel was ignored. Their resignations took effect from 27th August, some *three months prior* to the Panel giving its approval! Their objections were numerous as documented in their correspondence to the Minister for Primary Industries and Water Guy Barnett dated 12 November 2018 (Appendix 2).

Surely the necessary environmental considerations of the approval process have been significantly diminished as a result of the resignations? I attach a copy of correspondence sent to Minister Barnett and Premier Hodgman in my role as Chair of SEMP dated 22nd November 2018 detailing community concerns regarding the approval process (Appendix 3). The environmental concerns of the community regarding the perceived negative environmental impacts of salmon farming practices are numerous: What about the impact of the nutrient load on the health of affected waterways? What about the impact escapees of an introduced species (on mass on occasions and smaller numbers on a daily basis) into our marine environment? What about the micro-plastics? What about the potential impact on our wild native fish stocks from the escapee salmon and the large number of seals being attracted to our rivers, bays, streams and estuaries? And what about the inevitable attracting of sharks to these areas because of the seal numbers? What about the huge numbers of the world's juvenile fish being harvested to feed this industry and the potential effect on marine ecosystems throughout the world? What about the potential for evidenced disease to affect the health of native marine species?

There are environmental lessons to be learned all the world over, indeed many relating to the salmon industry itself (Scotland, Chile, Norway, Canada) and that lesson is "You don't go at it like a bull at a gate!" or you risk damage both to the health of the environment and the health and sustainability of the industry itself.

Do we need to go down the path of "another lesson learned" (a la Macquarie Harbour) under the mantle of adaptive management or can we take the path of the precautionary principle and create a sustainable industry? We need an independent robust baseline study as envisioned by the eminent scientists in the field before expansion - as Barbara Nowak and Louise Cherrie state: a "detailed biochemical model upon which to determine carrying capacity and nutrient transfer to the lower Derwent Estuary" and the consideration and mapping of the "natural values of Storm Bay" (Appendix 2).

For me the issue goes much further than the threat to environment, the "science" so to speak - it goes to the flawed process of approval somehow allowable under the *Marine Farming Planning Act 1995* as highlighted by scientists Ms Nowak and Ms Cherrie in their correspondence to the Government: "Our ability to do this was hindered by the structure of the legislation, the absence of the base information upon which to provide advice, and the functioning of the Panel that showed an undue propensity to support what is operationally convenient for the aquaculture industry" (Appendix 2).

It seems inconceivable that the amenity of thousands falls to the pen stroke of so few! Where is the evidence of a social license for the Salmon Industry's planned expansion?

Where is the protection under the *Marine Farming Planning Act 1995* of the social values of the Tasmanian community, for example the impacts on recreational boating and fishing, visual impacts and noise pollution? Where is the amenity owed to communities?

Sometimes it is even more than the science. What about the handing over and locking out of OUR public waterways to a select few wealthy companies and their shareholders? Do we really want our island waterways to become fully industrialized? Is this project right for Tasmania? Is this project right for Tasmanians – to double the total production of salmon in Tasmania right now and then dump it into Storm Bay? I would argue that it is not right.

Put simply the planned expansion of the salmon industry into Storm Bay without proper process is a HUGE threat to our island lifestyle and indeed to the current Government's vision regarding "Brand Tasmania" as a clean, green destination. Tourism Tasmania's "Come Down For Air" campaign, fully funded by Tasmanian taxpayer's money, includes visuals of native seafood products (lobster, oyster, scallops, sea urchins, abalone and trout) and many, many images of folk enjoying our coastal waterways both in and on the water - no vision of salmon pens or visuals of the introduced species Atlantic Salmon to be seen! I have attached my own "campaign visuals" at Appendix 4 for your perusal.

What interested community groups are collectively calling for is a clean, truly world's best practice, sustainable salmon industry with a strong independent regulatory body based on advice from independent scientists - not a salmon industry expanding without due process in place. There is compelling peer-reviewed science that suggests a real problem here. We need the precautionary principle until these problems are better understood, both for the industry's long-term viability and to avoid costly legacy damage to our beautiful state and indeed to avoid incongruence with the Government's current marketing of the natural assets of our state.

In the face of the fact that the Storm Bay expansions will increase production by up to 80,000 tonnes, a 160% increase of the whole salmon industry concentrated at the mouth of the Derwent, I believe there is strong community support for:

- a **MORATORIUM** of all fin-fish farm expansions in the state - a temporary pause so stricter regulations can be brought into place.
- the undertaking of complete independent water quality and environmental studies before any environmental licences are issued (not an adaptive management approach).
- environmental licences that must set a hard cap on biomass and dissolved nitrogen and other pollutants emitted into our waterways from pens, hatcheries and other infrastructure.
- a requirement that all licences and licence amendments (marine and land based) to be referred to the EPA board so that the community can have a say.
- mandated public reporting for disease outbreaks and other bio-security incidents.
- improving transparency and enforcement by prosecuting fish escapes, fish kills, marine debris and seal and marine mammal interactions.

- an independent review of the Marine Farming Planning Review Panel, focusing on its membership, governance and ties to industry
- amending the Marine Farming Planning Act to require valuation and protection of social, recreational and visual amenity and consideration of noise impacts on surrounding residents.

To end on a somewhat emotive note, I can't help but be reminded of a Dr Seuss book I owned as a child titled "The Lorax" (Appendix 5: The Lorax, 1971), a playful hope-filled story concerning the danger that corporate greed poses to nature and the dangers of taking our earth for granted. "The Lorax" teaches an ageless message to kids to speak up for those who can't: "I am the Lorax. I speak for the trees. I speak for the trees for the trees have no tongues." (The Lorax, 1971). The Salmon Industry appears intent on:

"biggering

and BIGGERING

and BIGGERING

and BIGGERING"!

(The Lorax, 1971).

But at what cost.....?

Now I am not a scientist nor am I a law-maker but I am an unapologetic and passionate champion of the ocean and, like so many other like-minded Tasmanians who were brought up to value and protect our natural environment, want to give a shared voice to our ocean and implore you as elected representatives of our state to do all that you can to ensure the sustainable future of our waterways and indeed the "brand" of our beautiful, clean, green, 42 degree south little island.

Yours sincerely



Mark Duncan

Appendix 1

Notes by Christine Coughanowr, marine scientist, with over 30 years experience in water quality management

Why I am concerned about salmon farming in the Derwent Estuary:

1. Scale and rate of development

The planned expansion of salmon aquaculture in Storm Bay at 40,000 to 80,000 tonnes/year will more than double production for the entire state (currently at about 50,000 tonnes)

This comes with a very large nutrient load, estimated at 2300 to 4600 tpa of bioavailable nitrogen. To put it in perspective, this is 6 to 12 times the current nutrient load from all sewage treatment plants in the city of Hobart, or 2 to 4 times the estimated load for all sewage generated in Tasmania.

2. Risks associated with nutrient overload

Too many nutrients are known to cause a whole cascade of problems, including run-away algal blooms, damage and loss of reef and seagrass communities, low oxygen levels, fish kills and rotting algae on beaches. In the Derwent estuary, this is further compounded by the release of mercury and other heavy metals from contaminated sediments, if oxygen levels drop.

Storm Bay has a wealth and diversity of natural systems that support recreational and commercial fishing, tourism, and a number of protected and endangered species. The shallow, sheltered bays, fringing reefs and seagrass meadows of Norfolk and Frederick Henry bays are particularly vulnerable to nutrient damage.

3. Lack of robust scientific understanding. Our understanding of the Storm Bay system is not yet well developed. In particular:

- Valuable habitats and sensitive areas have not been clearly identified or mapped
- Baseline monitoring has not been completed, particularly for reefs and seagrass meadows
- Work on predictive models is just beginning, and will take several years to validate
- Public reporting is limited and community consultation lacks transparency.

4. 'Adaptive management' vs the precautionary principle

The regulators and proponents are working on the assumption that Storm Bay can absorb a massive nutrient load, and that risks can be addressed using 'Adaptive management' - i.e. deal with any problems if and when they arise. This is simply not credible, as has been demonstrated via the Macquarie Harbour debacle. The production cycle from smolt to harvest is too long, and the value of the product is too high; no one is going to pull the plug halfway through.

Adaptive management is not a substitute for careful planning. To be successful, Adaptive management first requires good system understanding, including comprehensive baseline surveys. This should then be coupled with predictive models that have been validated. As production levels increase, a detailed monitoring program must confirm that the system can cope with the inputs as predicted, and that the models are accurate. This information needs to be shared with the community in a timely fashion, so they have confidence in the process. And finally - and most importantly - adaptive management must set the criteria, triggers and management response for when things go wrong. This cannot be done on an ad hoc basis.

In summary, I feel strongly that major expansion needs to be based on robust science, which is still several years away. In the meantime, the precautionary principle should prevail.

Appendix 2

12 November 2018

Barbara Nowak

Louise Cherrle

The Honourable Guy Barnett LL.M. MP
Minister for Primary Industries and Water

Dear Minister,

We were members of the Marine Farming Review Panel from January to August 2018. We tendered our joint resignation as we did not believe that we could contribute in a meaningful way to the performance or the general functions of the Panel under Section 9 of the *Marine Farming Planning Act 1995*, and that the panel was not serving the best interests of the State. We offered to provide further information on our reasons for resignation, but so far we have not received a response from your Department. We are writing to you to ensure that you understand the reasons for our resignations from the Marine Farming Review Panel. Our resignations were due to frustration with the process, including the Act.

We are both supportive of a sustainable salmon industry and have no affiliations with, nor biases against any operators, political parties or government departments. Our appointment to the Panel was, we were lead to believe, intended to ensure rigour in the review of proposed developments and to provide the Minister with sound, objective, and scientifically based advice. A number of factors prevented this. The Panel is, as currently structured and within the confines of the legislation, inherently compromised. As professionals in our fields of expertise we decline to be associated with such. We would certainly have been happy to continue had we been able to apply current best practice and the lessons from Macquarie Harbour. Our ability to do this was hindered by the structure of the legislation, the absence of base information upon which to provide advice, and the functioning of the Panel that showed an undue propensity to support what is operationally convenient for the aquaculture industry.

Our joint resignation was not a decision we took lightly and was tendered only after unsuccessful attempts to resolve these issues. For clarity, the reasons for our resignation relate to the gaps that hindered our ability to give advice on expansion in Storm Bay. Specifically:

- there is no detailed biogeochemical model upon which to determine carrying capacity and nutrient transfer with the lower Derwent Estuary;
- there is no Government endorsed biosecurity plan (although noting that the industry is currently developing this);
- there is no regulatory guideline to define the standards to which we should hold operators;

- the adaptive management strategy, as proposed in public documentation, did not provide the assurance required and, the gathering of additional information for due diligence proved difficult; and
- the natural values for Storm Bay have not been mapped and considered, and we include in this the amenity owed to communities.

These deficiencies are known and long standing and should have been resolved before the approval to apply for the amendments. We entered an assessment process that was well advanced and our questions and discussions in relation to the deficiencies were inconvenient and unwelcome.

To be clear, we have seen a number of improvements in the regulatory and operational space over the past two years. We would like to see this good work continue, and for the Tasmanian community to prosper. With sound science, strong regulatory oversight, and increased transparency, the industry can sustainably develop within the capacity of the receiving environment to attenuate impacts and with the support, or at least tolerance, of the community. As it stands these things are at threat.

As already offered in our letter of resignation, we will be happy to provide further information or discuss those issues.

Sincerely,



Barbara Nowak
bfnowak@gmail.com



Louise Cherrie
louise@cherrieconsulting.com.au

Cc

John Whittington, Secretary to the Minister, DPIPWE

Carole Rodger, Deputy Secretary, DPIPWE

Wes Ford, Deputy Secretary EPA Tasmania, Director EPA

~~Dr Ian Dutton, Director (Marine Resources), DPIPWE~~

Graham Woods, Manager (Marine Farming Branch), DPIPWE

John Adams, Principal Management and Planning Officer (Marine Farming), DPIPWE

Craig Midgeley, Chair, Marine Farming Planning Review Panel

Appendix 3

Mr Mark Duncan
Chair, South East Marine Protection

[REDACTED]
[REDACTED]

22 November 2018

Mr Will Hodgman
Premier of Tasmania
Level 11/15 Murray Street
Hobart 7000

Dear Premier,

I was shocked to read an ABC News article dated Tuesday 20th of November, 2018 stating that “two eminent scientists have quit the Government’s Salmon Advisory Board in protest at the recent decision to approve the expansion of the salmon industry in Storm Bay”.

I have a particular interest in this development both as the Chair of the South East Marine Protection (SEMP) group and also on a personal level as the owner operator of a small fishing charter business. SEMP was started as a community interest group over concerns around the appearance of salmon farming in Norfolk Bay and my business is reliant on the preservation of the marine ecosystems and wild fish stocks that we currently enjoy in Norfolk and Frederick Henry Bays.

It appears the specialist positions that brought environmental credibility to the eight-member Marine Farming Review Panel (MFRP) have resigned in a joint letter to the Government dated August 27th, 2018. However, this information has just been made public, three months after their resignations. It would seem that the necessary environmental considerations have been significantly diminished as a result of the resignations.

On the 30th of October 2018 you were quoted in the Mercury as saying it was recommended to allow the expansion of salmon farming in Storm Bay. The Government received a letter dated August 27th, 2018 advising that two scientists have resigned from the MFRP in protest at the Panel’s decision. Why did you choose not to inform the community of their resignations? You then go on to give the salmon industry such a glowing endorsement that it appears obvious to the reader that the Government has not considered in any way the reasons behind the scientists’ resignation from the Panel. What specific reasons did they give for their resignations? Did the Government give due consideration to the reasons as to why they resigned prior to announcing approval?

There have been many statements made about transparency and accountability in the Government. It seems that these resignations were deliberately kept quiet until well after the announcement of the Storm Bay salmon farming approval had been made. This further complicates the growing community concern around the validity of decision making and the planning process as it relates to public waterways in Tasmania and specifically the South East beaches I call home.

If the wider community had realised that these two highly qualified Panel members had resigned in protest over the decision that the MFRP had made, it would have prompted community outrage.

Many people are sceptical about MFRP's decision making when considering requests for salmon farming approvals. The MFRP acknowledged that there was limited science available to support the proposition that 40,000 tonnes of farmed fish in Storm Bay was sustainable and would have no unacceptable environmental impact.

Given that there is limited scientific information available to support these proposals, can you please advise how it would be possible for the MFRP to approve the Storm Bay proposal when they have no idea if the operation is environmentally sustainable?

Given the above, where is the transparency in MFRP's decision making process? It appears they have kept the lack of environmental impact research extremely quiet to avoid community backlash. Indeed, the lack of transparency in decision making, quite rightly, fuels community concern.

How can Minister Barnett claim he has full confidence in the MFRP and the advice it provides to Government on marine farming planning matters when two eminent scientists have resigned from the eight-member board in protest at the Panel's decision to grant Storm Bay approval? It would seem the Minister's confidence is not shared by the Panel he relies on to inform the decisions he has made.

Can you advise who will be replacing the two scientists who have resigned in protest and what sort of qualifications you deem to be essential for their replacements? Will there be consideration of any real, perceived or potential conflict of interest in future appointments? Also, when will they be replaced? Will you be making a public announcement on the composition of the Panel in the near future?

Please take seriously these concerns and respond with logical and accurate information. Please also be aware it is my intention to share this letter with all interested parties including media outlets.

Sincerely

Mark Duncan
Chair
South East Marine Protection

Please acknowledge receipt of this email.

Appendix 4