

Submission Regarding the Regional Forest Agreement (RFA) review. February 2018

The comments below are mostly about the conduct of the Eden Region RFA, as I have resided in the area since 1986 through to the present. Some commentary will be applicable to all the RFA regions.

Despite continued Government commitment to the Montreal Protocols and the 'triple bottom line' of economic, social and environmental sustainability, the Regional Forest Agreement (RFA) process has been biased against environmental and social sustainability right from the start, and instead biased towards the needs of industry and the economy. The public was promised a Comprehensive, Adequate and Representative (CAR) reserve system to be based on Joint ANZECC/MCFFA National Forest Policy Statement Implementation Sub-Committee (JANIS) criteria. These criteria were modified and diminished in their environmental protection intent during the negotiation process, thus damaging the integrity of the CAR reserve system. The wood supply agreement, a promise to industry about the volume of pulp logs and sawlogs to be delivered, was signed off before RFA negotiations were completed, thus setting an economic constraint on what the CAR reserve system could offer environmentally. The reserve system is not adequate.

The public are promised that forests will be managed on an ecologically sustainable manner by the delivery of Ecologically Sustainable Forest Management (ESFM). This is one of the main vehicles by which the signatories to the RFAs reassure the public that all is well with logging practice and that the biodiversity and ecological integrity in logged forests is being maintained. What a confused, obfuscatory and unverifiable piece of legislative doublespeak the delivery of ESFM has been during this RFA. It provides no reassurance at all about the maintenance of biodiversity or ecosystem health in logged forests.

The Commonwealth of Australia has this to say about ESFM in RFAs

Three principles guide today's concept of ecologically sustainable forest management. They are to:

- maintain the ecological process within forests
- preserve their biological diversity
- obtain for the community the full range of environmental, economic and social benefits from all forest uses within ecological limits.

How do we know that these principles are in fact achieved? The Implementation Report (NSW Regional Forest Agreements Implementation Report 2004–2014) states that ESFM targets were achieved during all three reporting periods and mentions the indicators but gives no real information about how the assessment was made. How can you possibly know about ecological processes or biodiversity in logged forests if you don't actually measure it? There is no reference to any baseline pre-logging data, or post logging data. There are no benchmarks and no assessment of change. This means that the delivery of ESFM is in fact an act of 'deeming' rather than being based on anything

real and measurable. There is a tried and true management adage that says 'if you can't measure it then you can't manage it' and sadly, this would seem to be the case for production forests.

The view of ESFM expressed in a 2016 EPA NSW document (Ecologically Sustainable Forest Management Criteria and Indicators for the NSW Forest Agreement regions) confuses the picture even further when it states that 'NSW ESFM indicators attempt to reflect the key environmental, social and economic aspects of a healthy regional forest for the benefit of its community.' So now we find that buried in a definition of Ecologically Sustainable Forest Management are outcomes to do with social and economic matters as well. So is ESFM really about ecological sustainability only as the name would suggest, or in the Government's mind is it something more than that? If ESFM is not just about ecological sustainability then it needs clarification.

Comments from FNSW Managers for Southern Region have been confusing and concerning. In a meeting with members of Yurangalo Inc in May 2010 the then FNSW manager for the Southern Region stated that logging doesn't have to be sustainable on the ground, but that you have to assess sustainability in a whole of landscape context. Is this true? Does that mean that you can write off unsustainable logging impacts in one area against the Reserve System? How is biodiversity or ecosystem integrity maintained in a logging coupe that experiences a series of unsustainable logging events? The next regional manager, when asked about this said in a letter to Yurangalo Inc on 26th May 2011, that 'Specifically the ecological sustainability of the operations in Yurammie State Forest, Compartments 963-967, will be measured by monitoring compliance with the relevant IFOA conditions in their harvesting plans.' This is still no guarantee that the logging activity will be sustainable on site, just that the contributions to sustainability will be measured. In addition, during this RFA period there have been modifications to the IFOA that were not negotiable with the community, including one proposal that reduced the amount of pre-logging survey for threatened species. I believe there is another proposal imminent to change the current IFOA provisions for the protection of riparian buffers. There is no guarantee for logging site delivery of ESFM in the IFOA provisions.

The fate of trees retained for habitat is disturbing, particularly when those trees are retained for hollow dependant fauna, many of which are identified endangered species. Gibbons (1999), estimates that the number of live hollow bearing trees used by fauna is 6-9 times the number of live hollow bearing trees retained within net logged areas in SE NSW & East Gippsland. Studies consistently show that the number of hollow bearing trees on logged sites is negatively associated with the number of harvesting events (this is related to logging rotation length).

In SE NSW & East Gippsland 14% of trees retained were killed 2-5 years after low intensity slash burning, while 37% were killed 2-5 years after high intensity slash burning. The current IFOA provisions do not contribute to on-site sustainability in logged forests.

There is a stated ESFM objective to maintain the canopy species mix in forests. In a large proportion of logged areas there is disproportionate regrowth of Silver Topped Ash (*E sieberi*) to the detriment of slower growing species and there is no early thinning and replanting being done to remedy this. Another ESFM objective has not been met.

The map on p274 of the Implementation Report shows an area near the township of Wyndham as 'Reserved by Prescription', but that title is misleading. A better title would be 'Logged by Prescription' as this is what happened eventually, after a long campaign to protect the Yurammie

Special Prescription (YSPZ). When a proposal to log the YSPZ became public in 2010 a significant proportion of the local community protested any logging, but despite this integrated logging (with some special prescriptions) went ahead. The prescriptions applied did little to protect all of the special values of the YSPZ important to the local community.

The omission of any consideration of climate change and the role forest logging and forest conservation play in this from the current RFA was a grave error. I was amazed to hear a DPI spokesperson say on local radio recently that climate change was not an issue in 1998 when RFAs were beginning. It was, but there was no political will to try and address the matter.

The RFAs removed public oversight of logging by excluding 'third parties' from taking legal action regarding logging breaches. The third parties are the public and the forests are owned by the public. Why shouldn't the owners of the forests have recourse to the law when the rules of access to the wood resource are not followed?

In order to be effective, the independent reviewer must consult independent scientists (not just Government agencies) and must undertake on-ground inspections of logging impacts with Community groups. This will help in delivering the transparency and community access outcomes enshrined in Principle 2 of the ESFM legislation.

Over the duration of the RFAs we have heard comments from many stakeholders about economics and profitability with relation to our usage of forests. This commentary has been centred on issues like, subsidies to support logging, profitability of native forest logging and the value of taking carbon credits for not logging native forest. It is appropriate within this review process for both State and Federal Governments to make an economic assessment of what each of the current RFAs have delivered to the community compared to what the economic value of ceasing native forest logging on public lands would be. It would be good to have some clarity here.

I am of the firm opinion that this RFA has failed to deliver its outcomes, especially in those matters discussed above. Any future RFA for the Eden region will have to address these concerns in a tangible, transparent manner and will look very different to this current arrangement.

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