

SOUTH EAST FOREST RESCUE

S T O P P I N ' T H E C H O P P I N '

PO BOX 899, MORUYA, NSW, 2537

sefr@fastmail.fm

13/11/06

Mr. Ian Cranwell
Resource and Conservation Unit
Premiers Department

Dear Ian,

RE: BREACH OF EDEN IFOA, CLAUSE 48 (1)(m) AND CLAUSE 38.

On Monday 18th September I attended Forests NSW Eden office to view the TSL compliance register that DEC had instructed Forests NSW to produce. Whilst there I asked James Jagers to see the logging regeneration assessment, clause 38, that is a public document under clause 48(1)(m).

48. Public availability of documents

(1) SFNSW must ensure that copies of the following documents are available for public inspection during ordinary office hours at each regional office of SFNSW responsible for managing land in the Eden Region:

(m) any assessment prepared in accordance with clause 38 of this approval;

38. Assessments of regeneration following cessation of logging operations

(1) SFNSW must assess the extent and nature of regeneration following the cessation of logging operations in areas within the Eden Region on a regular and periodic basis.

(2) The first such assessment is to be completed no later than 31 December 2004, and further assessments are to be completed at intervals of no more than 5 years following the first assessment.

(3) SFNSW must consult with DUAP and NPWS regarding the nature, collection (including timing) and analysis of data on which each such assessment is to be based.

At first James Jagers didn't know what I was talking about. This time there was an IFOA on the counter and so I have shown James the relevant clauses. He has then said it had not been done yet. I pointed out clause 38(2) that the assessment was to be completed by 31/12/04. James then said he would go and find out about it.

A while later James said that it was not a public document and so again I have shown him clause 48(1)(m). He has then gone to find out about it for a second time.

James finally handed me a page (attachment 1) containing three sentences and a small table that according to him are the results of the assessment. I have asked him to produce not only the results but also the methodology, collection and analysis of data that were used for the assessment and as there was only 4 compartments in the results given, whether any other compartments were surveyed. He said that was all I was getting and so I have left.

The document supplied in no way fulfils the requirements of clause 38 and to try and pass it off as such is disgraceful. Forests NSW are in breach of the above clauses of the IFOA.

Clause 38(1) says Forests NSW must assess “extent and nature” on a “regular and periodic basis”. How can 4 compartments surveyed once in 2002 be deemed as “regular and periodic”? It also seems that 3 of the 4 compartments are tableland forest and the other is not far down the escarpment. This is not a representative sample of the Eden region to base any meaningful results from.

The results totally fail to address the “extent and nature” of regeneration. All that is given is a token average stand density per hectare and a few lines saying its above minimum and falls within adequate stocking range. It could be all wattle regrowth as far as we know. There is also no information on the timing of the logging event to assess whether the stocking level is adequate for the growing time of the trees.

As can be seen the assessment undertaken by Forests NSW is totally flawed and they have failed in their obligations under clause 38 of the IFOA.

Of concern is clause 38(3) in which Forests NSW “must consult with DUAP and NPWS (read DNR and DEC now) regarding the nature, collection (including timing) and analysis of data on which each assessment is to be based.” Can you confirm if DUAP or DIPNR or DNR was involved in any consultation over this assessment and has DNR been given the same document that we have received from Forests NSW?

By the manner in which Forests NSW handled the request, ignorance of the clause, incompleteness and then denial, before handing over a very substandard assessment shows not only their complete disregard and knowledge of their requirements under the IFOA, but also their disregard for the regeneration of logged forest and future timber supply that is one of their main responsibilities.

Forests are being affected by Drought Associated Dieback (DAD), Bell Minor Associated Dieback (BMAD) and ever increasingly by climate change. This assessment fails to address any of these issues and causes even greater concern over the unsustainability of logging operations in the woodchip driven Eden region.

We request that you immediately inform Forests NSW of their obligations under this clause and that all of the information in the assessment be provided to us and if our ½ page is all that Forests NSW have, to enforce the compliance of the obligations of Forests NSW under the IFOA.

Thank you for your time investigating these matters and I look forward to your reply.

Regards,

Scott Daines

Attachment 1

State Forests of NSW - South East Region Regeneration Surveys

A sample of four (4) compartments were selected for regeneration surveys in 2002.

Results

| Compartment | Average Stand Density (trees/hectare) of area harvested/surveyed |
|-------------|--|
| 551 | 3797 |
| 1731 | 7279 |
| 2404 | 2736 |
| 2431 | 2418 |

The average stand density results exceed the minimum acceptable level of 750 stems per hectare (Eden Management Area EIS) and falls within the adequate stocking level of 2000 - 3000 stems per hectare for native forest. Therefore, for these areas the regeneration after harvesting is considered to be adequate.