

SOUTH EAST FOREST RESCUE

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

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Mr Steve Hartley,
Manager, Crown Forestry Policy and Regulation,
Dept. Environment, Climate Change and Water.

21/02/11

RE: BREACHES OF EDEN IFOA-TSL, GLENBOG SF, CPT 2360- COUP 3

Dear Steve,

On Monday 21/02/11 SEFR conducted an audit of Glenbrog SF compartment 2360 coup 3 and found the following breaches of the Eden region IFOA-TSL. All coordinates are WGS 84 datum.

BREACH 1: 5.1h and 5.2

The area has not been adequately marked up: 0718450/5941437, 0718323/5941339, 0718224/5941492, 0718320/5941571.

5.2. Compartment Mark-up Surveys

a) An adequately trained person must conduct a thorough search for, record and appropriately mark the following threatened and protected species features during or before the marking-up of a compartment.

- i. Nests and roosts for those species listed in Condition 5.13 of this licence;
- ii. Dens of the following species: Yellow-bellied Glider, Squirrel Glider and Brush-tailed Phascogale;
- iii. Koalas and Koala scats;
- iv. Flying-fox camps;
- v. Latrine and den sites of the Spotted-tailed Quoll;
- vi. Distinctive scats (e.g. Spotted-tailed Quoll, Koala);
- vii. Allocasuarina spp. with more than 30 crushed cones beneath;
- viii. Yellow-bellied Glider and Squirrel Glider sap feed trees;
- ix. Microchiropteran bat tree roosts;
- x. Microchiropteran bat subterranean roosts (caves, tunnels and disused mineshafts);
- xi. Swift Parrot and Regent Honeyeater feed or nest trees;
- xii. Permanent soaks and seepages in Heleioporous australiacus potential habitat; and
- xiii. Threatened flora species and protected native plants likely to occur in the compartment requiring protection under Conditions 6.16, 6.17, 6.18 and 6.19 of this licence.

b) Searches for threatened species features must be conducted within that portion of the net logging area where harvesting will occur, and within 50 metres outside this area.

c) Harvesting operations are prohibited in areas which have not been subject to compartment mark-up surveys.

d) Where any of these features are found, the feature must be recorded, the Harvesting Plan (including the Operational Map) must be amended accordingly and the appropriate Condition applied.

As logging operations are prohibited in compartments that have not been marked up logging must cease until this is carried out.

BREACH 2: 5.6 (k) ii

Trees H1 and H2 have been used as bumper trees during harvesting operations at 0718354/5941462.

5.6. Tree Retention*k) Protection of retained trees*

i. When conducting specified forestry activities and post-logging burning, damage to trees retained under Conditions 5.6 f), g) and h), of this licence must be minimised to the greatest extent practicable. During harvesting operations, the potential for damage to these trees must be minimised by utilising techniques of directional felling.

ii. In the course of conducting specified forestry activities, logging debris must not, to the greatest extent practicable, be allowed to accumulate within five metres of a retained hollow-bearing tree, recruitment tree, stag, Allocasuarina with more than 30 crushed cones beneath, eucalypt food tree, or Yellow-bellied Glider or Squirrel Glider sap feed tree. Logging debris within a five metre radius of a retained tree must be removed or flattened to a height of less than one metre. Disturbance to ground and understorey must be minimised to the greatest extent practicable within this five metre radius. Habitat and recruitment trees must not be used as bumper trees during harvesting operations.

BREACH 3: 5.6 (k) ii

Further trees H1 and H2 all have major ground disturbance due to snig tracks having been pushed hard against them. Given the relatively flat terrain there is no reason to place tracks near retained trees.

BREACH 4: 5.6 (f) iv**5.6. Tree Retention***f) Non-regrowth Zone Hollow-bearing Tree Retention*

iv. Retained hollow-bearing trees must be selected from the trees with the largest dbhob within the two hectare area and must be live trees and should have good crown development and minimal butt damage.

Tree R1 does not meet the requirements as an R tree and has been poorly selected at 0718372/59141447.

BREACH 5: 5.6 (f) i, (k) iii

The area was inspected for retained trees. The forest type makes this high quality habitat. For this area there should be at least 11 H trees marked. In the area we only found 3 marked H trees.

5.6. Tree Retention*f) Non-regrowth Zone Hollow-bearing Tree Retention*

i. In High Quality Habitat a minimum of 12 hollow-bearing trees must be retained in every two hectares of net logging area. Where this density is not available, the existing hollow-bearing trees must be retained plus additional trees must be retained to meet the requirement of 12 in every two hectares. The additional trees retained must be those with the largest dbhob.

k) Protection of retained trees

iii. Retained trees referred to in Conditions 5.6 f), g) and h) of this licence must be marked for retention. The only exception to the marking of the retained trees can occur where there is an impenetrable understorey. SFNSW must clearly document and justify such situations in harvest planning documentation either during pre-planning or as it becomes apparent during compartment mark-up.

BREACH 6: 5.6 (g) i, (k) iii

In the plot area there were only 3 marked R trees. Again this is totally inadequate to meet the prescriptions.

5.6. Tree Retention

g) Non-regrowth Zone Recruitment Tree Retention

i. In High Quality Habitat a minimum of 12 recruitment trees must be retained in every two hectares of net logging area.

k) Protection of retained trees

iii. Retained trees referred to in Conditions 5.6 f), g) and h) of this licence must be marked for retention. The only exception to the marking of the retained trees can occur where there is an impenetrable understorey. SFNSW must clearly document and justify such situations in harvest

planning documentation either during pre-planning or as it becomes apparent during compartment mark-up.

Considering that many of these trees do not meet the requirements or have suffered damage, this is totally inadequate. While there are some unmarked retained trees in the area, the prescriptions require retained trees to be marked. If the correct numbers of trees to be retained are not marked it leaves the decision to contractors as to what other trees to leave. With many contractors admitting that they do not know the prescriptions and relying solely on the SFO to mark up this situation is unacceptable. It has to be noted again that FNSW are still not making habitat quality maps available with harvest plans as they are required to do.

BREACH 7: 5.17

The ground habitat has been destroyed in the area audited.

5.17. Ground Habitat Protection

a) SFNSW must, to the greatest extent practicable, protect ground habitat from specified forestry

activities. Ground habitat includes, but is not limited to, understorey vegetation, ground cover vegetation, thick leaf litter and fallen timber.

BREACH 8: 6.13

Despite the existence of Yellow-bellied Gliders in this compartment there are no marked YBG's retained.

6.13. Yellow-bellied Glider *Petaurus australis*

a) A 50 metre radius exclusion zone must be implemented around Yellow-bellied Glider dens.

b) All Yellow-bellied Glider sap feed trees must be retained. All Yellow-bellied Glider Sap feed trees must be marked for retention.

c) Where there is a record of a Yellow-bellied Glider in a compartment or within 100 metres outside the boundary of the compartment, the following must apply:

i. Within a 100 metre radius of each retained Yellow-bellied Glider sap feed tree, observation or den site record, 15 feed trees must be retained. Yellow-bellied Glider sap feed trees must not be counted towards these 15 feed trees. Retained feed trees must have good crown development, should have minimal butt damage and should not be suppressed. Mature and late mature trees must be retained as feed trees where these are available.

ii. Within a 200 metre radius of a Yellow-bellied Glider call detection site record, 15 feed trees must be retained. Retained feed trees must have good crown development, should have minimal butt damage and should not be suppressed. Mature and late mature trees must be retained as feed trees where these are available.

iii. The feed trees retained in 6.13 c) i. and ii. should be of the same species as the identified sap feed tree, or be a tree species recognised as a sap feed tree in the area (*Corymbia*

maculata, C. gummifera, Eucalyptus botryoides, E. cypellocarpa, E. viminalis, E. fastigata, E. ovata, E. angophoroides).

iv. The feed trees retained in 6.13 c) ii. and iii. must be marked for retention.

BREACH 9: 5.6(i)

i) Stag Retention

i. Where more than ten stags per two hectares occur in the net logging area, a minimum of ten stags must be retained per two hectares of net logging area where it is safe to do so. If there are less than ten stags per two hectares, then all stags should be retained where it is safe to do so.

ii. Stags must not be counted as hollow-bearing trees or recruitment trees.

SEFR requests that an immediate investigation be undertaken by DECCW of these breaches. FNSW seem totally incapable in identifying outcrops that meet the prescription and urgent action has to be taken.

Thank you for investigating these breaches in the context of your ongoing regulatory activities and we await your response.

Yours sincerely,

Scott Daines

Lisa Stone

Tony Whan