Department of Environment,
Land, Water and Planning

James Gunn
Manager Forest Policy and Compliance
VicForests
By email only: james.gunn@vicforests.com.au

Dear Mr. Gunn,

TIMBER HARVESTING OPERATIONS ON 'STEEP' SLOPES IN WATER SUPPLY PROTECTION AREAS

On 19 December 2019, the Timber Harvesting Compliance Unit (**the THCU**) of the Office of the Conservation Regulator (**the Conservation Regulator**) received information alleging non-compliance with the *Code of Practice for Timber Production 2014* (**the Code**) and the incorporated *Management Standards and Procedures for timber harvesting operations in Victoria's State forests 2014* (**the MSPs**). The information was in relation to VicForests' timber harvesting operations in water supply protection areas from 2004 to 2019.

The information was supplied in a report titled *Spatial analysis of logging on steep slopes across Special Water Supply Catchment areas in the Central Highlands of Victoria (December 2019)* by Chris Taylor and David Lindenmayer. The report alleged that VicForests conducted timber harvesting operations on 'steep' slopes, in exceedance of defined slope limits in water supply protection areas, and that this practice is widespread. The relevant prescription for this matter is MSP 3.5.1.1 which state;

> *Apply the slope limits, seasonal closures, buffer and filter strip widths and other relevant management actions specified in Appendix 3 Table 11 (Water supply protection areas) for timber harvesting operations and associated roading and regeneration in water supply protection areas.*

In relation to the allegation, the THCU undertook the following investigative actions to assess compliance with the regulations and assess the validity of the information supplied in the report:

- reviewed the modelled data in the report and undertook its own modelling and spatial analysis
- requested additional information from the report author
- undertook extensive field assessments of recently harvested coupes at the same locales where the report authors had taken in-field slope measurements
- comparative analysis of THCU field assessments and modelling against the report information.

Through this investigative work, the THCU has identified the following:

- modelled data is not a reliable or definitive measure of slope, often overstating the degree of actual slope when compared to in-field measurements
- the qualitative sampling of in-field slope verification conducted by the report authors was insufficient, occurring at only six geopoints across four separate coupes.
- THCU field inspections identified no evidence of mass soil movement, erosion, or impact on water supply protection area values. Buffer and filter strip widths were observed to be effective in mitigating associated risks.
- areas of slope (not single geopoints) greater than 30 degrees were identified at two coupes.

Although 'slope' is not defined for the purpose of assessing slopes across a coupe, the Code does specify in the notes to MSP clause 3.3 Waterway Protection that *"slope is the average slope of the coupe area in the vicinity of the water body."* For consistency, the THCU has adopted the intent of this prescription and assessed slope as it affects an area, taking multiple slope assessments at intervals of approximately 20 metres.

The overall proposition raised by the report that there is systemic and widespread breaching of slope prescriptions could not be substantiated. The allegation was found to be based on modelled data and insufficient in-field sampling to be able to make a valid inference.

For the reasons above, this case will not progress and case reference 2019-0080 is now closed.

The two matters detected relating to specific occurrences of harvesting on 'steep' slopes within coupes in the Upper Goulburn Catchment are under investigation by THCU. The reference number for these investigations are:

- **2019-0087** (coupe 320-502-0024 'To Wong Foo')
- **2019-0088** (coupe 318-512-0010 'The Wolfman')

Please be advised that the THCU has incorporated the assessment of slope in water supply protection areas as a priority under the Coupe Inspection Program (**CIP**), to monitor for any potential and/or actual impacts to waterway values and soil stability.

Yours sincerely,

Matthew ZANINI
Acting Manager, Timber Harvesting Compliance Unit
Office of the Conservation Regulator

Date: 23 / 04 / 2020