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Submission

to

Forestry Corporation of NSW

on the

Draft Forest Management Plan

Compiled by John Edwards

Honorary Secretary

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Submission on Draft Forest Management Plan.

Introduction:

The Clarence Environment Centre (CEC) has maintained a shop-front in Grafton for over 26 years, and has a proud history of environmental advocacy. The conservation of the Australia's natural environment, both terrestrial and and marine, has always been a priority for our members, and we believe the maintenance of healthy ecosystems and biodiversity is of paramount importance.

Our organisation has undertaken dozens of independent surveys of logging operations over the past 10 years and reported widespread non-compliance, by the former Forests NSW, with the Integrated Forests Operations Approval (IFOA) and Threatened Species Licence. Those reports have resulted in numerous official warnings and penalty infringement notices from the Environmental Protection Authority (EPA), yet the breaches continue unabated.

Over that same time period, regulatory changes have seen extensive erosion of protection for threatened species and biodiversity generally, and recent proposals to double the basal area logging of what are deemed to be “regrowth forests” (native forests that have a long history of logging), is just one such example.

The widespread misinterpretation of prescriptions protecting threatened species that is currently occurring, and the total failure of regulatory authorities to rein in these excesses or to curb the systemic non-compliance, has led the CEC and most other environment groups across NSW to now advocate for a halt to native forest logging on public land entirely.

As such, there appears little value in our commenting, once again, on a document that, generally, says all the right things, but will never be taken seriously by the industry. Nevertheless we feel that is important to point out the more blatant divergences between the Draft Management Plan and on-ground reality, in the hope that someone will take our concerns seriously.

Discussion:

At the outset, the “Draft Forest Management Plan” makes the statement, “*The sustainability of our business is founded on the sustainable management of our forests*” and then, through multiple references to “ecologically sustainable management” of our hardwood forests (pages 4, 5, 6, 7, 8, 12, 15, 29, 41, 43, 47, 54, 60, and 61), sets out to persuade readers that native forest logging in NSW is ecologically sustainable.

Unfortunately, particularly in respect to the sustainable supply of timber, this is far from the case with the following statements from a range of reputable sources suggesting otherwise:

1. **The Institute of Foresters of Australia – Letter to Rob Oakeshott, 2009:**

*“In NSW the adopted forest strategy is to **unsustainably cut the available public native forest through to 2023** at which point hardwood plantations are proposed to be available to make up the very significant shortfall in logs. Unfortunately, the species mix and rate of plantation development in NSW post 2000 makes this unachievable”.*

2. **Dailan Pugh OAM, North East Forest Alliance and RFA negotiator, July 2011.**

“Timber volumes were intentionally committed above the estimated sustainable yields in north-east NSW by both the FAs and RFA (Forest Agreements and Regional Forest Agreements). The fact that Forests NSW has drastically overestimated the available timber volumes, is simply compounding the problems now being faced.

3. **The Environmental Defenders Office – Executive Summary, of its report - “COMPLIANCE FAILURES IN THE PUBLIC FORESTS OF NEW SOUTH WALES”, July 2011.**

“It is clear that native forests are not being managed in a way that complies with the principles of Ecologically Sustainable Forest Management (ESFM) and the conservation of biodiversity.”

4. **The Victorian Department of Primary Industries - “Economic Policy Settings in the Forest and Timber Industry – An inter-jurisdictional comparison”, May 2008.**

“There is concern that Forests NSW will not be able to meet commitments in Wood Supply Agreements with the current forest areas allocated for commercial forest production. This is evidenced through the fact that Forests NSW is purchasing private native forest resources to meet current commitments.”

5. **The NSW Auditor General - “2009 Performance Audit”:**

- a) *To meet wood supply commitments, the native forest managed by Forests NSW on the north coast is being cut faster than it is growing back.*
- b) *The North Coast region has been unable to meet its species commitment since 2004 for blackbutt (the North Coast's most logged species, 24% of total cut).*
- c) *current yield from native forests in the north coast is not sustainable in the long term.*

On-ground reality also gives the lie to various subsequent claims in the Draft Plan starting with:

- *“Forestry Corporation is committed to managing timber resources in an ecologically sustainable way”. Forest Corp's ongoing failure to deal with Bell Miner Associated Dieback, where forest canopy reduction rates from logging events consistently exceed the identified 35% trigger for the disease, is just one clear example that no such commitment exists. Also there is no mechanism in place to measure or report trends in forest health.*
- *“Forestry Corporation is committed to maintaining a sustainable timber supply”. Is that why Forest Corp/FNSW has had to pay out millions of dollars in compensation for non-supply of timber, while currently proposing to increase logging rates in “regrowth forests”, and reducing logging rotation times.*

Another example is the “compliance monitoring system” (CMS) which, we are assured, “*sets out monitoring processes*” that, “*whenever a non-compliance is identified:*

- *the incident is investigated and the cause of the non-compliance is established.*
- *corrective actions are instigated where appropriate, and*
- *improvements are made to prevent reoccurrence.*

There have been many hundreds of regulatory breaches reported since the introduction of the Integrated Forests Operations Approval 15 years ago, mostly reported by concerned individuals or environment groups, a fact that prompted the Land and Environment Court's Justice Pepper (Smokey Mouse Case, 2011), to conclude that, “*based on the number of convictions, there is a pattern of continuing disobedience in respect of environmental laws generally or, at the very least, a cavalier attitude to compliance with such laws*”.

The Clarence Environment Centre can confirm that many breaches occur over and over again. Convictions there might have been, but no individuals have ever been called to account for these breaches with only official warnings and occasional Penalty Infringement Notices handed out to FCNSW (formerly FNSW), worth a mere “slap on the wrist”, and which are ultimately paid by the taxpayer.

Other examples of these motherhood statements include assurances that:

“In meeting its obligations to provide an ecologically sustainable timber supply, Forestry Corporation will:

- *maintain its contribution to a comprehensive, adequate and representative (CAR) reserve network of dedicated reserves, informal reserves, and values protected by prescriptions which exclude harvesting”.*

In reality, the reserve network, and other areas declared off-limits to logging, is continually being 'whittled' away by changes to legislation, such as reduction in stream buffer zones and Hastings River Mouse exclusion zones. 'Accidental' incursions into protected areas, and damage through fringe effects from logging occur on a regular basis. Also no management of those areas is currently being undertaken, with the result that invasive weeds are running riot.

- *“adhere to a system of adaptive management in planning, implementing and monitoring of harvesting to protect rare or threatened flora and fauna and their habitats along with soils and water quality”.*

For “adaptive management” read “knee-jerk” reaction to timber shortages which always lead to heavier logging. However, to claim protection of threatened species, when the Threatened Species Licence currently allows the destruction of up to 10% of most threatened flora, is hardly credible. Koalas too have been in the news for all the wrong reasons, with their habitat, and identified high-use areas logged on a regular basis. Also, the disastrous interpretation of the IFOA's maximum 40% (average) basal area logging rate, has seen “offsetting” introduced to allow virtual clear-felling to occur across most forest “tracts”, in a clear breach of the 'spirit' of the regulations.

- *“maintain forest cover by using appropriate silviculture during harvesting and ensure natural regeneration or rehabilitation where appropriate”*

When considering recent proposed regulations that allow “heavy single tree selection” (taking up to 80% of basal volume), to occur across many forests in coastal NSW, this clause is little more than a sick joke.

- *“periodically review timber availability and supply commitments based on performance monitoring and improvement of yield models.”*

No doubt this happens at the point when massive compensation pay-outs are made for failure to fulfil supply contracts, or ask tax-payers to fork out millions of dollars to buy back timber contracts that cannot be filled, as has happened in the past.

Other similar assertions that are based on the fallacious claim of sustainability include:

- *“Our FMS (Forest Management System) is the framework of policies, processes and procedures that we use to ensure we undertake the activities required to achieve sustainable forest management and carry out our operations in a sustainable manner”.*
- *“Forestry Corporation has a Forest Management Policy, which outlines our commitments to conserving and advancing a range of forest values such as biodiversity, forest productivity and carbon sequestration”,*
- *“.. important objectives, including to operate a successful business that maximises the net worth of the State forest assets” and,*
- *“to be an efficient and environmentally sustainable supplier of timber from Crown-timber land”, and “to conduct operations in compliance with the principles of ecologically sustainable development and to have regard to the interests of the community in which we operate”.*

Under the heading “**Governance**” we are assured that Forest Management Systems, Risk Management, Monitoring and Auditing, Management Review; Public Reporting, Legal Requirements, and Emergency Response, are all in good hands.

Overall however, we believe that forest campaigners, particularly those involved in the development of the RFAs, have every reason to be angry and disillusioned by all of these comments.

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Specific matters of concern

1. In this Draft Management Plan, a document that is clearly aimed at impressing an uninformed public, and fails to mention the on-ground reality, there are still matters of concern.

On page 16. there is reference to “Forestry Corporation Native Forest Silviculture Manual”, and how it “*outlines the ecological principles driving forest dynamics and describes forest events such as harvesting and fire fuel management*”, going on to explain that, “*The IFOA specifies further constraints that apply to harvesting, such as, the scale or extent of harvesting, basal area limits and habitat tree retention requirements, which ensure that ecological outcomes are achieved*”.

However, the Draft Plan then talks about how “*the manual describes how to assess the condition of the forest on a site-specific basis and formulate the appropriate silvicultural approach for **regeneration (restarting the stand)** or growth (retaining trees to grow on for the future)*”.

This assessment of condition, allowing the “restarting of the stand”, is exactly what is currently happening - it's the discredited, highly ecologically destructive, Australian Group Selection, and Timber Stand Improvement techniques of the past, and seemingly promoted to facilitate the heavy harvesting rates that make industrial scale machine logging more profitable, otherwise described as “***finding a balance** that delivers a sound outcome for the forest and its ecological and production values*”.

2. We would like to see some independent assessment, or even a reference to research supporting the Draft Plan's justification of higher harvest rates of certain Eucalypt species which, very conveniently, just happens to include some of the more sought after timber species.

That 'justification' is based around supposed fire, shade, and competition intolerance, claiming that: “*The very intolerant species (such as blackbutt, flooded gum and alpine ash) tend to be faster growing, are less tolerant of fire and regenerate mainly from seed. The light demanding nature of these species **means that more intensive harvesting and removal of overstorey is beneficial** to the establishment and development of regeneration*”.

A very convenient claim, and one we do not believe is scientifically supported, and certainly not good for biodiversity, and must be questioned.

3. Another unreferenced claim, which should be questioned, is that on page 43 that: “*Sustainable timber harvesting combined with measures such as prescribed burning that reduce the intensity of bush fires can reduce the net production of carbon to the atmosphere each year*”.

4. Bell Miner Associated Dieback

The Draft Plan's response to BMAD is disappointing to say the least, and its proposed action is summed up by “*Forest Corporation will continue to monitor and evaluate the extent and severity of BMAD through aerial surveillance and apply adaptive management principles where practicable*”. That adaptive management so far has amounted to increased burning, a listed key threatening process, and more intensive logging to salvage trees before they die.

According to the Plan: *“Dieback in trees occurs naturally as a result of short term adverse physical impacts such as drought, unseasonally high soil moisture or damaging wildfire. Dieback may also be due to natural biological factors such as insect plague and spread of fungal disease. Not once does it mention impacts from logging such as the opening up of the forest canopy beyond 35%, the level which the NSW Scientific Committee identified **is a trigger for the disease.**”*

5. There are other questionable claims, such as (page 46):

- *“All formal reserves and flora reserves have been zoned FMZ 1 - Special Protection, which are dedicated reserve areas managed to maximise protection of very high natural and cultural conservation values”. We have yet to see any weed eradication or other management strategy being carried out in dedicated flora reserves or exclusion zones in north coast state forests. As well, the Draft Plan concedes that: “Management will permit grazing on leases held pursuant to the Crown Lands Act 1989; mineral and petroleum exploitation, and the use of fire to maintain and protect ecosystems within the landscape”.*

6. While on grazing, one disappointing aspect of the Draft Plan is the fact that, despite a previous Labor Government Minister assuring us (CEC) that grazing in State forests was to be phased out, no such commitment appears in this plan, and the only mention of cattle is an acknowledgement that *“fees are collected for areas of State forest that are leased for beef cattle production”.*

Grazing by hoofed animals is a listed Key Threatening Process, and has serious negative impacts on biodiversity and water quality, and is a major contributor to soil erosion. Graziers who lease state forest land are notorious for 'dropping matches' to generate 'green pick' for their stock, another Key Threatening Process, all of which makes a joke of FCNSW's page 43 claim that: *“The native forests of NSW possess an array of ecosystems and other environmental values that the Forestry Corporation is committed to maintaining and enhancing wherever possible. The principle of ecologically sustainable forest management (ESFM) is fundamental and entails the maintenance of ecological processes, biodiversity and protection of water quality”.*

We are told (page 49) that: *“Additionally Forestry Corporation will develop a plan for the grazing of domestic animals that recognises and takes account of ecological impacts”,* but we have little faith in that plan recommending the fencing off of all harvesting exclusion zones, or reducing the frequency of burning.

7. The Draft Plan contains a section on Strategic wood supply planning which we believe needs to be carefully analysed by someone with an understanding of FRAMES, which models the availability of sawlogs. There are a few changes, described as “improvements”, which ring alarm bells for us including the use of LiDAR to *“improve the estimates of net harvestable area”,* and *“The net harvest area modifiers revised to reflect changes in harvesting technology from primarily hand falling to increasingly mechanised harvesting”.*

While LiDAR can be used for good, we suspect it is being used to identify timber that has been previously missed, or protected, and also identify where mechanical clear-felling can improve their bottom line.

8. There is a lengthy section on **Indicative modelled timber volume availability.** This is also an area that requires independent expert scrutiny. The Plan further complicates this issue by combining plantation and native forest timber without explaining percentages of each. These clearly need to be separated in the context of ecological sustainability.

9. Under **“Environmental data collection”** the Plan boasts that: *“Forestry Corporation maintains large databases including an extensive GIS”,* and gives assurances that it will take notice of the prescriptions, again something they have not done well in the past.

In summary

To sum up, the Draft Plan pretty much says all the right things, then again so does the IFOA and the Threatened Species Licence under which Forest Corporation currently operates, and we all know how that turned out. All in all, to steal a cliché, we believe the document, like those before it, is not worth the paper it's written on unless compliance is enforced. Unfortunately, generally speaking compliance has never been enforced in the past, and that is the reason we are calling for a total phasing out of logging in publicly owned native forests.

We thank Forest Corporation for the opportunity to comment, and when the Management Plan is finally approved and adopted, we would appreciate a run-down on the reasons why any of concerns have not been addressed.

John Edwards
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