

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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6/10/10

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

RE: BREACHES OF EDEN IFOA-TSL AND EPL, GLENBOG SF, CPT 2363- COUP 1

Dear Steve,

On Sunday 3/10/10 SEFR conducted an audit of Glenbog SF compartment 2363 coup 1 and found the following breaches of the Eden region IFOA-TSL and EPL. All coordinates are AGD 66 datum. Also see attached field notes.

5.11. Rocky Outcrops and Cliffs

a) Specified forestry activities are prohibited within areas of rocky outcrops and cliffs.

b) In addition, exclusion zones of at least 20 metres wide must be implemented around all rocky outcrops more than 0.1 hectare (approx. 30m x 30m), and all cliffs.

c) Exclusion zones of at least 40 metres wide must be implemented around all rocky outcrops more than 0.5 hectare.

(Note: it is not intended to exclude SFNSW from all areas that have a scattered or stony or rocky ground cover. Only those areas where rocks and exposed boulders cover greater than 70% of at least a 0.1 hectare area. Those areas that fall within the definition of Rocky Outcrops and Cliffs are considered to contain likely habitat for threatened flora and fauna.)

BREACH 1: 5.11. (a), (b)

At 0719535, 5941292, an unmarked rocky outcrop greater than 0.1ha was found that has been logged. Machinery has been driven onto the outcrop and mini roads have been made in the outcrop. It is probable that a nearby outcrop was joined but a major snig track has been pushed between the two. Photo 1

5.7. Stream Exclusion Zones

a) Exclusion zones of at least ten metres wide must be implemented on both sides of all first order streams.

f) Specified forestry activities, except road and snig track construction in accordance with condition 5.7 (i) and road re-opening, are prohibited within Stream Exclusion Zones implemented under conditions 5.7 (a), (b), (c) and (d) above.

g) Trees must not be felled into Stream Exclusion Zones. If a tree falls into an area of Stream Exclusion Zone, then no part of that tree can be removed from that area.

SCHEDULE 4

D. PROTECTION OF DRAINAGE FEATURES

OPERATIONS WITHIN NATIVE FOREST FILTER STRIPS

17. Trees located in a filter strip must not be felled, except for the purposes of constructing a road, extraction track or snig track crossing.

18. Trees must not be felled into filter strips.

BREACH 2: 5.7. (f), (g), SCHEDULE 4, D 17, 18

At 0719385, 5941496 a stump was found that is 9m from a 1st order stream. From this point to 0719384, 5941465, being a distance of approximately 20m there are many small trees and debris that have crossed the exclusion boundary. Photo 2.

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

Trees H1, R1 and S1 all have debris >1m high around their bases. As only few hectares were inspected it is highly probable there are more breaches of this prescription.

BREACH 4: 5.6 (k) ii

Trees H2, R2 and R3 all have major ground disturbance due to snig tracks. H2 has a track less than 1m away. A rollover has also been placed against the tree. R2 has a 30-40cm cut about 0.5m away on one side and has suffered compaction on the other side. R3 also has snig tracks on two sides. Given the relatively flat terrain there is no reason to place tracks near retained trees. Photo 3.

BREACH 5: 5.6 (k) i

Trees R4 and H3 have suffered terminal logging damage. Most of the other retained trees have also suffered varying degrees of damage. Photo 4.

BREACH 6: 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.

Trees H4 and H5 do not meet the requirements as a H tree. H4 has previously lost its main stem with only a poor crown left. H5 only has an average crown with a fire damaged trunk.

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 7: 5.6 (f) i, (k) iii

A 1.9ha plot 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 plot we only found 6 marked H trees.

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.

BREACH 8: 5.6 (g) i, (k) iii

In the plot area there were only 5 marked R trees. Again this is totally inadequate to meet the prescriptions.

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.

Due to the many rocky outcrop breaches in recent weeks, 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.

SEFR requests that this breach report be investigated by DECC and not handed to FNSW to self audit. SEFR also requests that after DECC's audit a meeting in the field with SEFR occurs.

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

Yours sincerely,

Scott Daines