

SOUTH EAST FOREST RESCUE

STOPPIN' THE CHOPPIN'

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

25/4/10

RE: BREACHES OF EDEN IFOA-TSL, TANTAWANGALO SF, CPT 2433- COUP

Dear Steve,

On Saturday 24/4/10 and Sunday 25/4/10 SEFR conducted an audit of Tantawangalo SF compartment 2433 coup and found the following breaches of the Eden region IFOA-TSL. All coordinates are AGD 66 datum. Attached is one photo, more are available on request.

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)

At the following locations unmapped rocky outcrops were found that have been logged within their boundaries. Each outcrop had many stumps, some pushed out of the ground, and large amounts of debris scattered over them. Mechanical harvesters have been driven onto parts of all the rocky outcrops.

RO 1: 0722305, 5922145 RO 2: 0722381, 5922128
RO 3: 0722522, 5922269 photo 26 RO 4: 0722152, 5923187

RO 1 and 2 are separated by a 10m flat area with no large boulders. Both are large enough to qualify as rocky outcrops. On closer inspection we believe that the area between them is still within the definitions of a rocky outcrop and that RO 1 and 2 are in fact 1 large rocky outcrop. RO 4 is also similar in structure to this as well, and could be 1 or 2 outcrops.

RO 3 is a massive rocky outcrop with several large individual rocks. How the SFO marking the compartment missed this one is of concern.

BREACH 2: 5.11. (b)

RO 1, 2, 3 and 4 all did not have a 20m exclusion in place around them. All had major disturbance in the 20m zone all around the boundaries.

At RO 5: 0722145, 5923029 opposite dump J on the FMZ exclusion side of the road there is some logging disturbance in the exclusion zone. The road is also within the exclusion zone. The rocky outcrop is a continuation of the mapped outcrop to the north. This outcrop is double the size that is mapped on the harvest plan.

In 2008 SEFR found the same breaches in 3 other compartments. As a result FNSW received warning letters and was to produce a manual for SFO's to better identify rocky outcrops. This current compartment was started 6 months after these other breaches. Obviously the manual has been a complete failure as these new breaches attest. The failure by the SFO to identify these rocky outcrops is incomprehensible due to their size, and the reasons for this failure need to be thoroughly investigated.

While FNSW failed to identify and mark these rocky outcrops some culpability has to also fall on the contractors as they are required to be conversant with the IFOA. The contractors also should have been able to realise the size of the outcrop warranted an exclusion zone.

Once again SEFR has found the same reoccurring breaches of the IFOA by FNSW. The non-compliance, or it seems, the complete disregard for the application of TSL prescriptions by FNSW needs to be stopped. For years DECC has tried the carrot approach which has clearly failed. It is now time to use a very large stick and enforce the IFOA to the fullest extent possible.

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, Lisa Stone, Tony Whan

Attachment 1: Map of RO 1, 2 and 3

Attachment 2: Photo 26

