



SOUTH EAST FOREST RESCUE

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Mr Andrew Mattes,
Acting Manager, Crown Forestry Policy and Regulation,
Dept. Environment, Climate Change and Water.

2/5/10

RE: BREACHES OF EDEN IFOA-TSL, MUMBULLA SF, CPT 2133

Dear Andrew,

On Sunday 2/5/10 SEFR conducted an audit of Mumbulla SF compartment 2133 and found the following breach of the Eden region IFOA-TSL. All coordinates are AGD 66 datum.

BREACH 1:

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.)

Point A 0758594, 5946411 (photo 1, 2, 3) is located on the edge of an unmarked rocky outcrop greater than 0.1ha that has no exclusion zone marked. There are several stumps only 8m from the rocky outcrop near this location. Following the rocky outcrop in a south easterly direction at point B 0758617, 5946385 another 2 stumps were found 7m away.

It is possible that the rocky outcrop is greater than 0.5ha and thus would require a 40m exclusion zone, in which case there are many more stumps within the exclusion zone. The outcrop extends down the hill for some distance from these two marked points. Several rocks would also qualify as cliffs, although they seem to be located within the outcrop itself.

This operation has only just begun and already there is a major breach of the TSL. In light of this new breach and following last weeks rocky outcrop breaches, the failure of FNSW to mark exclusions around rocky outcrops can only be seen as a systemic breach of the TSL and requires immediate action by DECC.

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, Tony Whan, Lisa Stone.