

## Submission to the NSW Environmental Protection Agency on the Draft Coastal Integrated Forestry Operations Approval remake

NSW Office of Environment and Heritage  
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### Introduction

The NSW Office of Environment and Heritage (OEH) contains regional Ecosystems and Threatened Species (EaTS) teams across NSW, implementing the NSW Government's Saving our Species Program and providing expert advice on matters affecting threatened species and ecological communities. This submission is made on behalf of the North East Branch (NEB) of OEH and draws largely on input from staff from the North East EaTS team. The comments therefore apply only to north-east NSW.

Several staff from North East EaTS were members of the Threatened Species Expert Fauna Panel (the Expert Fauna Panel), convened by the NSW Environmental Protection Agency (EPA) to advise on the remake of the Coastal IFOA. A number of revisions to the Draft Coastal IFOA have occurred since the Expert Fauna Panel last convened (November 2015). This submission identifies ways these revisions may impact threatened species in the north east.

Time and resources have prevented a more comprehensive assessment of the Draft Coastal IFOA and supporting documents. However, the following documents were consulted in making this submission:

- State of NSW and the Environmental Protection Agency (2018a). Coastal Integrated Forestry Operations Approval – Conditions – Consultation Draft. NSW Environmental Protection Agency, Sydney.
- State of NSW and the Environmental Protection Agency (2018b). Coastal Integrated Forestry Operations Approval – Protocols – Consultation Draft. NSW Environmental Protection Agency, Sydney.
- State of NSW and the Environmental Protection Agency (2018c). Remake of the Coastal Integrated Forestry Operations Approval – Final Report – Threatened Species Expert Panel Review. NSW Environmental Protection Agency, Sydney.
- Natural Resources Commission (2016). Advice on Coastal Integrated Forestry Operations Approval. NSW Natural Resources Commission, Sydney.
- Natural Resources Commission (2018). Supplementary Advice on Coastal Integrated Forestry Operations Approval Remake – Old Growth Forests and Rainforests – North Coast Forests. NSW Natural Resources Commission, Sydney.

In making this submission, we note the potential overlap between provisions of the Draft Coastal IFOA and a new Forest Agreement (FA) for the NSW coast. For example, rules governing Forest Management Zones (FMZ) are part of the current NSW FAs, but these are also partly addressed in the Draft Coastal IFOA. It is acknowledged that not all the issues raised below may be entirely within the province of the Draft Coastal IFOA. However, they are raised now due to their relevance to forest conservation in north east NSW.



### Assessing impact at a regional level

The 1999, NSW FAs for Upper and Lower North East NSW established a Comprehensive, Adequate and Representative (CAR) reserve system in the north east forests. These agreements were ratified by the Federal Government in the 2000 Regional Forest Agreement for North East NSW (RFA). The CAR reserve system is a public land protected area network, mostly comprised of NPWS reserves and protected areas on State forests (including Flora Reserves, FMZ 1 and FMZ 2).

The extent of the CAR reserve system on State forests was mapped in 1999 to facilitate regional-scale assessments of both conservation values and timber volumes. The reserves identified at that time remain essentially intact today. The reservation outcomes from the Upper and Lower North East FAs included Dedicated Reserves (reserves established through legislation for conservation purposes – National Parks, Nature Reserves and Flora Reserves) and Informal Reserves (NPWS State Conservation Areas and Special Management Zones FMZ 2). FMZ 2 contained consolidated areas of HCV old growth, rainforest and other protected areas on State Forest, and require public consultation and revision of the FAs themselves to alter.

Under the Draft Coastal IFOA the State forest component of the CAR reserve system is no longer clearly protected and a process is established to amend reserve boundaries through *ad hoc* requests by the Forestry Corporation of NSW (FCNSW) to the EPA (State of NSW and the Environmental Protection Agency 2018b, p. 135).

The Draft Coastal IFOA appears to enable boundaries separating the CAR reserve system and the harvest area to be amended by inter-agency agreement with no public consultation. Further, amendments to the boundaries could occur at the scale of the local landscape or even individual compartment. Areas would be assessed in isolation, rather than at a regional scale, and thereby be susceptible to the incremental ecological impact that regional assessments were originally introduced to prevent. This is expected to significantly compromise the CAR reserve system over time.

The NEB therefore reiterates the recommendation from the Expert Fauna Panel for the '*permanent protection of current exclusion zones*' (State of NSW and the Environmental Protection Agency 2018, p.8) and recommends that the Draft Coastal IFOA include specific provisions that protect all areas that have been protected by the FA, RFA and current IFOA over the last 20 years.

### Intensive and selective harvest areas

The CAR reserve system was established in conjunction with selective logging regimes that maintained structurally diverse forest throughout the harvest area. The Draft Coastal IFOA appears to increase the area of public forests on the north coast that would be legally available for intensive harvest, with the risk that large areas of forest will be reduced to a uniform young age class that would take many decades for full ecological function to be restored.

In the intensive harvesting zone (the Coastal Blackbutt forests of the north coast hinterland), the Draft Coastal IFOA proposes to allow coupes of up to 45 ha to be logged with no lower limits on the number of trees retained in the harvest area.

Across the whole coastal regrowth zone (which includes the intensive zone), where the existing reserve system already fails to meet the principles of a CAR system, the Draft Coastal IFOA allows heavy selective logging, retaining only 10 m<sup>2</sup>/ha tree basal area. If required, this level of harvest could, in the future, be applied across the intensive zone without the need to consider the size, harvest interval or space restrictions applied to intensive harvesting zones. Selective logging that is almost as heavy will also be permitted across the non-regrowth zone (escarpment and tablelands forests), with just 12 m<sup>2</sup>/ha tree basal area required to be retained.



This proposed minimum basal area retention of trees in the harvest areas is below the minimum threshold required to maintain habitat values advised by the majority of the Expert Fauna Panel.

The Draft Coastal IFOA proposes removing the existing requirement to protect habitat 'recruitment trees'. Over time, this will reduce the number of large habitat trees retained for ecological purposes in harvest areas, as trees die and are not replaced. Recruitment trees identified previously will now be available for harvesting, further reducing the persistent availability of larger trees as a critical habitat element for threatened and protected fauna.

The Draft Coastal IFOA will increase logging regimes without a systematic regional assessment of the ecological impact of doing so (NRC 2016, 2018). Apart from reducing habitat value of the logging area (accentuated over time as older trees are lost and not replaced), this will also create ecologically abrupt boundaries between logged and protected areas. These boundaries will increase solar radiation into the protected area edge, increase the potential for weed and Bell Miner invasion and create sharp changes in microclimate, among other changes that will impact ecological integrity and ecosystem function. Over time, this is expected to reduce the capacity of protected areas to support threatened species and deliver conservation outcomes.

#### **High Conservation Value (HCV) Old Growth**

HCV old growth was identified for protection as part of the CAR reserve in 1998. It was comprised of older forest (mapped as 'candidate' old growth) that also scored highly for irreplaceability (a measure of significance to biodiversity conservation) and threatened species habitat value. Under the Draft Coastal IFOA, biodiversity values of harvest area will be reduced as the area becomes progressively younger (potentially 21 years old or less). For threatened species, this places greater significance on adequately protecting existing HCV old growth areas.

The definition of 'old growth' was carefully negotiated in the RFAs. Adherence to definitions that include only more 'pristine' forests can reduce the protection of mature forest areas. For example, the review of candidate old growth on private land has resulted in large areas of older forest on private land being progressively logged. Unlike HCV old growth, candidate old growth on private land was never identified as part of the CAR reserve system. The loss of older forest on private land makes it even more critical to adequately protect old forests on public land.

The NRC (2018), when applying private land old growth assessments to HCV old growth on public land, confirmed that the forests were old, with a high degree of senescence in many of the compartments. These forests are important for their habitat value and are crucial components of the reserve system – as originally identified – as harvesting creates younger forests elsewhere in the State forest estate.

There is a risk that reducing the minimum mapping size will result in areas of older forest containing minor evidence of disturbance failing to meet new definitions of old growth, despite these areas maintaining ecological function and providing habitat critical to threatened species. The NEB recommends that areas of HCV old growth that have been protected for at least 20 years (NRC 2018) are not made available for logging. This will minimise impacts on threatened species.

#### **Rainforest**

The concerns raised above in relation to the treatment of old growth under the Draft Coastal IFOA also apply to protected rainforest. Combined, HCV old growth and rainforest form the cornerstone of the CAR reserve system on State forest. Adequate retention of these vegetation types is considered particularly critical in the context of proposed increased logging intensities.



The NEB does not see equivalency in offsetting the loss to the CAR reserve system of merchantable HCV old growth and rainforest through transferring 'non-commercial land to the reserve system' (Natural Resources Commission 2018, p. 64). Rather, existing areas of protected rainforest should remain protected.

### **Stream buffers**

The Draft Coastal IFOA proposes to change stream protection in a way that will allow harvesting in some currently protected riparian corridors, particularly on larger streams. This is offset by new protection on the smallest streams, the some of which are likely to have been recently harvested.

Riparian corridors on larger streams are recognised as vital habitat components that are integral to landscape linkages within logged forest. Generally, key habitat areas are those on the more fertile banks of large streams. These areas are highly susceptible to weed invasion. As such, areas of intact riparian forest habitat that have been previously protected from logging are particularly crucial and need continued protection.

### **Specific threatened species conditions**

The Draft Coastal IFOA relies on knowledge of the location of permanently protected areas to determine which threatened species are adequately protected and therefore do not require species-specific conditions.

Identifying the species that required species-specific conditions was a major task for the Expert Fauna Panel. However, the Panel's deliberations occurred *prior* to the proposals to allow logging access to HCV old growth and rainforest (NRC 2018). Therefore, many of the panel's recommendations need to be revisited in light of the new logging proposals. For example, some of the old growth dependent species (such as those that require hollows) were considered not to require species-specific conditions because the existing HCV old growth was protected. Similarly, for many rainforest-dependent species, and those dependent upon riparian habitats, species-specific conditions were not proposed on the assumption that the habitat of these species was considered sufficiently protected.

A scientific regional assessment should be undertaken to identify how threatened species will be impacted if key habitats are progressively harvested over time.

### **Koala protection**

There appears to be a reduction in protections offered to koalas under the Draft Coastal IFOA. Koalas are selective both in their choice of food tree species and in their choice of individual trees. The scientific basis for proposed tree retention rates in the Draft Coastal IFOA is not clear, and the rates are less than half those originally proposed by the Expert Fauna Panel.

While Koalas will use small trees, research has shown that they selectively prefer larger trees. In our experience, the proposed minimum tree retention size of 20cm dbh will be inadequate to support koala populations and should be increased to a minimum of 30cm dbh. Many Koala food trees are also desired timber species, so there is a high likelihood that larger trees will be favoured for harvesting, leaving small retained trees subject to the elevated mortality rates experienced in exposed, intensively-logged coupes.

Koalas require large areas of connected habitat for long-term viability. The increased logging intensity proposed under the draft Coastal IFOA is expected to impact Koalas through diminished feed and shelter tree resources. Animals will need to spend more time traversing the ground as they move between suitable trees that remain, which is likely to increase koala mortality.

It is unclear in the Draft Coastal IFOA what actions will be implemented where existing Koala records occur, particularly where repeat records indicate generational persistence of a population.

## Monitoring

The Draft Coastal IFOA requires an environmental monitoring program to be developed and implemented:

'Forest monitoring and adaptive management are applied at multiple landscape scales to ensure the ongoing effectiveness of this approval in delivering stated outcomes' (State of NSW and the Environmental Protection Agency 2018a).

It is important that the monitoring program has the scope to allow for timely adaptive management to be undertaken so that deleterious effects on the environment can be identified quickly and appropriate management responses implemented. The program also requires specific mechanisms to address identified issues, which are not apparent in the Draft Coastal IFOA.

The schedule for establishing the Steering Committee and designing a comprehensive environmental monitoring program indicates that it will be at least 12 months before a monitoring plan is submitted for approval. Assuming a streamlined approval process for the monitoring plan, acquiring adequate resources and undertaking on-ground works to deliver monitoring results will also take time. There is likely to be some delay in collecting, collating, analysing and responding to monitoring data. Impacts arising from altered harvest regimes and protection mechanisms proposed in the Draft IFOA may therefore take many years to be detected and mitigated.

Large areas of State forests have already been intensively harvested, modifying many areas of the regrowth zone. These areas are expected to be in poor ecological condition with low biodiversity, but evidence is limited by minimal monitoring data from harvesting under the existing IFOAs. Consequently, there is no pre-Coastal IFOA baseline, and limited opportunity to implement a before-and-after monitoring design. Detecting and regulating the impacts of harvesting under the Draft Coastal IFOA will be difficult.

We recommend a focus on threatened species in the forests of the regrowth zone, to monitor their distribution and abundance in the context of the reserve network and the increased logging intensities proposed in this zone.

