Paul and Geraldine de Burgh-Day

Postal address: P.O. BOX 132, SHEFFIELD, TAS. 7306.
TELEPHONE (03) 6363 5063 FAX (03) 6363 5065

June 30th 2003

TO: THE AUSTRALIAN SENATE
Rural and Regional Affairs and Transport References Committee

Attention: Senator Aden Ridgeway
Chairman

Reference: Plantations forests industry

FURTHER SUBMISSION FOLLOWING COMMITTEE'S VISIT

COUP LA028A
Further to the Committee's visit to Lorinna on Thursday 8th May 2003, I hereby **update the committee** on my **efforts to obtain a satisfactory explanation from the Forest Practices Board** in respect to the complaints raised by me regarding the treatment of coupe LA028A.
The Forest Practices Board have responded to my complaint (submitted to the committee on 1/1/03) by telling me that my allegations were *"based predominantly on a misunderstanding of the requirements of the Forest Practices Plan."* And that *"In general the operations on coupe LA028A have been of a satisfactory standard."*.
(Attachment 1)

To address the issue of "misunderstanding" the plan, primarily in respect to the classification of streams, and construction of the road drainage, I retained the services of a **leading independent forestry hydrologist**, Pat O'Shaughnessay from Victoria. He **confirmed** that *"many class 4 streams on the coupe had not been marked on the plan."*
(Attachment 2)

The Forest Practices Board's response **demonstrates** a clear **cover up** of the issues contained in my complaint. **They are protecting both Forestry Tasmania, and Gunns Limited in this matter.** I have sent a further complaint to them, stating my concerns, and asking yet again, for them to seriously consider my complaint.
(Attachment 3)

Some of the **committee members have inspected this coupe,** and **photographs** taken during this inspection are attached **to refresh their memory** of it's condition – a condition which is considered by the Forest Practices Board to be of a *"satisfactory standard"*.
(Attachment 4)

I submit THAT Forest Practices in Tasmania are destroying bio-diversity and wasting vast amounts of irreplaceable timber in a wholesale land clearing exercise in public forests. This is driven by Gunns Limited's insatiable

requirement for cashflow via wood chips, and is being justified by claiming to be following "The 2020 Vision".

It is also possible, that the destruction of the colony of *Caryodes dufresnii* (The largest land snail in Tasmania- see the last photograph) **witnessed by the visiting Senators, may be in breach** of the Commonwealth's *Environment Protection and Bio Diversity Conservation Act 1999.*

The **People of Tasmania are receiving little return** for this **asset stripping** exercise. On the other hand, **Gunns Limited, claim to be making huge profits.** Yet in their annual report to their shareholders, Gunns publicly acknowledge that their success is supported by access to public forests -" *Significant volumes of loge used by the consolidated entity in the production of forest products are purchased from Forestry Tasmania under long term contracts of supply. In the event these supplies were no longer available it would be extremely difficult for the consolidated entity to maintain production...*"
So, **Gunns profits are increasing,** while **Forestry Tasmania's are falling.** (This was covered by Naomi Edwards, in her evidence given to the Committee on 6th May 2003 in Hobart.)

This collusion is **protected by the Forest Practices Board,** in their capacity as the 'policeman' of all forest activities in the state.

My efforts to get to the bottom of what happened on LA028A, demonstrates the **protection, cover up and containment, of any citizen's complaint** in regard to total **destruction** of forest **bio-diversity,** and the **exploitation of the assets of the people of Tasmania.** I remind committee members that LA028A was originally intended to be converted to a plantation under "The 2020 Vision".

I ask THAT The Committee call for a Royal Commission into Corruption in the Forest Industry in Tasmania.

WASTING OUR FUTURE
Tasmania is home to many **skilled craftspeople** in the area of wood working. Tasmania is also home to many **minor species of timber,** which **is unique in the world.** The great tragedy here, is that **instead of supporting** these **craftspeople,** and instead of creating an industry based on this resource and these skills, these people are being marginalised and **squeezed out of business,** while the minor species **timbers** are being either **chipped, burnt** on the forest floor, **or provided to "mates" in the forest industry.**

I submit THAT until there can be a better plan to capitalise on this talent and resource, these trees should not be cut down and thus the opportunity lost, under the guise of supporting "The 2020 vision".

I ask THAT the committee call for an immediate end to the clearing of bio-diverse native forests for the purpose of establishing plantations.

WATER ISSUES

The **committee's visit** to Lorinna, has enabled them to **see first hand** the extent of the tree plantations around the water catchment of this community.
I now have the report completed by Pat O'Shaughnessay (Consultant Forestry Hydrologist) on the likely impact of these plantations on Olivers Creek, and the resulting **impact on our community**. He says of plantations in the catchment *"that their influence on stream flows will be highly significant."*
(Attachment 5)

To his knowledge, there has been **no** study done on the impact of plantations in a water catchment on **seasonal flows**. This is extraordinary, given the importance of maintaining environmental flows in rivers and streams all year. It is also essential that studies are undertaken, **if the question of "user pays" is to be equitably applied to water.**

The prognosis for Olivers Creek is very bad indeed.
The main plantation is now 10 years old, and is not yet at canopy close. Stream flow is expected to continue to **diminish for a further 10 years**. The catchment areas under plantation (34% for the first intake) is expected to have water flows "half that of the old growth forest". That is, **reduced in the order of 50%** over the total year, with 70% of this reduced total annual yield, anticipated in the **first 6 months of the year.**

There is **massive forest clearing in upper water catchments across Tasmania.** Most of these areas are being planted to E. nitens under "The 2020 Vision". When these trees grow close to **canopy close, the impact on the water catchments, and all those who depend on this water, will be huge.**

I ask the committee to recommend:
THAT there be an immediate moratorium on all land clearing in upper water catchments,
and
THAT catchments cleared within the last 5 years, have plantations removed, and be restored to mixed species vegetation.

COUPE RH009G

The Committee's brief visit to coup RH009G is a reminder of the **waste** that **accompanies wholesale land clearing.** The insatiable thirst by Gunns for wood chips, results in ever greater clearing of native forest.
This **rate of clearing far surpasses the local demand for saw logs**, thus leaving a surplus of sawlogs. Instead of leaving these trees standing for future generations of Tasmanains, the **best and straightest logs are shipped to China or Korea.** There, some low paid worker will process them in a veneer mill and sell them back to us as Tasmanian oak veneer furniture.

This is exporting our children's future wealth, and their jobs!
Committee members identified blackwood and myrtle logs in the "chip" pile of this coupe. **Photographs** of the visit are attached as a **reminder.**
(Attachment 6)

The elevation of much of this coupe is around 700 meters. The plantation plan under "The 2020 Vision" will be E. nitens. Another slow growing plantation that will take excessive water from Devonport's water catchment.

The 2020 Vision is supporting the plunder of Tasmania's Native Forests
The **2020 Vision**, while inspired in concept, has gone **horribly wrong in Tasmania.** The submissions from Tasmania show a picture **of massive destruction of bio-diversity** and **massive land clearing**, all justified by claiming to meet "The 2020 Vision". This is fueled by the greed of a very few, who enjoy the **protection of the Government, to the detriment of the people of Tasmania.**

ADDRESSING THE TERMS OF REFERENCE
The Committee's terms of reference state that, among other objectives, the Committee should inquire and report on:
"(b) whether there are elements of the strategy which should be altered in light of any impediments identified."

I ask the committee, "Does it consider, corruption and cover up an acceptable practice, or an impediment to achieving the objectives of The 2020 Vision?"

If the committee considers this practice NOT ACCEPTABLE, and an impediment to the achievement of the aims of the strategy, then I believe it is **obliged under it's terms of reference to report this matter to the Senate.**

If the committee **does** report thus to the Senate, then I believe it **is incumbent upon the Senate to investigate these matters thoroughly.** I believe that a **Royal Commission into Corruption in the Forestry Industry in Tasmania would go a long way to resolving this impediment.**

I thank the Committee and Senators for giving their time to this enquiry and for accepting my invitation to see for themselves the reality of what is happening here. If I receive a further response from the Forest Practices Board, I will forward a copy to the committee for your information.

Geraldine de Burgh-Day

Geraldine de Burgh-Day
June 2003

FOREST PRACTICES BOARD

Inquiries : C Mitchell
Phone : 03 62335453
Fax : 03 62337954
Our ref : C210
Your ref :

ATTACH 1

19 November 2002

Ms Geraldine de Burgh-Day
PO Box 132
SHEFFIELD TAS 7306

Dear Ms de Burgh-Day

Re: Complaint – Coupe LA028A

I refer to your letter of 18 October 2002 regarding forestry operations at coupe LA028A. The Board has investigated the issues raised in your letter. These issues are discussed in detail in the attached reports.

In summary the findings are that your allegations are based predominantly on a misunderstanding of the requirements of the Forest Practices Plan. There were, however, some matters which have been raised with Forestry Tasmania and Gunns Ltd. These are:

1. An additional culvert should be placed under the road at site 2 (P. McIntosh report). Additionally, the cut directing water from the existing culvert at this site should be modified to direct water into the drainage depression to the north of the cut.

2. Approaches to drainage depressions do not appear to have been sufficiently corded either side of drainage depressions to avoid rutting (see comments in P. McIntosh report, complaint 6). This matter has also been raised with Gunns Ltd. The construction of vertical-sided trenches to drain water away where snig tracks cross drainage depressions is not recommended. The preferable approach is to use cording through which water can drain freely.

3. There were some areas where debris in drainage depressions appeared not to have been minimised (see comments under P. McIntosh report, Complaint 6). However, this has not resulted in any environmental problems.

4. Snigging has continued in some areas following the ouset of heavy rain. This has resulted in significant soil disturbance and could have been avoided by closing the

30 Patrick Street, Hobart, Tasmania, Australia 7000
Phone: (03) 6233 7966 Fax: (03) 6233 7954
email: info@fpb.tas.gov.au

GUNNS need a continuous supply.

operation at the time and moving it to a more suitable area.

5. An excavator should be used to redirect water from the constructed drainage cut near landslide debris southwards across the boundary track into the streamside reserve (see P. McIntosh report, site 9). This has had no effect this stream still follows natural flow

6. While it is recognised that is it extremely difficult to identify all Class 4 watercourses with certainty before harvesting in situations such as at LO028A, some additional sections of Class 4 watercourses could have been formally identified as such during the course of operations (see P. McIntosh report, site 10).

7. At site 11 in P. McIntosh's report a north – south cut should be excavated through the roadside edge to direct water into the table drain above the culvert. divert class 4 stream ?

In general the operations on coupe LA028A have been of a satisfactory standard. However, there is always room for improvement, as evidenced by the alleged breaches and other matters that have been identified.

With reference to the attached report by Raymond Brereton, the recommendations for threatened fauna for this coupe were followed in the Forest Practices Plan.

* BUT NOT ON THE GROUND

Attached for your information are copies of letters sent to Mr Alan Watson, Forestry Tasmania, and Mr Barry Crawford, Gunns Ltd.

I wish to thank you for your interest in this matter.

for **Graham Wilkinson**
CHIEF FOREST PRACTICES OFFICER

The FPP is quite clear "if in doubt, treat as class 4 stream." — Have they referred to FT for clarification by contractor ? — Is the FT officer competent to identify? MAJOR DEFICIENCIES.

This is SHOCKING "Satisfactory" for whom? Gunns? — so they keep their chiller running without interruption ?

FOREST PRACTICES BOARD

Inquiries : C Mitchell
Phone : 03 62335453
Fax : 03 62337954
Our ref : C210
Your ref :

19 November 2002

Mr Alan Watson
District Forest Manager
Forestry Tasmania
PO Box 343
DEVONPORT TAS 7310

Dear Alan

Re: Complaint by Ms de Burgh-Day, LA028A

Thank you for the co-operation of your staff and yourself dealing with the above complaint. The Board has completed its investigation of the complaint. Attached is a copy of the complaint letter and reports detailing the Boards response to the alleged breaches.

In summary the findings are that the allegations were based predominantly on the complainants misunderstanding of the requirements of the Forest Practices Plan. There are, however, some matters which need to be addressed:

1. As agreed on site, an additional culvert should be placed under the road at site 2 (P. McIntosh report). Additionally, the cut directing water from the existing culvert at this site should be modified to direct water into the drainage depression to the north of the cut.

2. Approaches to drainage depressions do not appear to have been sufficiently corded either side of drainage depressions to avoid rutting (see comments in P. McIntosh report, complaint 6). This matter has also been raised with Gunns Ltd. The construction of vertical-sided trenches to drain water away where snig tracks cross drainage depressions is not recommended. The preferable approach is to use cording through which water can drain freely.

3. There were some areas where debris in drainage depressions appeared not to have been minimised (see comments under P. McIntosh report, Complaint 6).

30 Patrick Street, Hobart, Tasmania, Australia 7000
Phone: (03) 6233 7966 Fax: (03) 6233 7954
email: info@fpb.tas.gov.au

However, this has not resulted in any environmental problems.

4. Snigging has continued in some areas following the ouset of heavy rain. This has resulted in significant soil disturbance and could have been avoided by closing the operation at the time and moving it to a more suitable area.

5. An excavator should be used to redirect water from the constructed drainage cut near landslide debris southwards across the boundary track into the streamside reserve (see P. McIntosh report, site 9).

6. While it is recognised that is it extremely difficult to identify all Class 4 watercourses with certainty before harvesting in situations such as at LO028A, some additional sections of Class 4 watercourses could have been formally identified as such during the course of operations (see P. McIntosh report, site 10).

7. At site 11 in P. McIntosh's report a north – south cut should be excavated through the roadside edge to direct water into the table drain above the culvert.

8. At site 12 in P. McIntosh's report logging debris should be removed from a drainage depression with an excavator to allow natural drainage to be restored.

Points 2, 3 and 4 have also been raised with Mr Barry Crawford of Gunns Ltd. I realise that these alleged breaches are primarily the responsibility of Gunns Ltd and the harvesting contractor. However, Forestry Tasmania had some oversight of these operations and should have ensured that the Forest Practices Plan was complied with.

The Forest Practices Plan prepared and certified by Mersey District was of a very good standard.

I would be pleased if you could advise me when the works indicated in the above points have been completed.

for **Graham Wilkinson**
CHIEF FOREST PRACTICES OFFICER

FOREST PRACTICES BOARD

Inquiries : C Mitchell
Phone : 03 62335453
Fax : 03 62337954
Our ref : C210
Your ref :

19 November 2002

Mr Barry Crawford
Gunns Ltd
PO Box 985
LAUNCESTON TAS 7250

Dear Barry

Re: Complaint by Ms de Burg-Day, LA028A

Thank you for your co-operation in dealing with the above complaint. The Board has completed its investigation of the complaint. Attached is a copy of the complaint letter and reports detailing the Boards response to the alleged breaches.

In summary the findings are that the allegations were based predominantly on the complainants misunderstanding of the requirements of the Forest Practices Plan. There are, however, some matters which need to be addressed:

- Approaches to drainage depressions do not appear to have been sufficiently corded either side of drainage depressions to avoid rutting (see comments in P. McIntosh report, complaint 6). This matter has also been raised with Gunns Ltd. The construction of vertical-sided trenches to drain water away where snig tracks cross drainage depressions is not recommended. The preferable approach is to use cording through which water can drain freely.

- There were some areas where debris in drainage depressions appeared not to have been minimised (see comments under P. McIntosh report, Complaint 6). However, this has not resulted in any environmental problems.

- Snigging has continued in some areas following the ouset of heavy rain. This has resulted in significant soil disturbance and could have been avoided by closing the operation at the time and moving it to a more suitable area.

I believe that the primary responsibility for the alleged breach under the first point rests with the contractor. Could you please discuss this matter with the contractor and

30 Patrick Street, Hobart, Tasmania, Australia 7000
Phone: (03) 6233 7966 Fax: (03) 6233 7954
email: info@fpb.tas.gov.au

Looking after them!

advise him that although the Board intends to take no further action, he is warned that such breaches may result in the Board taking action against him in the future.

I believe that Gunns Ltd is primarily responsible for the issues under the third point above. Whilst this did not directly result in any breaches, it resulted in significant soil disturbance that could have been avoided.

Gunns kept them going in mud.

Need continuous supply ?? (of chips)

Graham Wilkinson
CHIEF FOREST PRACTICES OFFICER

1 November 2002

ASSESSMENT OF FOREST PRACTICES AFFECTING SOIL AND WATER ON COUPE LA028A, LORINNA

P.D. McIntosh and C. Mitchell, Forest Practices Board, Hobart

BACKGROUND

Coupe LA028A is centred on map reference Sheet 4239 (Lorinna) 428500 5395500. It has been largely harvested. Most of the coupe supported wet schlerophyl forest dominated by *E. delegatensis* or *E. obliqua*. A small area of *E. viminalis* wet forest was also present. The soils are formed in basalt talus and have inherently low soil erodibility, but as with all soils developed in basalt talus, they are prone to mass movement. The coupe was harvested in summer and autumn 2002, with about a week of harvest extending into a wet period. A formal complaint about forest practices on the coupe was received from Ms G. de Burgh-Day on 18 October 2002. The coupe was inspected by the authors and A. Watson, B. Hamilton, B. Knox, B. Cripps and G. Siely (Forestry Tasmania) and Barry Crawford (Gunns Ltd) on 23 October 2002. There had been heavy rain the night before and regular rain for several weeks before the visit. This report is confined to soil and water issues.

COMPLAINTS AND RESPONSES

The approximate position of each complaint is shown in Figure 1.

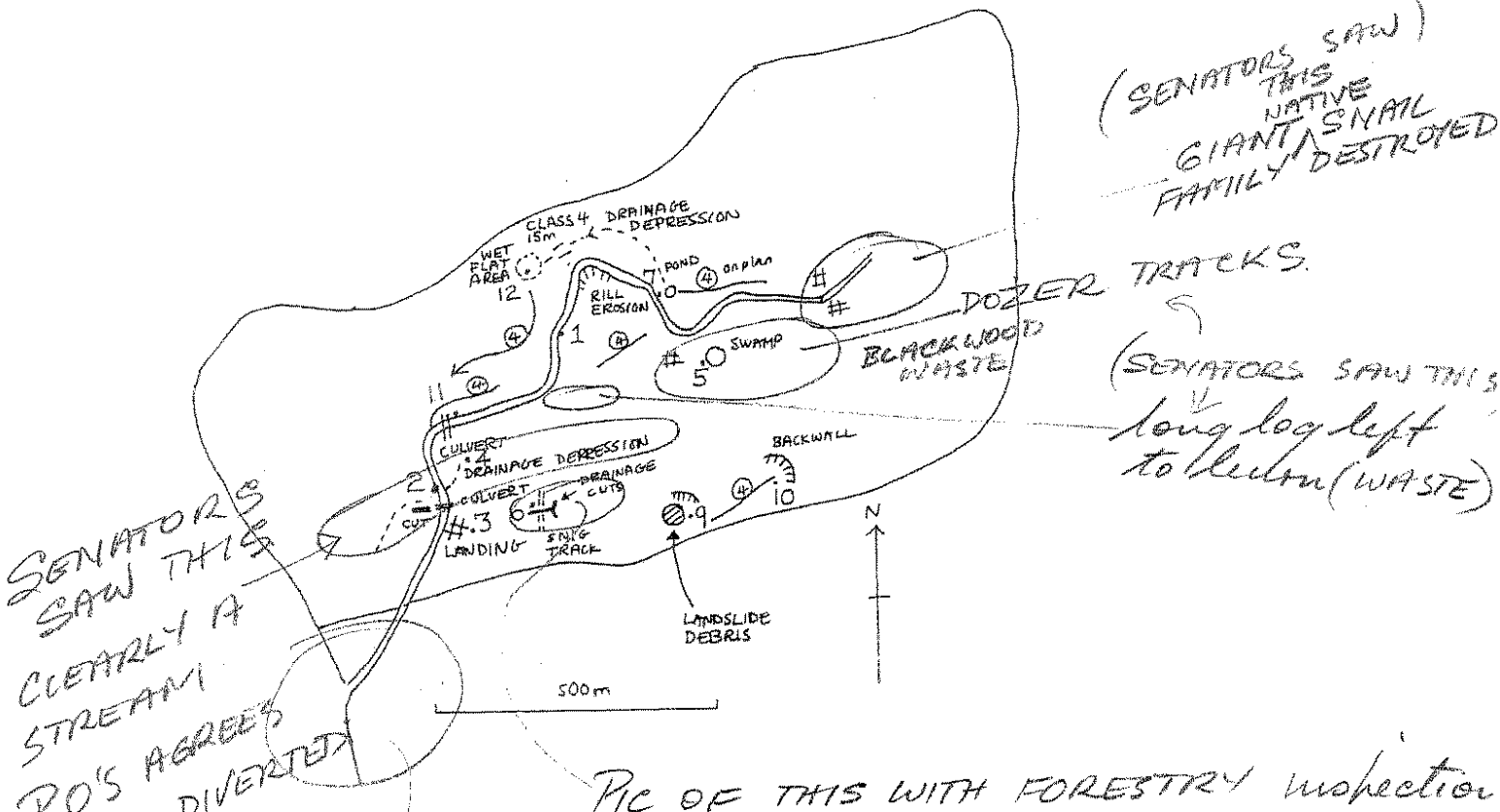


Figure 1. Sketch map of coupe showing numbered complaints (1-7) and other features noted (9-11). Note that complaint 8 was a general one and is not shown on the map.

Complaint 1. The road has cut through an old landslide, disturbing a spring, which has caused a landslip requiring expert consultation for remedial repairs, not all of which have been followed according to instructions

Comment

The roadside batter collapse was the subject of a report by P.D. McIntosh on 20 February 2002. The remedial measures taken broadly follow the recommendations of the report and have been successful in stabilising the land behind the small landslide, through a combination of drainage and armouring the landslide face with boulders (Figure 2). The minor divergences from the recommendations of the report are immaterial.

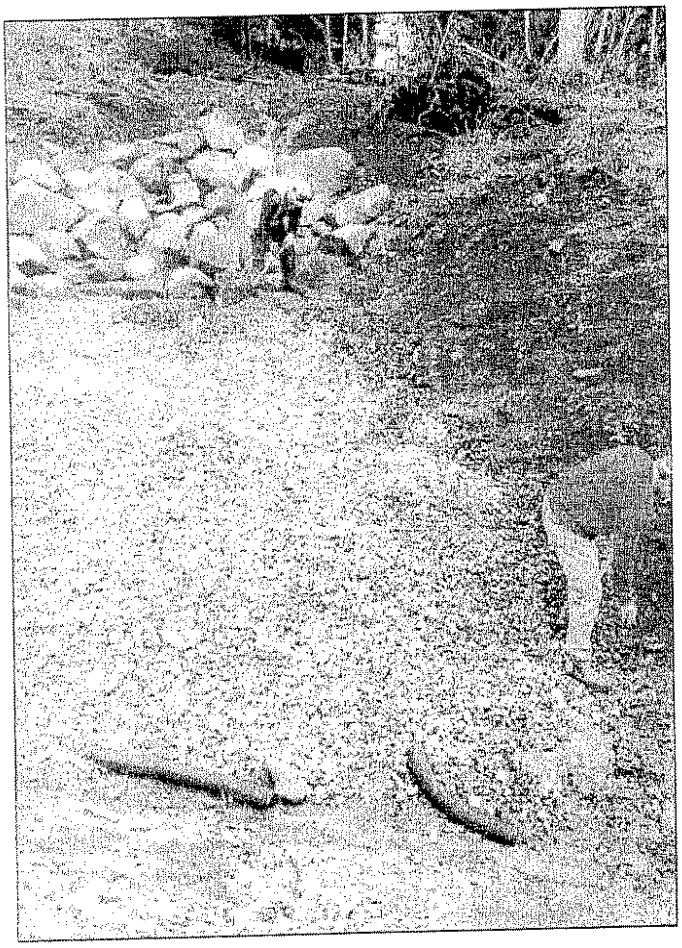


Figure 2. The small landslide (roadside batter collapse) at complaint site 2 has been successfully stabilised by installing drainage and armouring the backwall of the collapse with boulders.

There was no indication at the time of road building that the area was unstable. The road in general avoids high sidecuts, avoids streams, wet areas and hill slopes and is carefully built. The fact that there is only one slump in 1.5 km of road attests to the good roading practices.

There has been no long-term effect other than the loss of the soil material from the slip zone itself. The recommendation to keep road batters low on basalt talus is written into the basalt talus guidelines (www.fpb.tas.gov.au) and has generally been followed. It is recognised that on rolling and hilly land the optimum batter height of <2 m cannot always be achieved. It is not the intention of the guidelines to prohibit roading where batters have to be higher than optimum (e.g. higher than c. 2 m), but to point out that such batters are more risky and may require protection measures.

Pat O'S does NOT agree: This is clearly a stream — supporting water flow ALL YEAR — including the driest part of summer. Rushes grow along the banks where disturbed.

Complaint 2. Road re-routing Class 4 stream and filling of bed with soil and debris

He says? "100 m of a previously flowing class 4 stream is left in a dry condition"

Comment
The Board believes that the feature is a drainage depression. A significant amount of water was observed flowing in the drainage depression during two inspections in October 2002. This followed record or near record rainfall in September, and the effect of harvesting which was to reduce transpiration and hence increase runoff, and to intersect some sub-surface flow, bringing it to the surface. Forestry Tasmania has agreed to place another culvert across the road where the main flow of the drainage depression into the table drain was observed.

In addition the cut directing the water exiting from the existing culvert at site 2 onto a rise should be modified to direct the water into the drainage depression to the north of the cut. This can be achieved by shallow trenching with an excavator. In general artificial cuts to redirect water on basalt talus terrain should be avoided as they risk saturating soils that are not normally saturated, thereby causing instability.

Complaint 3. Landings rutted and not corded. Landings located over Class 4 streams and stream re-routed.

Comment
Rutting on landings was observed to be less than 20 cm. The landing at site 3 was in a slight depression and could have been better located.

Complaint 4. Streams filled with tree heads and coupe debris. Deep rutting in streams. No marking of buffer zones. Deeply rutted crossing with no cording. Multiple crossings on streams.

Comment — so I got an independent expert & he supports my view

The complainant has not distinguished between drainage depressions and Class 4 streams. With some exceptions (see Fig. 1 and Site 10 discussion) the Board accepts the classification of the features claimed to be streams as drainage depressions. The issues raised are discussed below under the heading Complaint 6.

PO'S disagrees

Complaint 5. Machinery driven through swamps. No taping of swamp prior to harvesting. Large tree pushed into swampy area. Downstream flow from swamp area re-routed.

Comment
It appears that a vehicle has driven through one of the areas designated as swamps on the FPP. There was some grass flattened, but no contact was made with the soil. There was no environmental damage resulting. Forestry Tasmania staff are confident that no harvesting machinery trafficked through the swamp. They believe a light vehicle may have been driven through the swamp last summer. The Board agrees with this interpretation. ← LEAVING BULDOZER TRACKS !! SENATORS SAW THIS.

Forestry Tasmania staff confirm that the taping of this swamp area was done at the time of coupe road construction.

The Board does not agree that the area beside the allegedly pushed tree is a swamp, as it does not fit the Code definition of swamp. The area beside the tree is a drainage depression. The Board agrees that the tree was probably pushed out and has been cut but not recovered. This does not constitute any breach of the forest practices system. Forestry Tasmania indicated that harvesting on the coupe is to be completed over summer, so the log may be retrieved then. → still there

The rerouting of water flow is discussed under drainage depressions.

Complaint 6. Machinery has trafficked through drainage depressions with no cording. There is deep rutting. Bark and soil has been pushed into drainage depressions. There are tree heads left in drainage depressions.

Comment

The FPP required that "approaches to drainage line crossings must be corded for 5 m either side of the drainage line if rutting is likely." The Code (p. 37) also states that "Snig tracks should be located and constructed so that they can be effectively drained." It is apparent that these provisions were not followed routinely during harvesting. Instead a channel (with two catch drains upslope) was dug to release water, and limited cording was used to cross this channel but not the areas on either side. Rutting resulted when work continued in wet weather (Figure 3). Similar features were noted in other snig tracks between site 6 and site 9.The Gunns supervisor mentioned that it was not anticipated that snig track use would continue into wet weather.

The contractor should have undertaken cording as soon as rutting commenced, or preferably in anticipation of rutting commencing, once conditions became wet. Alternatively the snig tracks should not have been used at this time. It appears that the contractor was ignorant of the FPP provisions regarding cording. These matters were taken up with Gunns and Forestry Tasmania staff on site and will be the subject of further correspondence to ensure that standards are improved.

Rutting through drainage depressions was not observed to be deep (Figure 3). The Code requires (page 33) that rutting be minimized. The Code also requires (page 41) that snig tracks rutted to a depth of more than 300 mm over a 20 m section be restored by infilling. Other areas observed had been restored to this standard (although it may be that no rutting occurred to a level that required restoration under the Code).

Pushing of bark and soil into drainage depressions was not observed to be excessive. Drainage flow was rerouted in some places by snig tracks. This is considered to be inadvertent, and has not contributed to any significant erosion.

Figure 3. Partly corded snig track either side of an excavated channel (following log in centre of photo).

The plan required "trees to be felled so that debris left within drainage lines is minimized." Generally this requirement was complied with. There were some areas where debris was placed in drainage depressions. Some debris fall into drainage depressions may have been unavoidable due as a result of tree lean and for other reasons. Some of the debris was understorey or windthrow material. Although full compliance with this provision may not have occurred, drainage does not appear to have been blocked or diverted as a result. Note that in one instance where a damming effect of debris occurs (Site 12, Figure 1) the landform is not a drainage depression.

Complaint 7. Streams redirected causing substantial sedimentation. Leached natural oils and resins will impact on giant freshwater crayfish.

Comment
This location was inspected and there is no continuous channel from the marked Class 4 stream to the unmarked Class 4 stream below the road. The road does not redirect the stream. The water at point 7 heads northwards through a drainage depression (Figure 1). It then flows through a short channel with banks about 15 m long and then spreads out over a broad flat area (Site 12) before rejoining a channel further downslope. To our knowledge there is no published information on any negative effect of leaching of natural oils and tannins on freshwater crayfish. No substantial sedimentation was observed.

Complaint 8 (not marked on map). **Massive soil disturbance throughout the entire coupe. Deep rutting exceeding 0.5 m in many places. Leaching of tannins extreme in some areas. Turbidity has been substantial. Continuation of operations following heavy rain.**

Significant soil disturbance was limited to landings and main snig tracks as permitted under the Code. The extent of soil damage has been overstated. Leaching of natural tannins occurs near landings but is very local and is not known to be harmful, and will cease after bark heaps are burnt. Almost no turbidity was noted, despite strongly flowing streams and drainage depressions after the heavy rain. The clearness of the water is because basalt talus soils contain little or no silt – the clays in the soils are naturally aggregated into larger particles and do not disperse easily.

The extent of rutting has been overstated. Rutting was nowhere observed to be over 0.5 m.

It is accepted by the Board and by the operators (Gunns and their contractors) that work should have stopped once heavy rain commenced.

Other matters
(For clarity the numbers are continued from complaint 8 above)

Site 9. Landslide debris
There is a drainage cut here through old landslide debris. An excavator should be used to redirect the water from the constructed drainage cut and instead direct it southwards across the boundary track into the Class 3 streamside reserve.

Site 10 and Class 4 streams elsewhere
It is recognised that it would have been almost impossible to identify with certainty all Class 4 streams before harvest commenced. However, there are some drainage depressions which in retrospect should have been identified as Class 4 streams, once the "lie of the land" was evident. These are shown in Figure 1. A feature of these Class 4 streams is that they are not continuous. One reach with Class 4 features (defined banks and stony bed) is only 15 m long.

Just nonsense! Not true. BULLSHIT SENATORS SAW THIS.

It was observed that in general machinery has not entered these Class 4 stream riparian zones except at limited crossing points and, except for some tree heads that have been felled into the Class 4 streams, these watercourses have generally been treated as if they were Class 4 streams. No environmental damage has resulted from the fact that they were not identified as Class 4 streams.

what?

The basalt talus guidelines need to be revised to state that discontinuous Class 4 streams in basalt talus terrain should not be treated as drainage depressions but should be given normal Class 4 status.

BIT LATE NOW.

Site 11. Drainage depression misses culvert

At site 11 drainage meanders westwards and meets the table drain below the culvert. A north-south cut needs to be excavated through the already disturbed roadside so that the drainage meets the table drain upslope from the culvert.

this is a class 4 stream even that is shown

Site 12. Wet flat area

Water from the drainage depression in the north of the coupe discharges water onto a broad flat area. Light logging debris impedes drainage (Figure 4). This logging debris needs to be removed with an excavator so that natural drainage is restored.

Figure 4. Wet flat area at site 12. The drainage of this area would be improved by removing the light logging debris.

Report on flora issues in Lorinna 028A (LA028A)

Fred Duncan
Senior Botanist, Forest Practices Board
18 November 2002

Background

This report relates to flora values mentioned in the complaint by Mrs G. de Burgh-Day about Forest Practices issues in State forest coupe Lorinna 028A (LA028A).

The comments are based on:

- My inspection of the coupe on 17/10/2002 in the company of Chris Mitchell, Geraldine de Burgh–Day and Ian Tetley;
- My inspection of proposed coupes in the Lorinna area in March 1999, and subsequent advice to Mersey District (Forestry Tasmania) on 27/05/1999;
- Reports (5/02/2001, 19/02/2001) on vegetation in the coupe following inspection by Karen Johnson (then botanist working with Mersey District) and Brooke Craven (then botanist working with Forest Practices Board);
- Review of the unpublished report by Katriona Hopkins (consultant botanist) on distribution and management of *Eucalyptus radiata* in Tasmania, and field inspection of areas containing this species in the Lorinna area;
- Verbal and written liaison between Forest Practices Board botanical staff and Threatened Species Unit Botanists (Naomi Lawrence, Wendy Potts), including report (15/03/2001) on occurrence of the species in LA028A and endorsement of prescriptions to take account of the species.
- Discussion with Karen Johnson (consultant botanist) about distribution of eucalypts in LA028A and the general area.
- Discussion with Robbie Gaffney (Conservation Officer, Private Forest Reserves Program).
- Discussion with Mersey District staff about regeneration of *E. radiata*.

My report deals sequentially with the botanical issues raised in the complaint.

Machinery disturbance in swamps

The complaint is that two areas of swamp have been disturbed by machinery. The glossary in the Forest Practices Code (2000) defines a swamp as "a generally or permanently waterlogged area which may or may not have associated tree growth, or a tract of low, ill-drained ground with patches of open water in which reeds, rushes and sedges occur."

Site 1 (approx GR $^{4}28500\ ^{53}95600$)

A machine has been driven through an area that can clearly be defined and recognised as a swamp. The ground layer is dominated by sedges, and trees are restricted to the margins of this poorly drained flat. This area is shown as a swamp on the FPP map. The margin of the swamp was flagged by blue and white striped tape. Tracks were clearly evident across the swamp but were restricted in extent, indicating that the number of passes was low (possibly two). I do not believe that the disturbance will result in long-term damage at this site as:

rutting and creation of large patches of bare ground did not occur; and species common in the swamp (e.g. species of *Juncus* and *Carex*) readily colonise disturbed sites with poor drainage.

↳ so FPP can actually be IGNORED !!

Site 2 (approx GR ^{4}28200 ^{53}95300)

It is my opinion, based on the retained vegetation and the landform, that this area does not constitute a swamp as defined in the Forest Practices Code. It is not shown as a swamp on the FPP map. The site supported species [(e.g. blackwood (*Acacia melanoxylon)*, woolly tea-tree (*Leptospermum lanigerum*) and fishbone fern (*Blechnum nudum*)] that often occur in poorly drained environments. However, both in Tasmania generally and in LA028A, these species extend to sites with moderate or good drainage (less so with *Leptospermum lanigerum* in the coupe than with the other species mentioned), so their presence at a site does not necessarily make it a swamp. Other species associated with this site include silver wattle (*Acacia dealbata*) and manfern (*Dicksonia antarctica*), which tend to occur on better-drained sites. *Eucalyptus delegatensis, E. obliqua* or *E. viminalis*, all species that do not tolerate poor drainage, were present either on or very close to this site. I consider that the community at this site accords with the floristic community *E. delegatensis/E. viminalis – Acacia melanoxylon* wet sclerophyll forest or *E. obliqua – Acacia dealbata – Olearia argophylla* wet sclerophyll forest, as described in the classification of Tasmanian wet eucalypt forest communities (Kirkpatrick *et al.*, 1988). Both these communities can contain *Leptospermum lanigerum*. My opinion is that this area constitutes a localised soakage within wet sclerophyll forest, with enough floristic affinities to the wet sclerophyll forest to be incorporated into that forest type. It does not constitute a swamp forest community as described in Pannell (1992).

NO PROVISION FOR PROTECTION in FPP.

Retained streamside vegetation

This supports PAT O'S comments

Mrs de Burgh-Day states that much of the vegetation that was retained on this coupe is very likely to be burnt in the regeneration burn. I agree with this statement. However, retention of such vegetation has value, as it may facilitate more rapid recovery of the vegetation at these sites (e.g. through coppice or rhizomes), because of the presence of standing trees and the lower volumes of fuel and debris.

***Eucalyptus viminalis* wet sclerophyll forest**

Initial surveys and report

My initial botanical surveys of the proposed Lorinna coupes (March 1999) resulted in substantial areas being rezoned as Protection Forest. This was mainly because they contained areas of *E. viminalis* wet sclerophyll forest, generally occurring as a mosaic with *E. delegatensis* wet sclerophyll forest. Some patches of *E. viminalis* were over 3 ha in area, but many smaller areas were also reserved. Substantial areas of other forest communities, and areas containing *E. radiata*, are also contained in the Protection Forest.

NOT SURE THEY SHOULD BE THERE

My report also recommended that forestry operations did not proceed in remaining production forest until the distribution and conservation requirements of *E. viminalis* wet forest and *E. radiata* were better determined.

I also advised that it was not feasible to protect small patches of *E. viminalis* wet forest if such patches were embedded in areas that were to be intensively logged or converted to plantation. I considered that this was consistent with the requirements of the Tasmanian RFA, as they apply to a range of forest communities that require protection on State forest. At the time of my report, I was using a threshold of 3 ha for a realistic minimum area for delineation of a forest community (though in many coupes communities were identified at a finer resolution than this). In reality, the areas zoned as Protection Forest in the Lorinna

— under 2020

Graham Wilkinson, head FOREST PRACTICES BOARD has now said 2 ha is the minimum area (NOT 3) !! in Public on ABC Radio 9th April 2003

RULES CHANGED NOW !!

NOW Publicly 6W 1ha !!

area, as a result of the initial and subsequent surveys, included many patches of *E. viminalis* wet forest less than 1 ha in extent. It is worth noting that a threshold of 1 ha minimum patch size is now being used for community identification (this has been put in place since the logging of LA028A).

THE ROAD DESTROYED ONE EXCELLENT PATCH

Subsequent surveys and prescriptions in the Forest Practices Plan

Coupe LA028A (and surrounding forest) was surveyed more intensively by Karen Johnson and Brooke Craven (see details in the Background section of this report). The notification on flora values from Karen Johnson notes that *E. viminalis* wet forest in LA028A occupied 2 to 3 ha, that it had been logged in the past and that *E. viminalis* was very sparse over some of this area. The Forest Practices Board (through Brooke Craven's report) advised Mersey District that no special prescriptions were needed for *E. viminalis* wet sclerophyll forest located on lower slopes in the western part of the coupe.

"Duly done"

what about other parts of coupe ??

With implementation of a 1 ha minimum patch size threshold, it is likely that some of the *E. viminalis* wet forest in the western part of LA028A would have been excluded from the operation.

Given the type of forestry operation that typically occurs in wet sclerophyll forest, I do not believe that small areas (< 1 ha) of *E. viminalis* wet forest can be feasibly excluded from operations in many circumstances. I think it unlikely, based on my experience of the flora of Tasmanian wet forest communities, that small areas of *E. viminalis* wet forest will have higher conservation value than the "non-priority" forest communities that they are usually associated with, and with which they intergrade. These communities are usually *E. delegatensis* wet sclerophyll forest or *E. obliqua* wet sclerophyll forest. It is the propensity of these communities to intergrade that causes much of the confusion with identification of *E. viminalis* wet forest. To be classified as *E. viminalis* wet forest, an area needs to be dominated by *E. viminalis* and to have an understorey dominated by wet forest species. As I have mentioned above, the Forest Practices system is currently working on a 1 ha minimum patch size threshold.

This did ground cover all ferns etc

I do not accept Mrs de Burgh-Day's implication that LA028A required reservation through the RFA because of the presence of *E. viminalis* wet forest. Almost all the coupe supported forest dominated by *E. delegatensis* or *E. obliqua*. *Eucalyptus viminalis* was widespread as an occasional species (a common situation in Tasmanian wet and dry eucalypt forests). Only a small area of the coupe (as discussed above) contained *E. viminalis* wet forest (i.e.) forest in which *E. viminalis* was the dominant species. BUT EVEN THIS WAS LOGGED

Mrs de Burgh–Day states that the area (LA028A) would be accepted by the Private Forest Reserves Program, if located on private land, because it contained *E. viminalis* wet forest. I believe that areas containing *E. viminalis* wet forest in the southwestern part of the coupe would be of interest to the Private Forest Reserves Program, and a private landowner would now be offered an incentive to protect them. However, at the time the FPP was prepared, areas of *E. viminalis* wet forest of the extent and condition of the community in LA028A would not have been actively pursued by the Program. The Program would probably accept LA028A as a whole if a landowner was interested in covenanting it through the Program. However, the *E. obliqua* and *E. delegatensis* communities that dominate the coupe are not being targeted by the Program, and the financial support offered for covenanting such forest would reflect this situation. There are many areas containing non-priority forest in Tasmania, which have been accepted as reserves by the Private Forest Reserves Program, because of the philosophy or interest of the landowner rather than the financial incentives offered through the Program.

contradicts himself!

what is he saying ? They will pay money to lock up any forest ? if its cheap ! (I don't think so)

RFA agreement – why has not changed – why are rules changing

Summary of *E. viminalis* wet forest issues

I believe that forests in the coupe and general area were surveyed to a high standard, and that good recommendations were made and implemented to protect *E. viminalis* in the area. The Forest Practices Plan reflected advice that was given to Mersey District staff by the Forest Practices Board. It is likely that some additional area of *E. viminalis* wet forest, close to the western boundary, would have been excluded from the operation if the Plan was prepared today. Mrs de Burgh-Day's contention that the RFA required that the coupe be reserved because of the presence of *E. viminalis* throughout much of the area may be based on misunderstanding the process of identifying communities.

Eucalyptus radiata and other species

so protect it by logging?

Eucalyptus radiata is listed as a rare species (Schedule 5) on the Tasmanian *Threatened Species Protection Act*. It is also listed in the RFA as a species that requires protection by reservation or management prescription. It does not follow, as is suggested by Mrs de Burgh-Day, that the presence of *E. radiata* in the coupe should result in the area being reserved under the RFA. why not? Because it was grossed up mapping DUE to its scarcity?

I discussed the occurrence of *E. radiata* in LA028A, and the general area, with Karen Johnson. She considered that the species co-occurred with *E. obliqua*, *E. delegatensis*, *E. viminalis* and possibly *E. amygdalina* in the southwestern part of the coupe. Localised areas dominated by *E. radiata* occur in Protection Forest to the west of the coupe, on relatively dry lower slopes leading into Lake Cethana. *E. radiata* may also occur as a localised dominant in Protection Forest on lower slopes to the south of LA028A.

Information collated by Katriona Hopkins shows that *E. radiata* (as is the case with most peppermints) is an effective recoloniser following disturbance (including intensive logging) in native forest. For example, areas heavily logged to the west of Lake Cethana in the 1970s have a good stocking of *E. radiata*, despite the fact that this species was not sown back onto those coupes in the seed mix. Similarly, areas south of Lemonthyme, clearfelled in 1984 and aerially reseeded with *E. obliqua*, *E. delegatensis* and *E. viminalis*, had an estimated 50 to 60% stocking of *E. radiata* three years following logging. Regeneration of *E. radiata* following logging was assessed in the field by botanists from the Threatened Species Unit, during a field day that focussed on the ecology and distribution of the species.

These are all young trees – none OLD GROWTH allowed to be measured

The level of reservation of *E. radiata* in the area, and the ability of the species to recolonise following logging, were taken into account when the Threatened Species Unit endorsed the prescriptions developed for logging and regenerating *E. radiata* in LA028A.

The prescriptions in the Forest Practices Plan require that on-site *E. radiata* seed is used when the site is regenerated. I have been informed by Mersey District staff that 1.35 kg of *E. radiata* seed has been collected from the coupe, which is sufficient for sowing, with other local species, in that part of the coupe that previously supported *E. radiata*. Use of a helicopter for sowing will allow the coupe to be zoned so that seed mix containing *E. radiata* is only sown in the southwestern part of the coupe. It is very likely, based on experience elsewhere in the Lorinna area, that trees adjacent to the coupe will also provide a local seed source.

I HAVE ASKED WHEN and BY WHOM? and they cannot tell me

I would be very surprised if adequate regeneration of *E. radiata* does not result from the treatment described above. However, if the regeneration surveys described in the Forest Practices Plan (section on stocking standards) demonstrate that adequate regeneration of *E. radiata* has not been achieved, remedial measures can be taken. These would depend on the circumstances, but options would include planting seedlings raised from local seed, or

E radiata is rare & it is acknowledged that areas where it occurs have been heavily logged — so "old growth" examples ought to be preserved.

sowing local seed following scarification or localised disturbance to create a suitable seedbed.

Mrs de Burgh-Day also commented about re-sowing and regeneration of other species occurring in the coupe. As a general comment, research in wet sclerophyll forests in various areas of Tasmania has shown that vascular plant species recolonise intensively logged sites, with species composition and diversity being similar to pre-logging composition within 10 years of the disturbance. Disturbance associated with logging is not likely to have an adverse effect on terrestrial orchid species (specifically mentioned in the complaint) - abundance and diversity of terrestrial orchids is likely to increase in LA028A in the post-logging period.

References

HE HAS NEVER BEEN THERE !!

FILE NOTE – FPP No. GPS0210

Forest Practice Incident FPP No. GPS0210:

FAUNA

This whole report just negates what was in the plan — my complaint is that the plan was a joke! It was NOT followed.

Issue

The debris and soil pushed into the watercourse has lead leaching of natural oil and resins into the class 4 stream which will impact on the giant freshwater crayfish *Astacopsis gouldi*.

FPB Zoology response

No one is being called to task for this. !!

There is little information available on the impact of the natural oils and resins on the giant freshwater crayfish. The main issue for the species is increases in sedimentation load can have an impact on the species both directly (causing abrasions on gills) or indirectly (making streams unsuitable for crayfish). This would be an issue if there was an increase in sediment loads downstream of the coupe.

To manage the sediment loads in this coupe, recommendations 2 and 3 for the giant freshwater crayfish from the Threatened Fauna Advisor were recommended (see Fauna Notification). These should have resulted in a 30m streamside reserve on the class 3 and a minimum of 10 m streamside reserve (native riparian vegetation, understorey and overstorey) on both sides of class 4 streams that contain potential habitat for juvenile giant freshwater crayfish. There should be no mechanical disturbance to creek beds at all stages of the operation except at designated crossing points.

NOT DONE

In addition stream crossings should be avoided by locating roads along ridgelines where possible. Any roading that must cross streams should have drains installed to ensure that runoff is diverted into vegetation and does not directly enter the stream. Sediment traps should be used wherever necessary.

NOT DONE

Issue

The removal of streamside vegetation leading to an increase in water temperature to a level which will not be tolerated by the giant freshwater crayfish.

FPB Zoology response

Again the implementation of recommendations 2 and 3 for the giant freshwater crayfish from the Threatened Fauna Advisor would manage the impact of raised water temperatures. Recommendations 2 and 3 should have resulted in a 30m streamside reserve on the class 3 and a minimum of 10 m streamside reserve (native riparian vegetation, understorey and overstorey) on both sides of class 4 streams that contain potential habitat for juvenile giant freshwater crayfish. These recommendations are designed to minimise the risk of downstream impacts on the giant freshwater crayfish from changes to water quality and temperatures.

NOT DONE

Issue

The use of 1080 to protect regenerating seedlings from browsing

FPB Zoology response

Any 1080 poising should be carried out in accordance with the conditions of the permit issued by the Department of Primary Industries, Water and Environment.

Issue

The forestry operation has damaged and destroyed habitat for protected and threatned species including the eastern quoll, wedge-tailed eagle and the giant freshwater crayfish.

FPB Zoology response

If the recommendations from the Threatened Fauna Adviser have been incorporated into the Forest Practices Plan and implemented on the ground then these measures should minimise the impact of the forestry operation.

NOT IMPLEMENTED

Issue

Burning for regeneration.

FPB Zoology response

Recommendation 2 from the Threatened Fauna Adviser states that the streamside reserve should be protected from burning and where a high intensity burn is required for regeneration in coupes with class 4 streams every effort should be made to avoid burning any retained vegetation alongside these streams or at least minimising the intensity of the burn. Where this is unavoidable (i.e. to achieve good regeneration) then scallops of native vegetation should be maintained on the junction of class 3 and 4 streams into the coupe or the junction of the class 4 and the coupe boundary, as far as practicable.

what does this mean ?

Raymond Brereton
Senior Zoologist
FPB

13 November 2002

this is nowhere if it can be over ridden "if not practicable"

WORKING COPY

ATTACH. 2

Report to Geraldine de Burgh – Day on Inspection of Coupe LA 028A and Its Associated Roading System on 6 March 2003

1. Introduction

This coupe and its associated major access road were inspected over an eight hour period on Thursday 6 March 2003. This report is presented in two sections, paragraphs 2 and 3 deal with the roading system and paragraph 4 deals with coupe logging. It is pointed out that an inspection of a forest coupe some 8 months after logging means that some instances of possible non-compliance with the Forest Practices Code will not be evident. The following comments are made both on the Code in relation to the Coupe LA 028A and on the Code in general.

1.1 My detailed reading of the Code in relation to Coupe LA 028Ahas led to the conclusion that although much is said on the need to protect streamside vegetation during logging there is not much said about the methodology to be used to protect the vegetation during regeneration burns.

1.2 I note that in the forest practices plan FPP No GPS 0210 that the area to be reforested, the total area to be harvested and the total area of operations are all given as 90ha. Given that some areas are not available for logging, i.e. swampy zones, and existing roads, this blanket reference to 90ha seems to be incorrect.

1.3 On page 5 of the Forest practices Code 2,000 it is stated that a minimum of 30 days notice must be given to adjoining landholders within 100 metres of planned forest practices. I consider that both the timeline and the distance are too short and that in terms of time it should be 50 days and in terms of distance 500 metres. This would encourage genuine comment from adjoining owners but still limit nuisance comment.

2. Roading

2.1 Introduction

This report will first deal with the major access road for which a forest practices plan certificate 2000-0777 and FPPNo RCK 068 was certified on 10/3/2001. It was issued for a class 3 road some 1.75km long.

2.2 The Road Location

The road climbs on a grade of between 6% and 10% for some 1.75km.

2.3 Road Inspection

The road was walked from its uppermost location in the north east of the coupe to its entrance into the coupe in the south west. All drainage outlets including culverts were inspected and their location noted. Generally it was found that the Code prescriptions were followed but there were some major exceptions noted below. The Code prescriptions for drainage applied to this road are those given for mid slope roads on page 19 of the Forest Practices Code 2000.

2.3.1 From the uppermost location at a landing site in the north west of the coupe it was 167m distance to the first culvert, at point **1** on the map, which drained the road out to the north. This distance exceeded the Code minimum distance of 112m. Before this outlet it was observed that the road was set into the soil profile making provision of outlet drains difficult.

2.3.2 At a point 27m from the culvert noted in 2.3.1 it was observed that an enclosed soakage was marked on the map at point **2** as a class 4 stream. In contrast many class 4 streams on the coupe had not been marked on the plan.

2.3.3 At point **3** on the map there is 100m between this drainage point and the previous drainage point, that is 10m over the limit for mid slope roads.

2.3.4 At point **4** on the map there is also 100m between the previous drainage point and road drainage point at point **4**. The distance of 100m is 10m over the limit for mid slope roads.

2.3.5 At point **5** on the map the road intercepts a major flow which is carried 75m along the road on its south eastern side and then diverted by a culvert at point **6** under the road and discharged to the north west

side. Approximately 100m of previously flowing class 4 stream is subsequently left in a dry condition. I consider that the 6th dot point (not numbered) on page 11 of the Code is too vague in allowing several class 4 streams to be serviced by the one culvert.

3. **Overall Comment**

The road, for the most part, is well drained. Major deficiencies are due to longer drainage runs than in the Code, and the lack of management of permanent flows. There is a need to separate road drainage from direct input into permanent flows. There is also a need to protect by rock walling culvert entrances as per the last dot point on page 14 of the Code.

4. **Coupe Inspection**

4.1 General

The coupe was logged according to certificate 2001 0538 and FPP No GPS 0210. Some four hours were spent walking through the coupe both north and south of the access road. Comments are made in the realisation that it is now some eight months since logging ceased and that the visual impacts of harvesting have ameliorated.

4.2 Grips (Cross Drains) on Snig Tracks

In many locations throughout the coupe grips (cross drains) had been driven on by vehicles creating a low path or drain for the passage of water. The worst deficiency, seen in many grips, was the lack of a defined outlet at the low point of the grip, as the debris at the side of the snig track had not been breached.

4.3 Burnable Debris and Retained Vegetation

In the south west corner of the coupe it was noted that in some very recent firebreak clearing work that burnable debris had been pushed against retained streamside vegetation. This should be separated from the vegetation.

4.4 Creeks Diverted by Fill

It is apparent that in the coupe many steams now flowing which meet class 4 criteria, have been diverted by fill. It is probably too late to rectify these situations, as rectification would cause more disruption in terms of turbidity, but the original diversions should not have occurred.

5. Overall Impressions of the Coupe and the Application of the Forest Practices Code

I again stress that this is an impression gained some 8 months after logging.

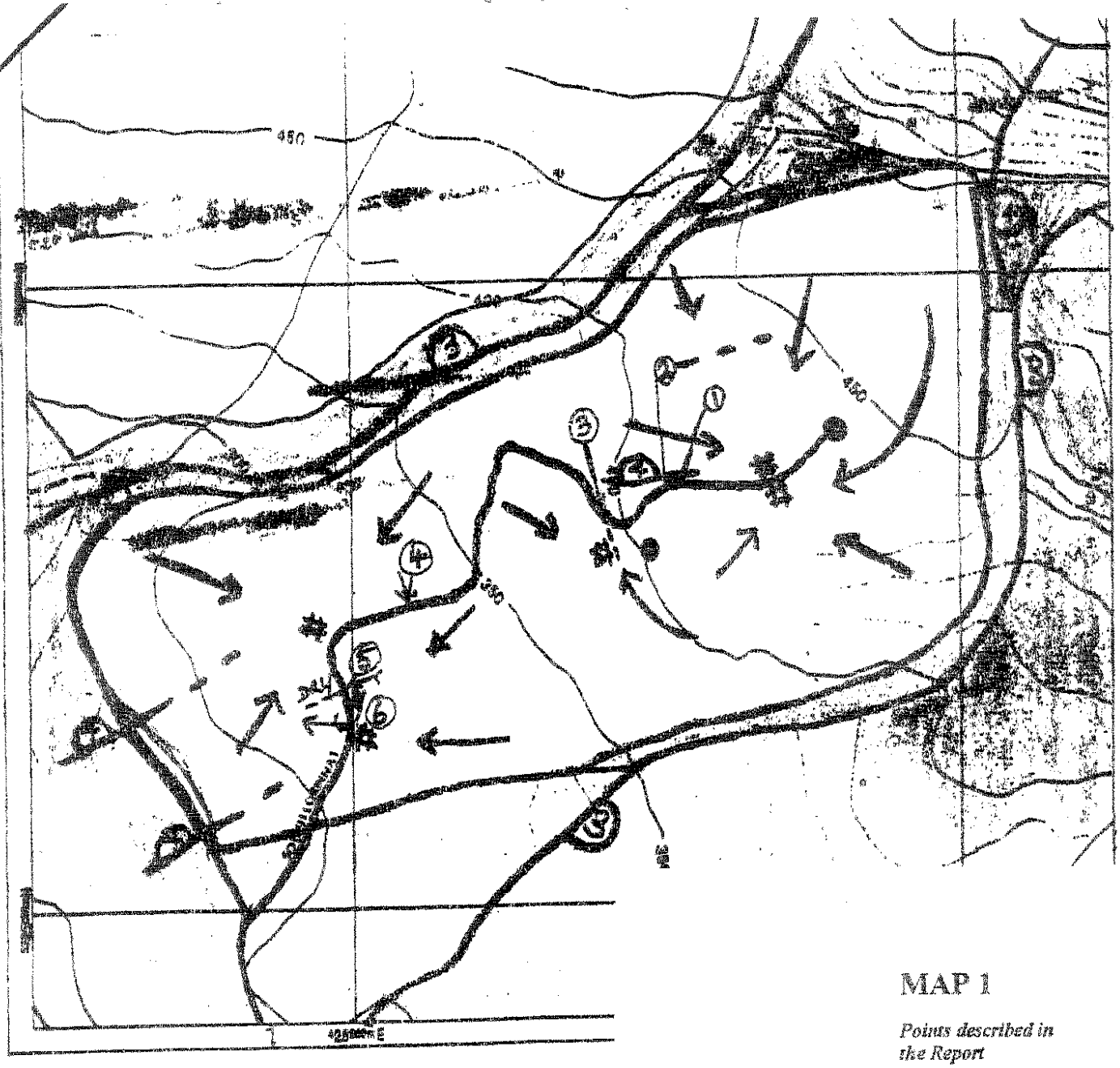
The Code requirements (see the 6th dot point on page 45) that understorey vegetation damage should be minimized seems to have been ignored.

Swampy zones should have had greater protection from recent firebreak works that have piled flammable debris against streamside and swamp vegetation. As previously noted runoff bars (or grips) are poorly constructed due to the lack of drainage outlets.

The road itself is generally good, in terms of meeting Code requirements, with the main deficiencies being in the upper area due to excessive runs between drainage points and in the lower area the need to separate out road runoff from permanent flows. The diversion of a stream in the south western section is noted and should not have happened.

Pat O'Shaughnessy

10 April 2003



MAP 1

Points described in the Report
EG. 1

Forest Practices Plan Key GPS0210
Locality LORINNA
Coupe LA028A *Scale 1:10,000*

Forest Practices Plan boundary	
Harvesting boundary	
Protection forest	
Habitat clumps	
Swampy sites	
Watercourse showing class of stream	
Streamside reserve	
Drainage line	
Existing roads	
Track upgrade (accessing landing 'A')	
Landing	#
Snig direction	→
Temporary stream crossing	

N "GREEN" IN PLAN.

ATTACH (3)

FURTHER COMPLAINT

About

The Forest Practices conducted in the coupe known as LA028A

and

COMPLAINT

About

The Forest Practices Board's Response

The Forest Practices Board has FAILED to address the substance of my complaint, and I have to wonder if there is any real desire to address any of these issues.

I hope that this further complaint might be treated both more objectively and more completely

This Further Complaint is made under the terms and authority of the Forest Practices Act 1985

To: Mr Graham Wilkinson
Chief Forest Practices Officer
Forest Practices Board,
30 Patrick Street, Hobart Tasmania 7000

From: Geraldine de Burgh-Day
P O Box 132, Sheffield, Tasmania 7306
Telephone: 6363 5063
Fax: 6363 5065

Date: Monday 30th June 2003

Dear Mr Wilkinson,
Again I ask that my complaint dated Friday 18th October 2002 be properly addressed.

I have carefully read your various responses and attached reports, to my complaint, and they avoid, or fail to address the issues.

Consequently, I have obtained an independent opinion from a professional forestry hydrologist, Mr Pat O'Shaughnessy, to advise me on issues where I may be considered unqualified to comment. This is particularly in relation to what is, and what is not, a Class 4 stream – a matter which is germane to my complaint. Mr O'Shaughnessay's opinion appears to be respected by at least one of the parties to this exercise, Gunns Limited, who saw fit to hire him in a recent matter before the Planning Appeals Tribunal earlier this year.

SUMMERY OBSERVATION

1. The Forest Practices Plan (FPP) prepared for this coupe, was indeed a good plan, (with the exception of failing to specify how streamside vegetation would be protected from fire when the coupe was burnt) and there would likely be little room for complaint under the Forest Practices Code, **IF THE PLAN HAD BEEN FOLLOWED**

2. The plan called for treatment of streams, and streamside vegetation in a way that would **protect these streams and the vegetation** that provided habitat for protected species.

3. **Your rebuttal** of my complaint is premised on your assertion that these were **not streams**, but were drainage 'depressions' (Note that the FPP refers to drainage 'lines'), and therefor no protection was necessary. You say that on this basis, what was done was acceptable practice, and of a *"satisfactory standard"*.

4. When logging commenced, there were **clear instructions in the FPP** that if there was **any doubt** as to what was a stream, and what was a drainage line, **the area was to be treated as for a stream** .*"If in doubt treat as a class 4 stream until it can be reviewed by a Forest Officer." (Page 2 FPP)*

5. Now, **after logging** has been completed, and has resulted in severe damage and destruction, many of those areas that were treated as 'drainage lines', have now been **re-classified as Class 4 streams.** (Indeed, your own officers, Mr McIntosh and Mr Mitchell now show many more Class 4 streams on the map attached to their report, dated 1 November 2003, than was shown on the original FPP. This map appears to have been prepared in response to my original complaint.)

6. The presence and **correct classification of many Class 4 streams** in this coupe have been **independently confirmed** in writing by Mr O'Shaughnessay. He says that *"many class 4 streams on the coupe had not been marked on the plan"*.

7. Any Forestry Officer, or experienced Harvesting Contractor, ought to have accurately identified these Class 4 streams, and followed the requirements of the FPP in respect to their protection, **in the process of harvesting the coupe. Failing to do so, is a dereliction of duty**. To alter the classification after the event, and when the damage has been done, **does not exonerate either Forestry Tasmania** and its officers, **or Gunns Limited** and the contractors who act under Gunns' instructions.

8. Given that the FPP bases its fauna protection issues around the protection of Class 4 streams and the surrounding vegetation, and in the light of my comments above, this makes the treatment of this coupe in respect to **fauna and vegetation protection, a farce.**

YOUR REPLY TO MY COMPLAINT

I have the following comments in respect to your letter of response and specific reports, dated 19th November 2002, (your reference C210),

You state that my allegations are *"based predominately on a misunderstanding of the requirements of the Forest Practices Plan."*

The FPP is quite clear. There are endangered species associated with this coupe, and certain measures were put into the plan to ensure that they were protected. **Provision was made to modify and update stream classification as harvesting progressed**, so that this objective of the plan could be achieved. **This was not done.** There is no misunderstanding. This has been clarified by written independent professional opinion.

Points 1, 2 and 3 of your letter, all refer to *"drainage depressions"*. **These are not drainage depressions, they are class 4 streams.** This makes the treatment of these streams, **totally contrary to the requirements of the FPP** for Class 4 streamside protection.

Point 4 of your letter accepts that operations continued after heavy rain. *"Snigging has continued in some areas following the onset of heavy rain. This has resulted in significant soil disturbance and could have been avoided by closing the operation at the time..."*
What pressure was put on Gunns' contractor to continue operation when it was clear that damage was being done? **This issue alone should be fully investigated.** This is inexcusable. Either Gunns Limited put the contractor under excessive pressure, or the contractor is totally incompetent, which I doubt. Why did Forestry, or Gunns, or the contractor, not stop the operation before so much damage was done? **Who is culpable?**

Point 6 of your letter acknowledges that further Class 4 streams *"could have been formally identified as such during the course of operations"*. So why weren't they?
Furthermore, since it is acknowledged by you, that more streams *"could have"* been identified, and if they were, and correct practice was followed

for streamside protection, as specified in the FPP, vastly less damage may have been done. As it is, these streams were **not** identified, **and protection measures were not taken**. So why would you then say *"the recommendations for threatened fauna for this coupe were followed in the Forest Practices Plan*", and use this statement to suggest that everything is of a *"Satisfactory standard,"*? Clearly it is not.
My complaint to the Forest Practices Board, is that the Forest Practices Plan **was not followed. It matters little to have a prescription in the plan, if it is not followed on the ground.** Are you playing with words here?

Because there was failure,(acknowledged by you), to correctly identify Class 4 streams as work progressed, **threatened species protection as required by the FPP, was not followed where streams were not identified.**

The *"Fauna"* report, prepared by Raymond Brereton, your Senior Zoologist, is totally premised on the assumption that everything prescribed for Class 4 streams in the FPP was followed. The problem is, that **Class 4 streams were not identified as harvesting progressed**, and thus fauna protection measures were woefully lacking. May I remind you, that my complaint is, that the Forest Practices Plan **was not followed**. Had Mr Brereton personally visited the coupe after logging had finished, he would have been able to see for himself, that measures to protect threatened species were not followed.

Mr Wilkinson, please read his report again in the light of the correct classification of Class 4 streams**. His report is quite clear in its reinforcement of the steps that should have been taken to protect threatened species.** I repeat, these steps, as clearly specified in the Forest Practices Plan, were **not followed.**

You state in your letter, that *"In general the operations on coupe LA028A have been of a satisfactory standard."*
I put to you, and to your board, that this is UNTRUE, and that you are not properly addressing the substance of my complaint. If what happened on coupe LA028A **is** of a *"satisfactory standard*", it begs the question - How shocking must things be, to **not** be of a *"satisfactory standard"?*

It is my belief that I, as a member of the public, and a resident of Tasmania, ought to have my complaint treated seriously. This logging operation was

conducted in an area of public forest, in which I, as a member of the public, have an interest.

The treatment of my complaint can only lead me to one conclusion, and that is, **that the parties involved are being protected by the very instrument that is supposed to police their activities. WHY?**

I am so concerned about this, that I have invited members of the Senate Rural and Regional Affairs and Transport References Committee to visit Tasmania and to inspect Coupe LA028A. This they did, on Thursday 8th May 2003. I hereby advise you that this further request to properly address the substance of my complaint will form part of an additional submission to this Committee.

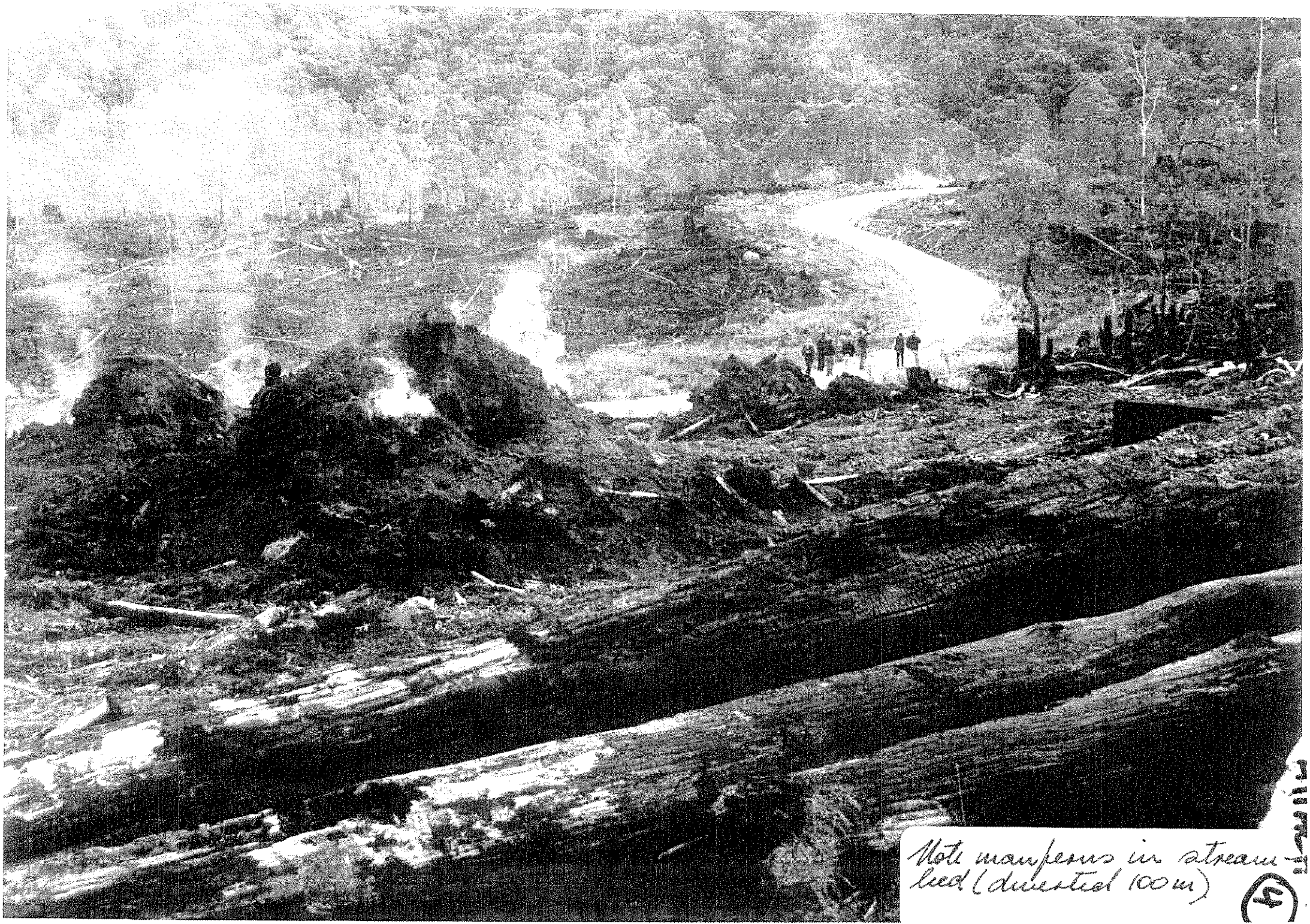
For your assistance, I also enclose a copy of Mr O'Shaughnessay's report to me, following his inspection of LA028A. Also following this letter is a copy of my original complaint to you dated Friday 18th October 2002.

I await your reply,
Yours Faithfully

Geraldine de Burgh-Day

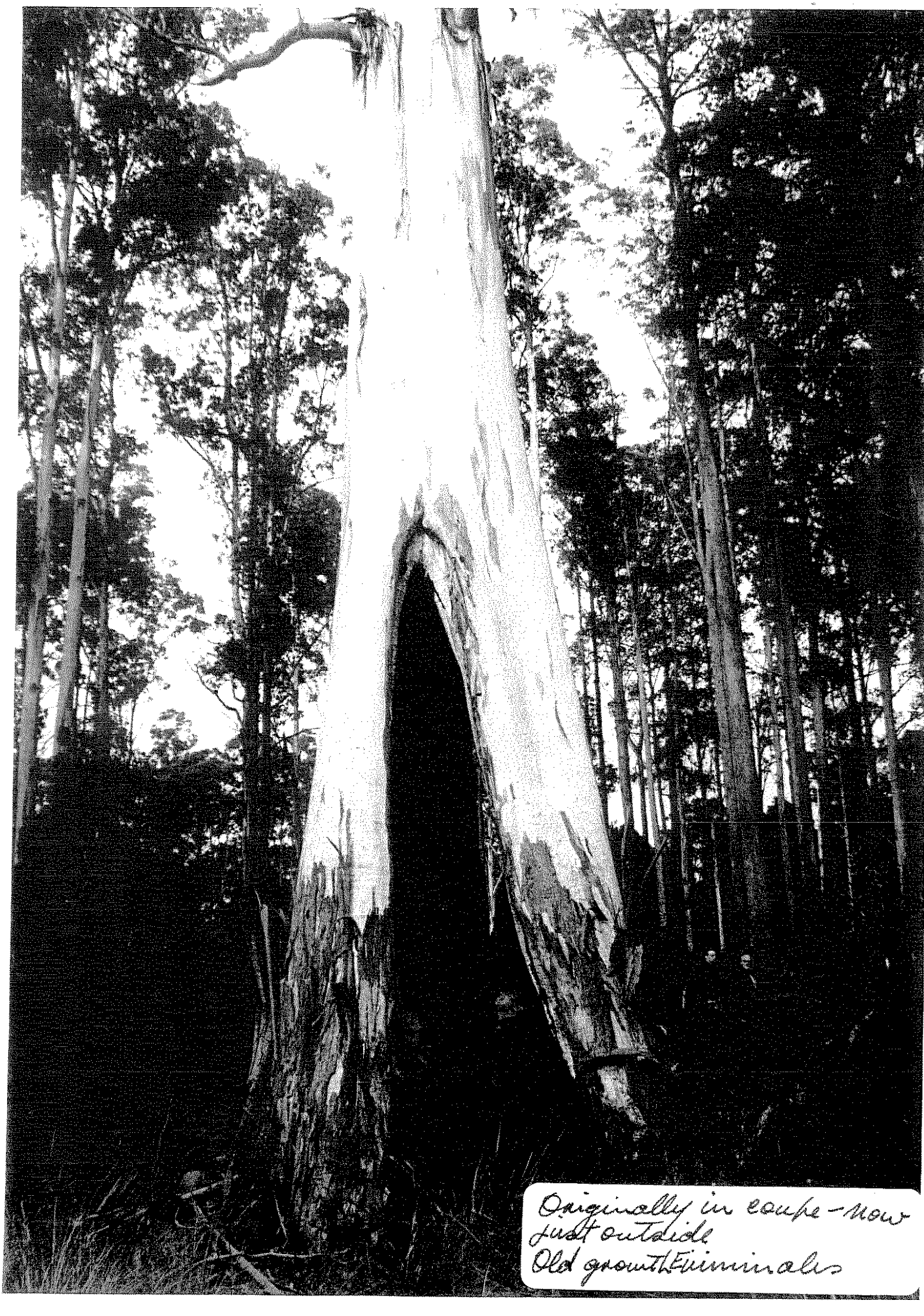
Geraldine de Burgh-Day.

Copy of previous complaint follows.

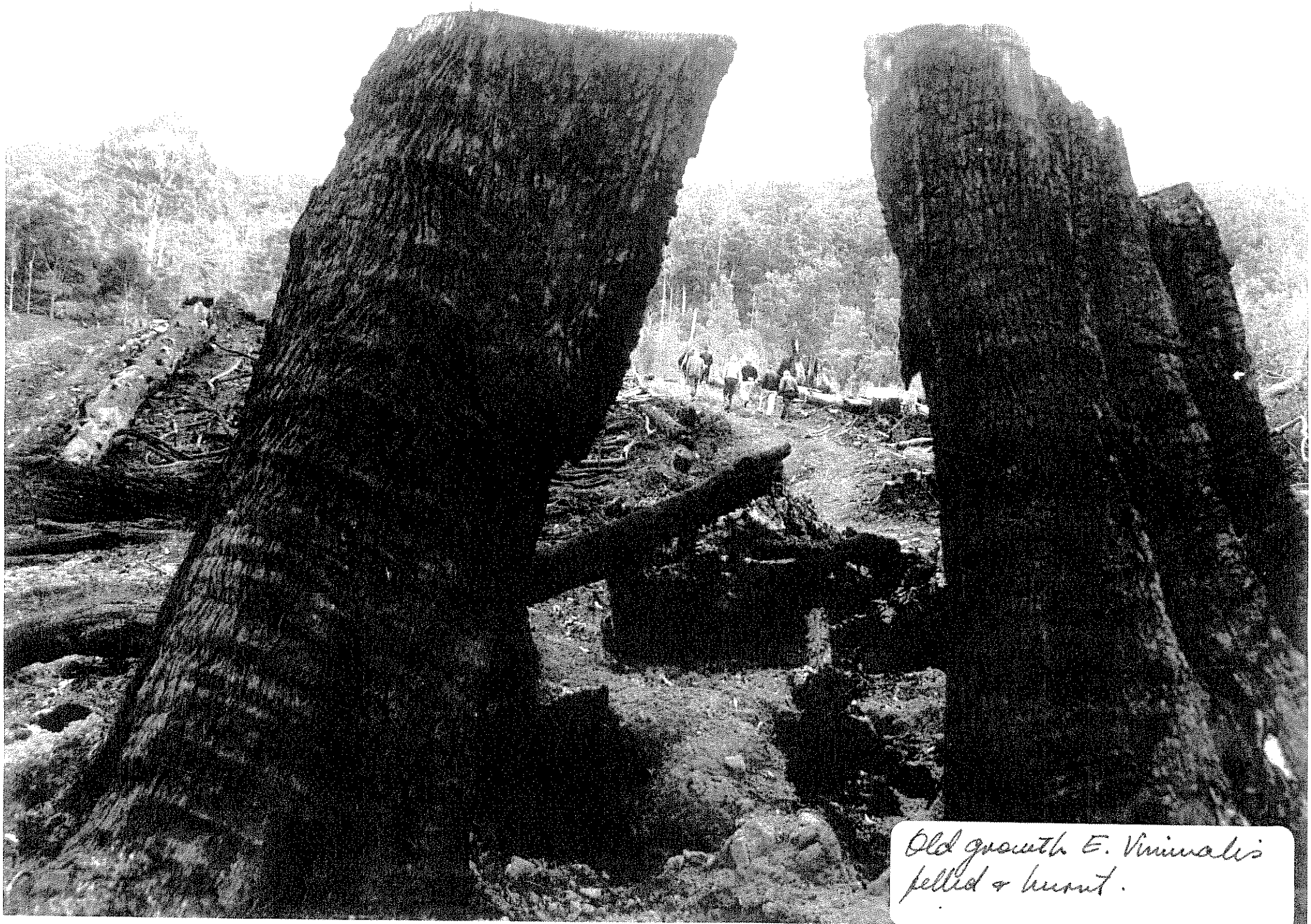


Note manpens in stream bed (downstream 100 m)

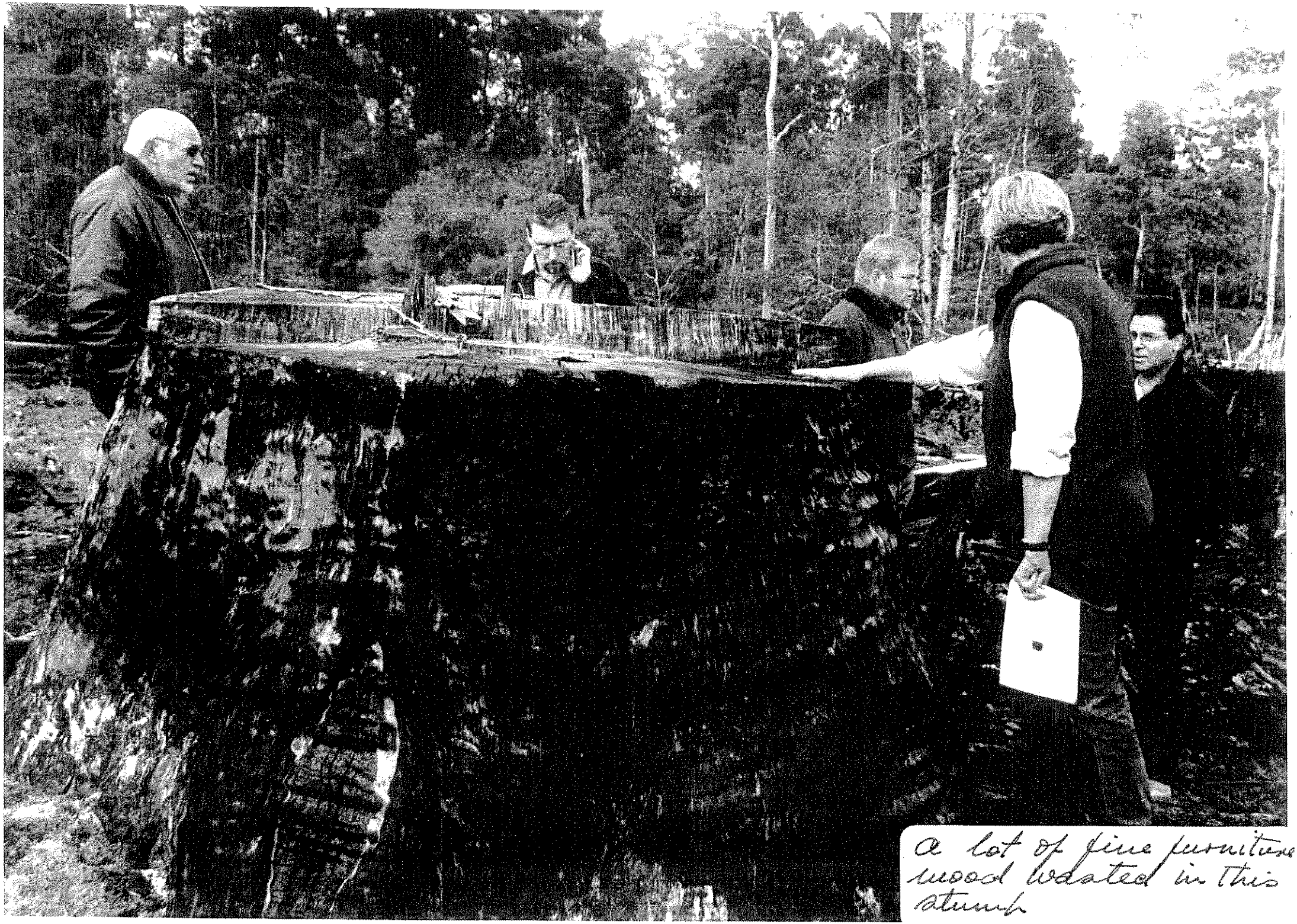
Entrance to coupe
- filled in stream bed
in background



Originally in coupe - now just outside
Old growth Ponderosa



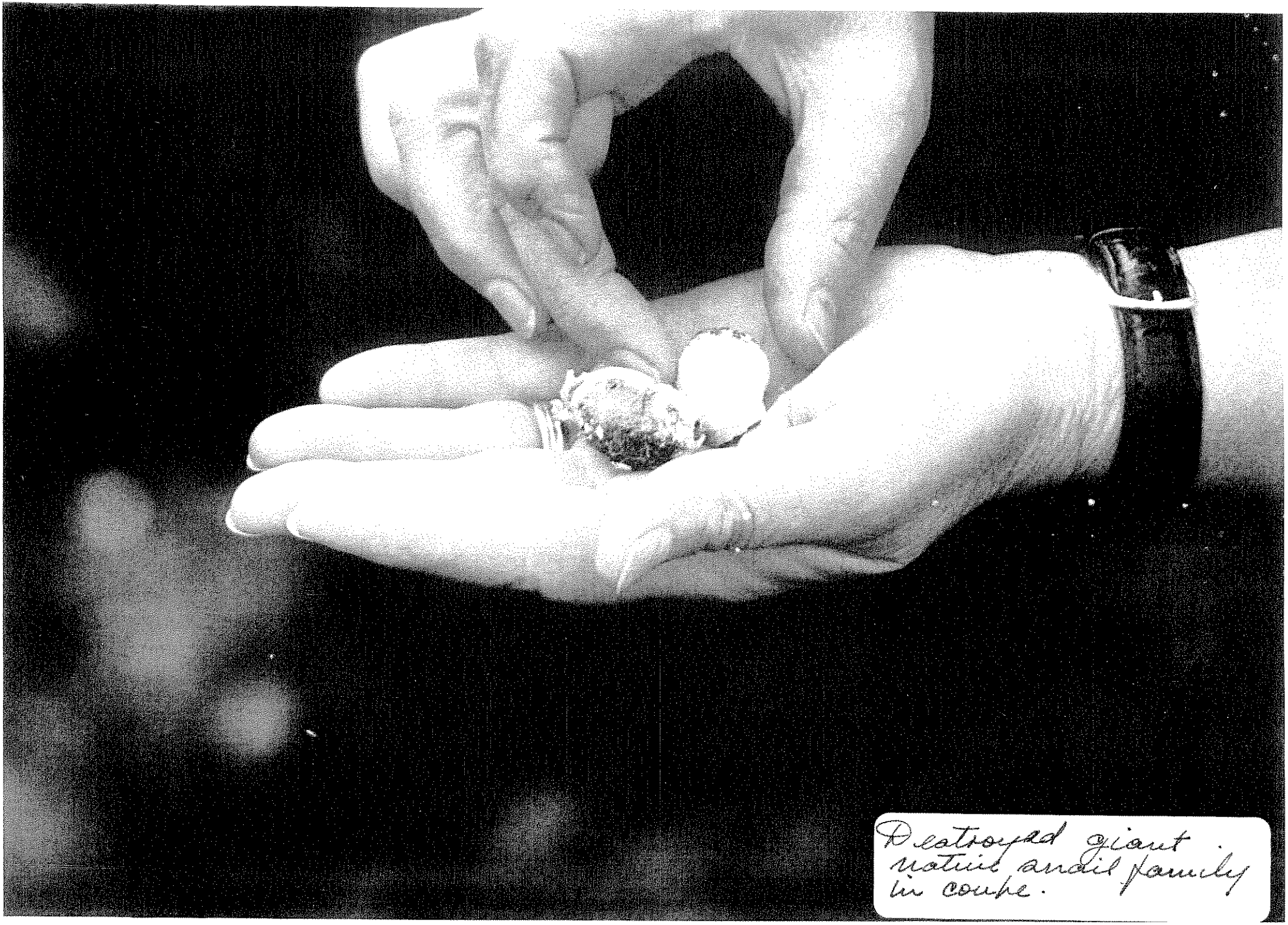
Old growth E. Viminalis felled + burnt.


A lot of fine furniture
wood wdated in this
stump

Old growth E. Viminalis
solid to the core trees
Note wasted fiddleback


One log left in coupe
typical of waste
Note wet fern stumps

Gunns Identification
Note timber waste.



Destroyed giant native and family in coupe.

comparatively narrow range. The rain record has a marked winter peak of June July and August with even the lowest month on record having for August 61.7mm. In contrast for the summer/autumn months of December to May, the minimum amounts vary from 0mm for Dec/Jan to 12.8mm for May. Briefly perusing the records, a three month period for 1961 stands out as having the lowest continuous summer rainfall for the period 1916 to 1963. Rainfall totals for January to March were 0.4mm, 12.9mm and 0.9mm respectively. In contrast the following month of April for the same year had an average fall of 192.4mm. Although I have not been aware of any streamflow record for this period flows would have been very low. The plateau top to the east of Lorinna is at 700m. A rainfall average of about 1,800mm could be assumed for the plateau top. Possible streamflows under the previous old growth forest could be assumed to be about 900mm per annum (or 9ML/ha) allowing for an evapotranspiration of approximately 900mm per year (Table 6 Industry Report 98/4 produced by the Co-operative Research Centre for Catchment Hydrology). The data in report 98/4 is based on some 25 – 70 years of streamflow and rainfall recordings.

Based on the data in the above report and allowing for the slower growth rates at high altitude in Tasmania, the maximum water use for E. nitens plantation could be reached at 20years. At this time streamflows would be half that of the of the old growth forest.

NITENS = 50% of OLD GROWTH FOREST

My personal observation at the site was that the plantation, at 10 years of age, had not yet achieved full canopy cover.

The following calculations in 3.1 to 3.3 assume that the catchment cover apart from the plantations is in a state of stasis. This may not be the case and more analysis would be required to determine the current situation.

3. Likely impacts on average annual streamflow at age 20 years at the offtake points listed in Section1.

The declines are approximate only as is the area of plantation.

3.1 Impact of Offtake 1

Maximum impact at offtake 1 will be reached in 20 years as it will at the other sites.

WORKING COPY

ATTACH (5)

Impacts of Plantation Development on the Streamflow of Olivers Creek

1. Introduction

Olivers Creek supplies domestic water to 13 houses reticulated from three offtakes listed below in paragraphs1.1 to 1.3. Each offtake draws on a progressively larger catchment area. As well there are six hydro electric power schemes on the creek. Reduction in water yield due to plantation development would effect the total amount of power developed by the Olivers Creek hydro electric schemes but estimates of the power lost are outside the scope of this report.

This report provides an estimate of the effects of plantation development on streamflow to the water supply offtakes.

Map 1 shows the location of the three domestic water supply offtakes from Olivers Creek.

1.1 Offtake 1, at 550m, is located in the uppermost eastern area of the catchment and is supplied by a catchment area of approximately 260ha with 88ha or 34% comprised of 1993 E. nitens plantation. This offtake supplies five locations.

1.2 Offtake 2, at 320m, is located further down the catchment and including the area in 1.1 draws on about 500ha of catchment with 105ha of 1993 E. nitens plantation which occupies some 21% of the catchment. This offtake supplies seven locations.

1.3 Offtake 3, at 270m, is again further down the catchment and including the areas 1.1 and 1.2 draws on 750ha of the catchment and includes 136ha of 1993 E. nitens which occupies some 18% of the catchment. This offtake supplies one location.

2. Likely Rainfall and Streamflows at the Plantation Sites

Lorinna is an official Bureau of Meteorology site numbered 091055. Records commenced in 1916 and ceased in 1963. They commenced again in 2000 and continue to be taken. For the 1916 –1963 period, allowing for years for which the record was continuous, the average annual rainfall was 1,362.3mm, with a maximum of 1,985.4mm and a minimum of 978.8mm. For Australia this is a

= 50% decline over forest

There will be a possible maximum decline of 4.5ML/ha of plantation or a total of 396ML/ per annum. In terms of seasonal impacts this could be spread between 116ML in the January – June period and 280ML in the July – December period. This assumes a 30% / 70% split up in flows for these periods. Similar calculations can be done for the other catchments.

INCLUDES MAY + JUNE
EXCLUDES DECEMBER
NOT DRIEST PERIOD.

3.2 Impacts at Offtake 2

Again maximum impact in terms of streamflow decline will be reached in 20 years of 4.5ML/ha of plantation or a total of 420ML per annum. In terms of seasonal impact it will 142ML in the January – June period and 331ML in the July – December period.

3.3 Impact at Offtake 3

This offtake taps 750ha of catchment. Again maximum impact in terms of streamflow decline could be reached in 20 years of 4.5ML/ha of plantation or a total of 612ML per annum. In terms of the seasonal impact it will be 184ML in the January – June period and 428ML in the July – December period.

4. Conclusion

It must be stressed that these calculations are approximate only and are based on research data that has been gathered in a similar, but possibly warmer climate regime. The calculations should be used only as a guide to possible future trends, but they do indicate that streams will be increasingly affected by the plantation development for another 10 years. The water yield decline from the plantation component of the catchment of approximately 50% in average annual water yield at age 20 years, also applies at an approximate level to low rainfall years and to low rainfall months. Because the plantations are located in the highest rainfall zone of the Olivers Creek catchment their influence on streamflows will be highly significant. For offtake 1 in particular the effect on catchment streamflow of the plantations will be increased by the fact that they form some 34% of the catchment area above the water supply offtake point. For offtakes 2 and 3 the proportion of catchment occupied by plantation is less, at about 20%, but it is significant given that the plantations occupy the high rainfall zone.

5. **Recommendations**

1) It is recommended that the Lorinna community apply for funds to the Department of Primary Industry Water and the Environment to enable the establishment of a temporary stream gauging station in the vicinity of water supply offtake 3, due to its position of easy access and command of the catchment.

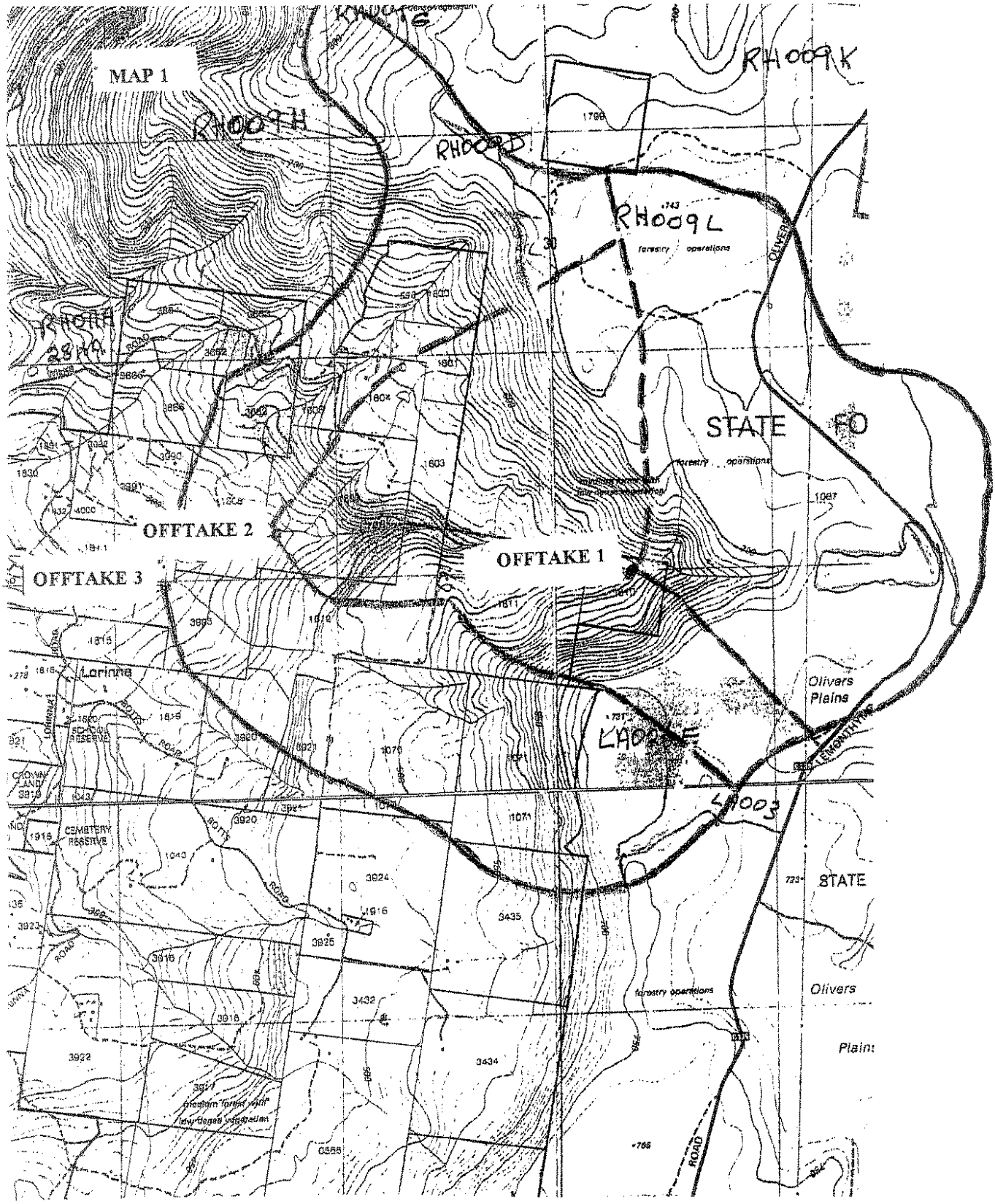
It is also recommended that, simultaneously, funds be sought from tertiary institutions. The Co-operative Research Centre for Catchment Hydrology may be interested in a joint study into the water yield implications of the plantation development.

2) Engineering advice should also be sought on the need for and the advantage, if any, of water storage development.

TANKS

Pat O'Shaughnessy

31 March 2003



OLIVERS CREEK CATCHMENT
WATER SUPPLY OFFTAKES
AND CATCHMENTS TO OFFTAKES

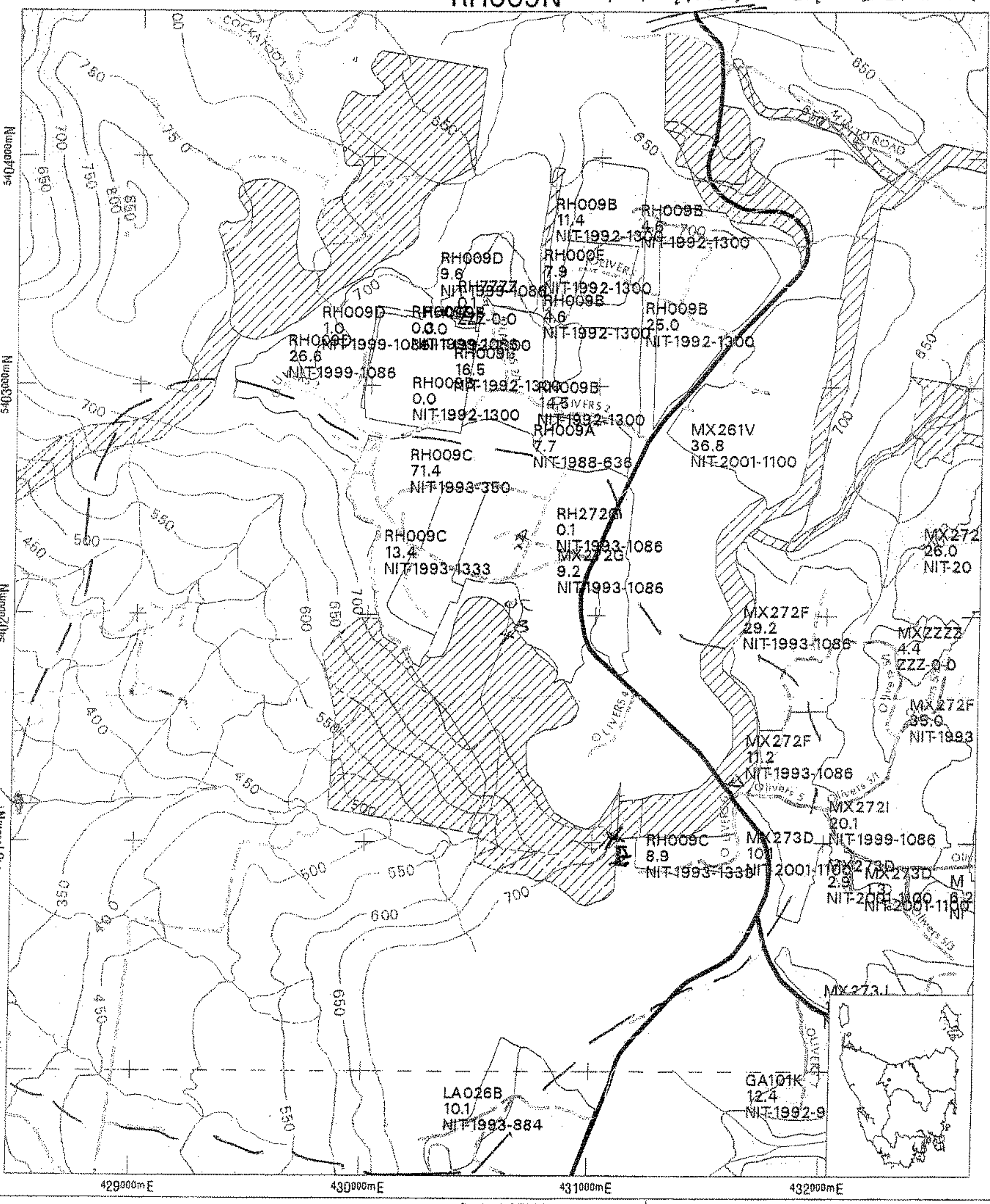
SCALE 1 : 25,000

1993 PLANTATION

March 2003

Map to show water supply inlets and locations of hydro schemes. Extent of Plantations

RH009N TOP HALF OF LORINNA



Mapsheet: CETHANA 4240

Scale 1:25000

0 — 500 m

Plantation data is derived from Forestry Tasmania's "Plantation Area System" (PAS) digital database.

Plantation and base data have been captured at differing scales and boundaries may not always co-incide.

Road, cadastre and other topographic data is derived from Dept. of Primary Industries, Water & Environment.

Primary Road	Softwood Plantation	Protected from logging
Secondary Road	Hardwood Plantation	Streamside Reserve
Minor Road	Mixed Plantations	Private Property
Vehicular Track	Intensively Managed NF	Plancoupe Boundary
Track	Miscellaneous (i.e. CLF, UNC)	
Drainage	Failed Plantation	PAS Details: *Area(ha) species-year-stocking*

DISTRICT	PAS Map
PLANTATION	
Latest Update	
Prepared For	

Forestry Tasmania - February 27, 2003

Meeting the loggers at RH009 G (at 700m). Conversion to

Logs on RH0096.
all logs with gang nails
in ends, are to be
exported.