



SOUTH EAST FOREST RESCUE

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[edited 28May2011 to correct mapping]

Department Of Environment Heritage & the Arts
compliance@environment.gov.au

Re: Southern South Coast sub-region IFOA Southern RFA Koala habitat logging breaches in Bodalla State Forest

Dear EPRG,

Upon review of what information we are able to obtain from Forests NSW, OEH and independent sources thus far, our level of concern regarding the Southern South Coast sub-region IFOA Southern RFA forestry operations in the Bodalla State Forest and its resultant impacts on koala habitat and what actual koalas may still be persisting in the region has deepened considerably.

We contend that Forests NSW forestry operations have been, and currently are being, conducted in contravention of the Integrated Forestry Operations Approval South Coast sub-region Threatened Species Licence. As a matter of urgency, we call on all specified forestry activities and forestry operations in Bodalla State Forest to be suspended forthwith, and that a full and penetrating investigation be undertaken into these matters by the Office of Environment & Heritage.

As pursuant to the IFOA TSL condition:

8.8.10 Koala survey

Where there is a Koala record within two kilometres of a compartment boundary, or local knowledge indicates that koalas are likely to be present, the following surveys must be implemented.

a) Survey Method

- i. Where habitat within the compartment has been identified as core Koala habitat by the Modelled Areas of Habitat Significance for Vertebrate Fauna in the Southern CRA, Condition 8.8.10 b) **Transect Survey with Quadrats** must be carried out in the modelled habitat.
- ii. Where habitat within the compartment has been identified as intermediate Koala habitat by the Modelled Areas of Habitat Significance for Vertebrate Fauna in the Southern CRA, Condition 8.8.10 c) **Transect Survey** must be carried out in the modelled habitat.
- iii. Where habitat within the compartment has been identified as marginal habitat by the Modelled Areas of Habitat Significance for Vertebrate Fauna in the Southern CRA, Condition 8.8.10 d) **Traverse Survey with Quadrats** must be carried out in the modelled habitat.

The best available information we have been able to gather thus far gives this map following which notes koala records in the following compartments:

3035

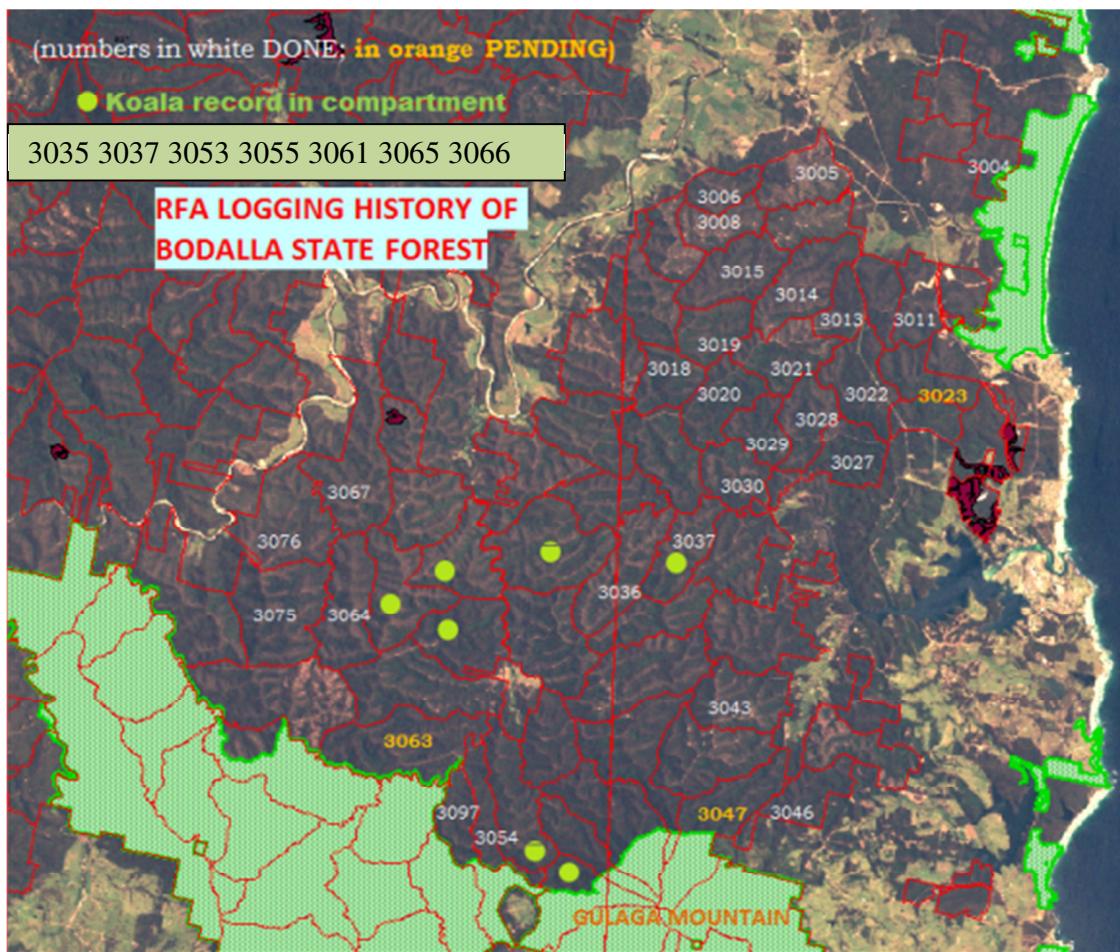
3037 [started 13/10/05 - suspended 15-Dec-05 (according to May2006 IFOA monthly report)]

3053

3055

3061

3065



As this map image shows, there have been several compartments in which forestry operations have been conducted that fall within the two kilometre zone, or where local knowledge would have concluded that koalas were potentially likely to be present. The koala records under consideration here start in 1995, the newer ones appear in 2001, the year the Southern Regional Forest Agreement commenced.

Compartments 3065 and 3066

Firstly we note from page two of the Bodalla State Forest compartment 3065 Harvest Plan (dated 21/03/2001) that:

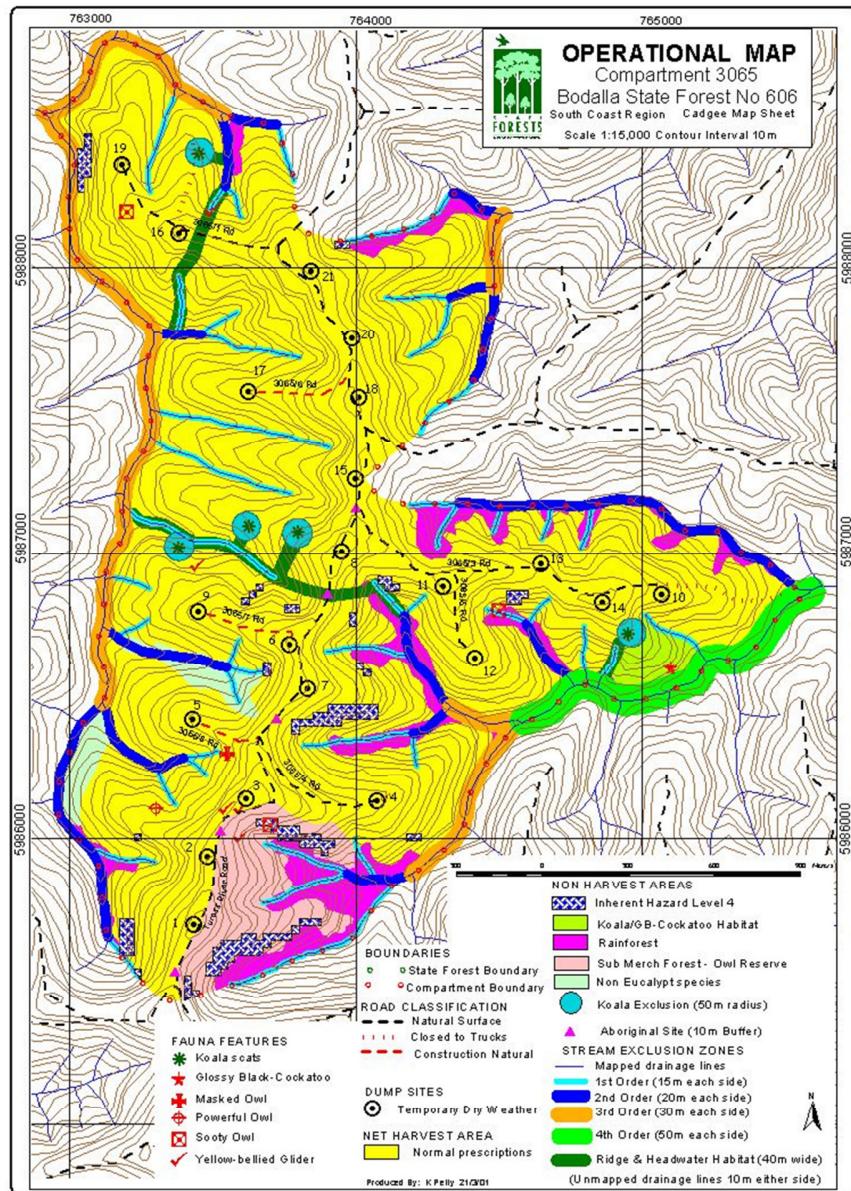
There are seven mapped broad forest types within the compartment, the dominant type being Yellow Stringybark-Gum (FT157 & 159) occurring primarily along ridge tops and extending into midslopes/gullies. Areas of Stringybarks (FT 66,121,123 &169), Spotted Gum (FT 70 & 75) and Silvertop Ash (FT 112 &114) also occur along ridge tops with Coastal Box-Red Gum (FT 85) found on midslopes with a westerly aspect. The major drainage lines and gullies in the north and eastern sections of the compartment are typically surrounded by rainforest types. Compartment 3065 has two small areas in the south-west containing various wattle types and oak adjacent to drainage lines.

Then at pages seven and eight:

Koala <i>Phascolarctos cinereus</i>	Yes	6.11	<p>The presence of Koala's have been detected through scat identification as a result of asterix surveys. The following prescription has been applied.</p> <ul style="list-style-type: none"> Search for evidence of koalas. Where one or two trees with evidence of the presence of a Koala are found during an asterisk survey, integrated harvesting (regeneration) must be excluded from within 50 metres radius exclusion zone around of each of these trees. Exclusion zones must be connected through nearest second or higher order stream crossing the topographic sequence linking catchments and be a minimum of 40 metres wide.
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		<ul style="list-style-type: none"> • 150ha of suitable habitat must be retained within 1.5km of the trees identified within asterix survey. • 10 browse trees shall be retained per hectare within the net logging area. Koala browse trees must be greater than 30cm dbhob and be of the following species: Mountain Grey Gum, Maiden's Gum, Woollybutt, Coastal Grey Box, Yellow & White Stringybark . Trees retained to meet other prescriptions (hollow bearing, recruitment & feed trees) may be counted as Koala browse trees if they have leafy, broad crowns in a range of size classes with a minimum dbhob of 30cm. • Specified forestry activities and post-logging burning must minimise damage to retained Koala browse trees. Felled heads must be flattened or removed from five metres of stems retained. • An additional area south of dump 14 has been retained for the Koala and also as a food source for the Glossy Black-Cockatoo.
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The map for this compartment shows:



A total of five different locations where evidence of koalas led to 50 metre radius buffers being planned for koala protection. On the map, one zone depicts actual Koala/Glossy-black Cockatoo habitat reserved from logging disturbance, and another section protected as Owl reserve. A question here is: Was there 750 hectares of “suitable habitat” retained within 1.5 kilometres of this clump of retained koala trees? Given that

compartment 3065 has a gross area of 417 hectares and net harvest area of 300 hectares, and seeing the relative sizes of these reserved habitat areas on the 3065 map it does not seem so. If it was the case that the five koala trees were counted as one tree, was there 150 hectares of retained “suitable” koala habitat? However, as far as we are aware, this compartment has not commenced forestry operations to date. So happily all the compartment has been reserved from habitat destruction and loss thus far. The issue of adequacy of reserved area can be resolved by revision by FNSW of this operational map should they wish to pursue actual forestry operations in the compartment.

It is also the case that there has been no RFA logging so far for the adjoining compartment 3066, which shows two koala records on the operational map; one inside, and one of the records of compartment 3065. The forest ecosystems description for this compartment given on page two is that:

There are eight mapped broad forest types within the compartment, the dominant type being Gum/Stringybark/Peppermint (FT 157, 158, 159, 160, 165, 166) occurring primarily on mid to low slopes. Areas of Ash/Peppermint/Stringybark (FT 112, 113, 114, 162) occur along ridge tops in the south eastern section of the compartment with Box/Gum/Wollybutt/Ironbark/ Stringybark (FT 65, 85, 86, 88, 92) occurring on ridge tops in the south western section and extending into the northern end of the compartment. The more major drainage lines and gullies are typically surrounded by rainforest (dry and depauperate).

Then along on page eight regarding koalas we see that:

Koala <i>Phascolarctos cinereus</i>	Yes	6.11	<p>A koala was recorded within the compartment in October 1995.</p> <ul style="list-style-type: none"> Search for evidence of koalas. Where one or two trees with evidence of the presence of a Koala are found during an asterisk survey, integrated harvesting (regeneration) must be excluded from within 50 metres radius exclusion zone around of each of these trees. 10 browse trees shall be retained per hectare within the net logging area. Koala browse trees must be greater than 30cm dbhob and be of the following species: Mountain Grey Gum, Maiden's Gum, Woollybutt, Coastal Grey Box, Yellow & White Stringybark. Trees retained to meet other prescriptions (hollow bearing, recruitment & feed trees) may be counted as Koala browse trees if they have leafy, broad crowns in a range of size classes with a minimum dbhob of 30cm. Specified forestry activities and post-logging burning must minimise damage to retained Koala browse trees. Felled heads must be flattened or removed from five metres of stems retained.
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The koala record is mapped as adjacent to dump 7 but is not afforded any 50 metre radius protection. This is something to question. Were there koalas living in this compartment? Were the required transects undertaken by Forests NSW to ascertain the existence or non-existence of the 1995 koala? Should there have been a 50 metre radius zone mapped for protection?

Compartment 3064

Has been subject to two operations, first 6 February 2003 to 26 February 2003, then 18 January 2005 to 13 May 2005. The Harvest Plan (dated 04/07/2002) states on page three that in this section of forest:

There are five mapped broad forest types within the compartment, the dominant type being Stringybark/Gum (FT 157,158,166) occurring primarily on mid and lower slopes. Areas of Silvertop Ash (FT 112,114) and Coastal Box-Red Gum-Woollybutt (FT 63,86,88) also occur along ridge tops with westerly facing aspects. A significant area of Spotted Gum (FT 70,74,75) is found in the northern third of the compartment.

Regarding any koalas in this compartment the plan states on page eleven:

Species specific prescriptions: ...Koala (*Phascolarctos cinereus*) (Desktop Review)...

and on page fourteen:

Koala <i>Phascolarctos cinereus</i>	No	6.11	Search for evidence of koalas. Where one or two trees with evidence of the presence of a Koala are found during an asterisk survey, integrated harvesting (regeneration) must be excluded from within 50 metres radius exclusion zone around of each of these trees.
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The concern here is: Were the required transects undertaken by Forests NSW? The net planned area of 346 hectares was subject to almost five months of STS forestry operations. Was the area logged subject to pre-harvest transect surveys? Given that this area is directly across the gully from four previously mapped koala records one would surely assume transects were conducted.

Compartments 3036 and 3037

Both of these compartment have been subject to RFA forestry operations. Compartment 3036 from 10 March 2005 to 12 October 2005, and compartment 3037 from 13 October 2005 to 15 December 2005.

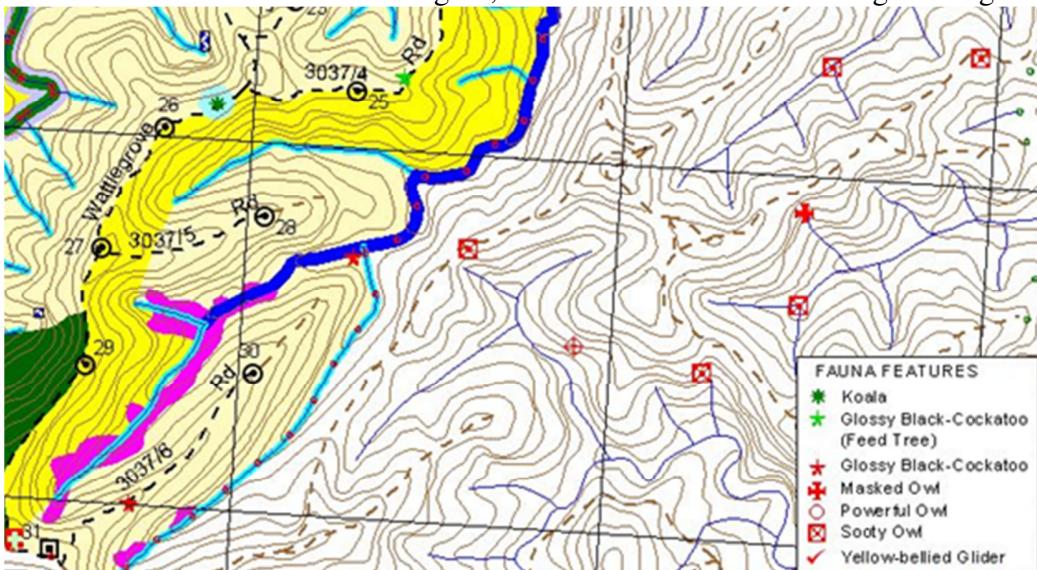
The forest ecosystem description from page two of the Bodalla 3036 3037 Harvest Plan (dated 22/02/2005) indicates:

There are 5 mapped Broad forest types (Yield Associations) based on the following RN 17 forest types within the compartments (see Forest Type Map). Coastal Dry Forest (FT 66, 86, 123 & 132) is a dominant type within the net planned area, occurring throughout the majority of both compartments and more prominent on the ridge lines and westerly aspects. Yellow Stringybark-Gum (FT 157, 158c & 169) is also a dominant type within the net planned area, occurring throughout the majority of both compartments and more prominent on the mid/lower slopes and easterly aspects. Coastal Moist Forest (FT 63) occurs along 3036/5 Road (mostly western side) in Compartment 3036. Small areas of Spotted Gum (FT 70 & 75) and Dry Depauperate Rainforest (FT 23 & 26) also occur in both compartments.

At page five in section 8.1 the plan notes for Koala to undergo a desktop review and koala survey. Later on page nine it states

Koala <i>Phascolarctos cinereus</i>	Yes	7.11	Search for evidence of koalas. Where one or two trees with evidence of the presence of a Koala are found during an asterisk survey, integrated harvesting (regeneration) must be excluded from within 50 metres radius exclusion zone around of each of these trees.
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The operational map (excerpt below) for Bodalla 3036 3037 (approved 24/2/05) shows Forests NSW last example of protected koala habitat area for the region, the 50 metre radius zone along Wattlegrove Road.



This is where the FNSW koala story gets mysterious. Our latest information from OEH Wildlife ATLAS shows the following:

FNSW reported koala records in Eurobodalla, as held by OEH Wildlife ATLAS @ 20/5/11.

1.	06/02/1976	-36.34630709	149.98068709	55	767500	5973500	pp Dignams Creek
2.	01/01/1980	-36.35967269	149.98676794	55	768000	5972000	pp Dignams Creek
3.	01/10/1982	-36.29466857	149.95534167	55	765400	5979300	cpt 3097 now NP
4.	01/01/1985	-36.35967269	149.98676794	55	768000	5972000	pp Dignams Creek
5.	28/02/1995	-36.28867268	149.97904819	55	767550	5979900	cpt 3053
6.	14/02/1996	-36.2962144	149.98378821	55	767950	5979050	cpt 3055
7.	05/01/2001	-36.22858883	149.94895811	55	765050	5986650	cpt 3065
8.	05/01/2001	-36.21418353	149.93006727	55	763400	5988300	cpt 3065
9.	05/01/2001	-36.22520366	149.93270314	55	763600	5987070	cpt 3065
10.	05/01/2001	-36.22535647	149.93382112	55	763700	5987050	cpt 3065
11.	05/01/2001	-36.2258748	149.93105981	55	763450	5987000	cpt 3065

[note: all 5/1/2001 records also show at same locations on 28/05/2002.]

There is no mention here of the koala record in compartment 3037. This is an investigation point that needs

explaining.

The relevant FNSW obligation applicable under the TSL is condition 4.1.e which states:

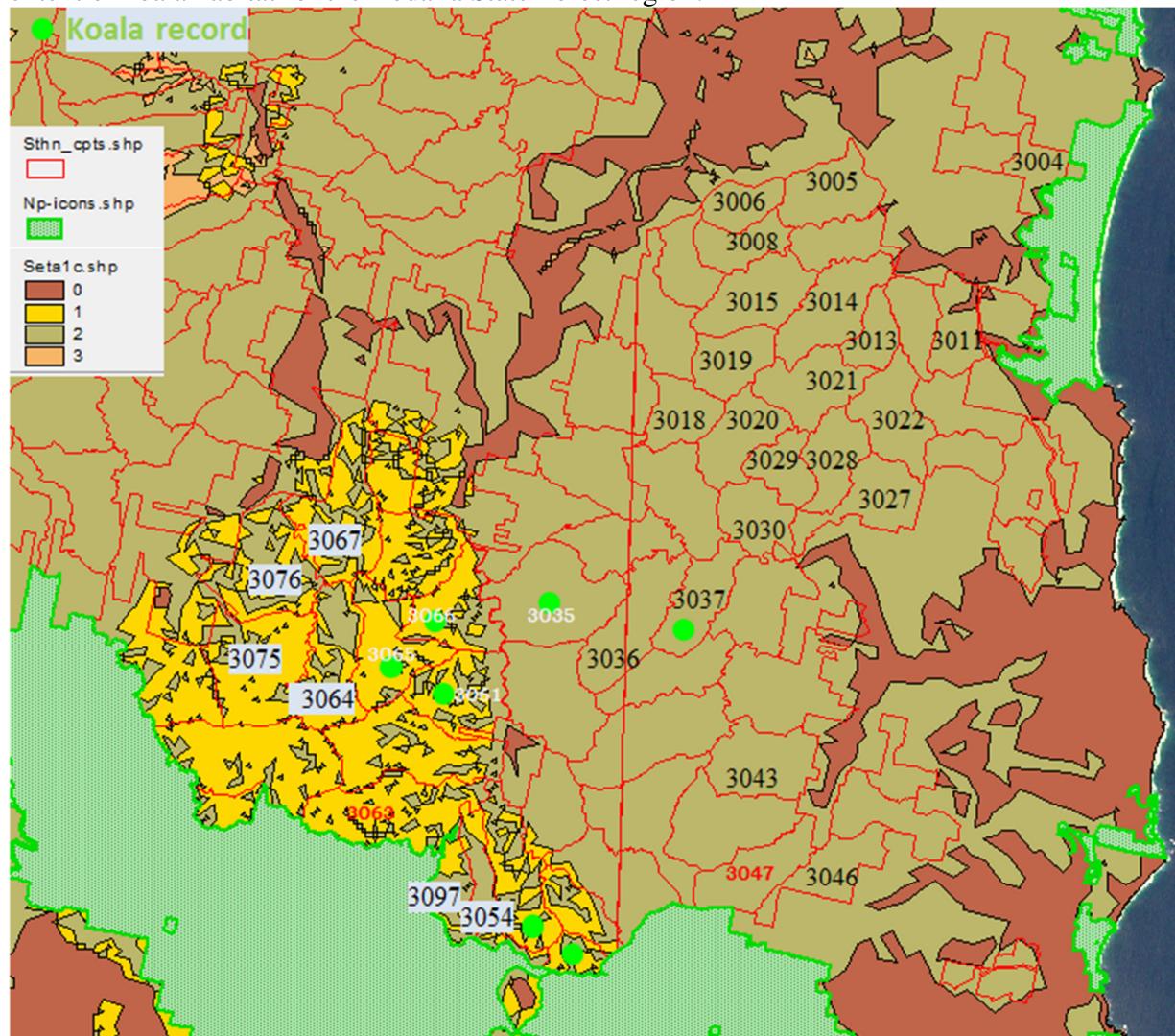
4.1 Provision of Data to the NPWS

SFNSW must provide the NPWS with:

- e) Records suitable for the NPWS Atlas of NSW Wildlife for all threatened species recorded on SFNSW estate. These must be forwarded by agreed electronic means to NPWS Head Office GIS Unit at three monthly intervals.

Obviously the process has failed and gives reasonable cause for us to contend that this is another breach of the IFOA and RFA.

At this point, with a fresh update on actual modelled koala habitat mapping of the region provided by OEH, we see the extent of koala habitat for the Bodalla State Forest region:



Bodalla compartments logged under the RFA regime since 2005

From our records, the RFA logging history of Bodalla State Forest is listed in the following table.

cpt	operation one	operation two
3027	2/11/01 - 30/4/02	21/6/05 - 22/8/05
3022	20/2/02 - 20/12/02	6/2/03 - 23/3/03
3005	17/6/02 - 27/12/02	
3006	17/6/02 - 27/12/02	
3008	17/6/02 - 27/12/02	

3054	20/6/02 - 17/12/02	
3097	20/6/02 - 17/12/02	
3015	30/12/02 - 24/5/04	
3028	28/4/03 - 2/2/04	29/11/04 - 23/5/05
3029	23/2/04 - 6/7/04	18/10/04 - 9/3/05
3019	21/4/04 - 26/11/04	
3064	6/2/03 - 26/2/03	18/1/05 - 13/5/05
3021	2/2/05 - 15/6/05	24/2/11 - current
3036	10/3/05 - 12/10/05	
3018	12/9/05 - ??	
3037	13/10/05 - 15/12/05	
3004	6/3/06 - ??	
3030	23/10/06 - ??	
3046	14/5/07 - 19/9/07	
3011	30/5/07 - ??/5/08	
3075	22/10/08 - 8/12/08	
3076	22/10/08 - 8/12/08	
3067	10/12/08 - 27/3/09	
3020	12/1/09 - ??/4/09	
3013	7/3/09 - 7/7/10	
3014	7/6/10 - 28/2/11	
3043	14/1/11 - current	

Thirty three separate forestry operations have been conducted in the period, two of which are currently active. As the above map clearly depicts, all these compartments fall within mapped modelled koala habitat, either core, or intermediate, even the most coastal compartment, 3004 on the shore of Lake Brou. As such, under the TSL, all of these compartments require transect surveys searching for signs or actual koalas before any specified forestry activities can commence.

Twenty seven harvesting plans were approved for these operations, we have not been able to review all of these harvesting plans (22/27 reviewed) due to difficulties with Forests NSW provision of information. However we contend that all of these harvest plans which do not consider koalas at all must be considered as having been in breach of the TSL 8.8.10 prescriptions and therefore conducted illegally.

We contend further that the current forestry operations in compartment 3043 and 3021 are also in breach of the TSL and are being conducted illegally. There are penalty units applicable for this behaviour.

This legacy of breaches of the IFOA and RFAs is of very grave concern. There has, on this evidence, been systemic due diligence errors committed by Forests NSW which must be fully investigated and remedied. For this negligence to have occurred for such a notable species gives rise to heightened concerns for other forest-dependent species of the region. We call on the strongest possible action from the regulator on this issue. We reiterate our call that all current forestry operations must be suspended immediately, and any future operations be disallowed.

Kind Regards,

L Stone

B. Daines

Q.S. Daines