South East Forest Rescue

Submission on the
Remake of the Coastal Integrated Forestry Operations Approvals

Objectives

While there is merit in some of the objectives of the IFOA remake, a complete remake is not required to improve the IFOA. The objective to reduce costs associated with implementation and compliance of the IFOA is pure Forestry Corporation spin and an attempt by them to try and reduce the loss of money that occurs through their native forest operations. This loss of money by the native forest division of Forestry Corporation must not be used as an excuse to weaken an already weak regulatory regime.

Improving the clarity and enforceability of the IFOA is a worthy objective. There are many instances in the discussion paper that state the existing IFOA has failed to deliver on its objectives, eg. "Over time, experience in implementing, monitoring and enforcing compliance with the coastal IFOAs has shown they do not achieve their original purpose. The IFOAs are difficult to understand and implement and the lack of clarity and enforceability of IFOA conditions makes regulation difficult." p5. This is not a reason for a complete remake of the IFOA but some rewording of prescriptions is required. A lot of the problems with clarity and enforceability of the Threatened Species Licence (TSL) are that Forestry Corp. do not abide by the intent of the licence which read in conjunction with the prescriptions provides the clarity and enforceability that is required.

Pre logging surveys

The argument by the Forestry Corp. for the removal of pre logging surveys for threatened species because of a lack of detections and therefore exclusions and the high cost of surveys is a false assertion. The real reason for the lack of detections is that Forestry Corp. is in charge of the surveys. If they find threatened species then exclusion zones are placed around them which means less area to log. It is therefore not in their interest to find these in the field.

Over the past 14 years if the money spent by Forestry Corp. had been paid to independent ecologists engaged by the EPA, we are certain that the results of these surveys would be completely different. Years ago SEFR accompanied Forestry Corp. employees on a call playback and spotlight survey in Bodalla State Forest. Even though we were present, less time than what was required for the call playback was undertaken with a bad quality sound system and on the spotlight survey there was a lot of torch shinning at the ground. If this is how they operate when being accompanied, we wonder what happens when they are alone.

The only change to pre logging surveys must be for the EPA to engage independent ecologists to undertake the surveys and paid for by Forestry Corp. Having people do the surveys that have no conflict of interest in finding and actually want to find threatened species will lead to a much better environmental outcome than the present situation.

Landscape-based protections

The landscape-based protections mentioned in the discussion paper contain nothing new compared with the existing IFOA. There is no discussion of new landscape protections that will replace the species specific protections that apply now especially with the removal of species specific surveys. It is also concerning that currently protected site based areas are to be "reviewed and may be retained, modified or excluded depending on appropriateness."

The inclusion of protection measures for TECs is a positive addition to the IFOA. Unfortunately the discussion paper also allows TECs to be logged if a plan approved by the EPA/DPI is applied or if specifically exempted. It is outrageous that DPI is to be involved making plans to allow logging of TECs, DPI is about timber extraction not environmental protection. All TECs must be excluded from logging.

Tree retention

The only problem with the current tree retention prescriptions is the failure of Forestry Corp. to acknowledge and abide by the intent of the prescriptions and the failure of the EPA to enforce the prescriptions with regard to their intent. The UNE, LNE and Southern IFOA's just need to be worded as the Eden IFOA is worded to state that in "every" two hectares 10 habitat and recruitment trees are required to be retained. That was the intent of the licence when it was first implemented, but has been perverted by Forestry Corp.

Wood volumes and silvicultural practices

The review is not to impact on wood supply commitments established in the NSW Forest Agreements. This statement shows that the review is purely to benefit the timber industry. There are countless reports including from the Auditor General showing that current timber volumes are above sustainable levels and need to be reduced. This is one of the main drivers for this review. It is Forestry Corp. that wants fewer prescriptions to enable them to access more volume to supply the unsustainable wood supply agreements. If the review is not to reduce volumes it should equally not be used to increase volumes.

The volumes from the Forest Agreements were calculated using FRAMES. Within FRAMES there was a Net Harvest Area Modifier and Threatened Species Strike Rate Modifier. Both of these reduced the NHA and therefore volume that was available to be logged. Less TSL prescriptions means more area and volume. The discussion paper is vague on modifications to stream exclusion zones but it seems there will be changes that will reduce these exclusions, mainly for unmapped drainage lines. This will again mean more area and volume with less environmental protection.

The removal of silvicultural prescriptions will mean more intensive logging. It is only the Eden region that currently undertakes integrated alternate coup harvesting, and this practice is to intensive and should be replaced with single tree selection. The removal of STS from the UNE, LNE and southern regions will again lead to more timber volume being available to Forestry Corp.

It was Forestry Corps failure during the Forest Agreement process that led to the unsustainable volumes and they must be made accountable for these failures without

weakening environmental protections. The review must reduce timber volumes to a truly sustainable level if it is to have any credibility.

Steep slope harvesting trial

The only jurisdiction in Australia to log on steep slopes is Tasmania, which cannot be used as justification to do so considering this state also clearfells old growth followed by high intensity burns. While the methods do not require making snig tracks, the loss of canopy means less protection for the soil and the steeper slope means more soil movement, there will be environmental damage from these practices. Also, as in the preceding section these steep slopes have been taken out of the NHA and any logging of these areas means more volume for Forestry Corp.

Review by the FPA

It is an outrageous proposition to engage the FPA of Tasmania to review the TSL. Tasmania has the worst logging protocols in the whole of Australia, total clear-felling of old growth forests, high intensity regeneration burns and cable logging of very steep slopes. Having seen Tasmanian style logging first hand they have very few threatened species exclusions and few stream exclusions, to move to similar regime would be a big step backwards for environmental protection.

Monitoring, adaptive management and 5 year reviews

While there are few monitoring requirements in the IFOA there are requirements as part of the Forest Agreements and the ESFM criteria. This monitoring has either not been undertaken or undertaken poorly. It took many years for the annual reports to be produced with poor quality information provided in them. To now claim that this needs to be done while not having any regard to what should have occurred over the past 14 years is extremely deceiving.

Regeneration monitoring is already a part of the Non-Licence terms of the IFOA. Forestry Corp has failed to undertake this monitoring and producing a report every 5 years. Forestry Corp. was meant to consult with EPA on the nature, collection and analysis of this data and so the EPA are also culpable for the failure of this monitoring of regeneration.

As part of the Forest Agreements and IFOA's there was meant to be 5 yearly reviews. Unfortunately there has only been 1 review in 2009-10, the third 5 yearly review for Eden, UNE and LNE are due this year. It is through these reviews that the monitoring that was meant to occur would feed into the principals of adaptive management and changes to the IFOA's would be made. All the minor wording of the current prescriptions that are needed to make them more easily enforced should have happened over the past 14 years. None of this has happened as it has not been in Forestry Corp.'s interest to do so.

Industry involvement in environmental regulation

The involvement of DPI in remaking the IFOA should not be allowed. No other industry is involved in negotiations with the EPA to make environmental prescriptions relating to that industry. This is the reason that some of the current prescriptions are unenforceable as they

were perverted by Forestry Corp. when first drafted. This should not be allowed to occur again.

GPS and compartment markup

LIDAR might very well more accurately map drainage lines and slope than the current 1:25000 LIC maps, GPS is not accurate enough to use for exclusion boundary identification in the field. The inaccuracy of GPS when in narrow valleys and under the canopy of the forest can cause errors in position of many metres and sometimes double figures. It would be fine if this inaccuracy was always in the forests favour, but on a 10m stream exclusion it could mean machinery ends up in the actual stream or exclusion zones being compromised all over the compartment.

Again this is a case of Forestry Corp. trying to save a bit of money while compromising environmental protections and cannot be condoned.

Contractor negligence and lack of knowledge

The contractors should know the conditions contained in the IFOA's but it seems that most of them do not and rely on Forestry Corp. to mark the compartment and they just cut between the lines. This situation does need to change. There definitely does need to be a minimum level of competency for contractors and this must include a knowledge of the licences, especially the TSL.

EPA has previously told SEFR that they cannot use enforcement on contractors. SEFR disagrees with this assertion. The Authorisation section of the TSL states, " This licence is issued to the Forestry Commission of New South Wales and any person carrying out forestry operations defined in the Integrated Forestry Operation Approval (IFOA) under Part 4 of the Forestry and National Parks Estate Act 1998 of which this licence is Annexure B." This clearly states that the contractors are licenced under the TSL and are therefore liable for any breaches under the licence. This needs to be enforced to enable better environmental protection.

Conclusion

We hold grave concerns that submissions opposed to the pro industry agenda of this discussion paper will be ignored in the same way as the vast majority of submissions opposed to the burning of native timber for biomass were ignored.

The IFOA's do need reworking but not remaking. Most of the changes are to benefit industry at the expense of the environment, this is not the intent of the licences. Some simple rewording of prescriptions will make the licences more enforceable and aligned with the intent of the licences which is environmental protection.

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