



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.

Sunday, 30 May 2010

Dear Mr Hartley,

Re: Wandera State Forest cpt 584 and 585

Following an inspection of Wandera State Forest this afternoon we feel obliged to inform you of our observations of the forestry operations being conducted in the area.

This forestry operation has a net planned area of 587ha in the form of three compartment combined on the one harvest plan approved by the Forests NSW Regional Manager on 2/5/08. Compartment 586 commenced 7/5/08 and was completed 6/11/09. Compartment 585 commenced 2/11/09 and compartment 584 commenced 22/2/10, both these still seem to be active. The machines are currently operating in dump 8 on E Ridge Road. The general tone of the operation appears to be heavily targeting ironbark, and spotted gum where present. Tree marking was sporadic in its compliance, and generally wasn't encountered more than 30 meters from the roads. There was myriad logging rubbish left at old dumpsites throughout, one can only assume that this litter will be collected prior to the contractors leaving the compartments.

While some very worthy H & R trees were noted on the ridgelines throughout our inspection, there were also encountered many instances of poor selection of retained trees contrary to the TSL conditions.

5.6 Tree Retention

The following condition must be implemented within the regrowth zone:

c) Regrowth Zone Hollow-bearing Tree Retention

- i. A minimum of ten-hollow bearing trees must be retained per two hectares of net logging area. Where this density is not available then those hollow-bearing trees present within the net logging area must be retained.
- ii. Retained, hollow-bearing trees must be selected from the trees with the largest dbhob and must be live trees and should have good crown development and minimal butt damage.
- iii. Retained hollow-bearing trees must represent the range of hollow-bearing species that occur in the area. Preference should be given to selecting those species or trees which are most suitable for the threatened species known or likely to occur in the area.
- iv. Trees retained outside the net logging area must not be counted as hollowing-bearing trees. Stags must not be counted as hollow-bearing trees.
- v. Hollow-bearing trees must be scattered throughout the net logging area, except where compliance with condition 5.6 c) ii. above prevents such retention.

(Note: where trees retained to meet this condition are not the largest trees the NPWS does not intend to take proceedings where SFNSW can demonstrate that the tree/trees retained had suitable hollows and had diameters (dbhob) within the largest 5% of the stand within the two hectare area.)

d) Regrowth Zone Recruitment Tree Retention

- i. For each hollow-bearing tree retained under condition 5.6 c) above, one recruitment tree must be retained.

- ii. Retained recruitment trees must show potential for developing into hollow-bearing trees. Retained recruitment trees must have good crown development, and should have minimal butt damage and should not be suppressed. Mature and late mature trees must be retained as recruitment trees where available.
- iii. Retained recruitment trees must represent the range of species of mature and late mature growth stages that occur in the area. Preference should be given to selecting those species or trees which are most suitable for the threatened species known or likely to occur in the area.
- iv. Trees retained outside the net logging area must not be counted as recruitment trees.
- v. Recruitment trees must be scattered throughout the net logging area, except where compliance with condition 5.6 d) ii. above prevents such retention.

At AGD66 coordinates 0231013/602807 an example of a non-compliant H tree was recorded, it was of a small size when compared to the stumps in the vicinity. Its adjacent R tree at 0231033/6026785 was also a non-compliant selection, being small and suppressed.

g) Protection of retained trees

- i. When conducting specified forestry activities and post-logging burning, damage to trees retained under conditions 5.6 a), 5.6 b), 5.6 c), 5.6 d), 5.6 e) and 5.6 f) 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 feed tree, or Yellow-bellied Glider or Squirrel Glider sap feed tree. Logging debris within a five metres radius of retained trees must be removed or flattened to a height of less than one metre. Mechanical disturbance to ground and understorey must be minimised to the greatest extent practicable within this five metres radius. Habitat and recruitment trees must not be used as bumper trees during harvesting operations.
- iii. Retained trees referred to in conditions 5.6 a) i., 5.6 b) i., 5.6 c) i., 5.6 d) i., 5.6 e) i., 5.6 f) i., 5.6 f) iii. and 5.6 f) iv. of this licence must be marked for retention. The only exception to the marking of the retained trees can occur where the understorey is thick and impenetrable. 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.

At 0231083/6026425 was recorded a H tree with non-compliant debris within the tree's protection zone.

5.4 Rainforest

- a) At the time of harvest planning, all known locations of Rainforest and exclusion zones to be established around Warm Temperate and Cool Temperate Rainforest, must be shown on the harvesting plan operational map. (*Note: known locations of Rainforest must include CRAFTI rainforest.*)
- b) The on ground identification and location of Rainforest and exclusion zones established around Warm Temperate and Cool Temperate Rainforest, must be undertaken before or during prelogging mark-up.
- c) The location of all Rainforest and exclusion zones established around Warm Temperate and Cool Temperate Rainforest identified in accordance with condition 5.4 b) must be shown on a map at the same scale as the harvesting plan operational map and included in the compartment history planning documentation.
- d) A 20 metre wide exclusion zone must be implemented around all areas of Warm Temperate Rainforest and Cool Temperate Rainforest.

Prohibitions on activities in Rainforest and Rainforest exclusion zones

- e) The following rules apply to any area that is, or is within, Rainforest or an exclusion zone established around Warm Temperate Rainforest or Cool Temperate Rainforest (“a Rainforest exclusion zone”), except as varied by this condition (being condition 5.4) or condition 5.20 (relating to beekeeping):
 - i. specified forestry activities are prohibited in Rainforest and Rainforest exclusion zones;
 - ii. no tree is to be felled into Rainforest or a Rainforest exclusion zone. If a tree falls into Rainforest or a Rainforest exclusion zone, then no part of the tree can be removed;
 - iii. harvesting machinery is not to be used within Rainforest and Rainforest exclusion zones.

At 0231686/6026308 we recorded what we contend to be non-compliance of the condition above concerning the protection of rainforest. As you see on the harvest plan map for compartment 585 there is a large patch of mapped rainforest to the south of dump 22. What we observed was trees logged and machinery entry and disturbance, if not in the actual rainforest, then certainly in the 20 metre buffer protecting the rainforest in contravention of condition 5.4 e.

Also of note in this rainforest area was the profusion of a prickly weed-like ground-cover plant growing where the machinery had disturbed the ground. Was this an introduced weed...? Maybe, because it didn't seem to be present on non-disturbed areas.

Also of note was the discovery of two tree orchids growing off the upper section of the trunk of a felled ironbark. We do not know if these are protected orchids or not, or whether this warrants any further action.

As the TSL states:

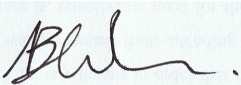
This licence is issued subject to the licence holder complying with the conditions and requirements set out in the licence. A contravention of the terms of this licence makes the person carrying out the forestry operations liable for an offence under the *National Parks and Wildlife Act 1974* for e.g. harming a threatened species under Section 118A of the *National Parks and Wildlife Act 1974*.

The objectives of this licence are to set out the minimum measures to protect threatened species and protect the habitat of threatened species from activities associated with timber harvesting.

We feel our investigation uncovered evidence of non-compliant forestry operations being conducted by FNSW and its contractors, and we call for strong regulatory action to be effected on these matters.

Yours

L Stone



S. Daines