



THE COLONG FOUNDATION FOR WILDERNESS LTD.

SUBMISSION AS AN OBJECTION ON THE E.I.S. FOR THE GLEN INNES FOREST MANAGEMENT AREA AND COMMENTS ON THE FAUNA IMPACT STATEMENT

Timber Productivity

The main difference between this Forest Management Area (F.M.A.) and others which have been recently subject to environmental assessment (Wingham & Mt. Royal) is that it is relatively unproductive.

The 80,543 ha. of forests considered in this proposal produce a sustained yield of between 17,700 and 13,600 cubic metres/year (give or take a few conservation measures). This compares very unfavourably with the almost 9,000 cubic metres/year from the Glen Innes pine plantation of 1,414 ha., which is very conveniently excluded from the management area.

The grand forestry multiple use scheme pales in front of the productivity of the softwood plantation. First cut yield per hectare for the native forests in the F.M.A. is between 0.22 and 0.17 cubic metres/ha/yr whereas the plantation is 6.4 metres/ha/yr or up to 38 times more productive¹.

The useless nature of the F.M.A., is summed up in the assumed average increment of 0.48 cubic metres/ha/yr for the second cut (E.I.S. pg 93). Even this low figure would be quartered if the unaccessible and unproductive areas were considered in the estimate. The South East Forests have average annual increments of up to 3 cubic metres/ha/yr (J. Angel pers. comm.).

Just how timber from such poor quality forests at Glen Innes will viably compete on the open market with imported timber from productive regions of the world or local sources is an economic mystery. The 1990/91 annual report of the Forestry Commission notes that "hardwood producers are being forced to seek new markets" because of a "declining share of the house scantling market for green hardwood due to the use of dried and dressed softwood framing". Just what are the sawlogs from Glen Innes used for? The E.I.S. does not say. If it did, a reasonable guess could be made at whether such timber production could continue. The Foundation has its doubts.

Multiple-use

A better multiple use forest scheme would embrace hardwood and pine plantations, and structural assistance programs to rapidly phase out the "slash and burn" forest management promoted in this proposal. If a hardwood plantation strategy was applied, vast areas of forest could be released for conservation.

The proposed multiple use proposal is vague so as to defy definition. This is of course the intention, for how can a subsequent variation

¹ If only productive and accessible native forests in the F.M.A. (13,790 ha. for the first cut) and the net productive pine forest area (1,100 ha.) are considered, the pine plantation is up to 8 times more productive than these native forests. For the second cut, the pine forest is 13 times more productive than the accessible and productive parts of the regenerating forest.

of the project be established and a new E.I.S. required, if its current dimensions are poorly known²?

National Forest Policy

The National Forest Policy Statement (N.F.P.) was signed by the Premier of N.S.W., the Hon. John Fahey in December 1992. Under this policy, the N.S.W. and Federal Governments have agreed on a strategy designed to conserve and manage old-growth forests and wilderness as part of the reserve system. Such a reserve system should be managed by the National Parks and Wildlife Service. Its development is to be completed as a matter of priority.

Application of the strategy requires the Forestry Commission of N.S.W. to avoid activities that may significantly effect those areas of old-growth forest or wilderness likely to have high conservation value until assessments of conservation values, including old-growth and wilderness values, are completed.

These requirements were established after the production of the E.I.S. and the assessments of wilderness and old growth forests must be revised in accord with the National Forest Policy signed by the Premier.

The Forestry Commission's environmental impact statements should not be determined prior to assessment of old growth forest and wilderness values in the manner specified by the National Forest Policy. Such is contrary to the Policy.

In the light of the National Forest Policy, the environmental assessment process for the activities proposed by the Forestry Commission of N.S.W. should not be considered just a matter of determining logging proposals but also a land use planning exercise where appropriate areas of wilderness and old growth forest are protected by means of proposed reserves. The Department of Planning has the key role in preparing advice on these logging and reserve proposals.

TI(IP) Act and N.F.P.

The Timber Industry (Interim Protection) Act, 1992 also requires the deferment of the logging of old growth forest and wilderness. The attention of the Department is called to Section 8(5) of the Act. This section refers not to the development application but to that part of it within Schedule 4 of the Timber Industry (Interim Protection) Act. Schedule 1 and 2 areas, the old growth forests and wilderness areas need not be determined now. The Department should defer determination these areas of old growth and wilderness to a later date when further consideration of the reserve implications of the National Forest Policy could be undertaken.

The Case of the Unprotected Forests

There are 80,543 ha. of forest in the F.M.A. Of this estate, only 29,500 ha.³ are accessible and productive under the current

² Plans of management and the Preferred Management Priority Classification maps have no force in law (they are not mentioned in the Forestry Act).

³ This area is based on the second cut (pg 93. E.I.S. section 7.3.2), and compares favourably with the remaining first cut area of up to 15,712 ha.

management, and 28,400 ha. under the proposed management (see pg 93 of the E.I.S. section 7.3.2).

The other 51,043 - 52,143 ha. of native forests can't be logged because these forests are too steep, inaccessible or poor to be viably logged. The Foundation submits that the 51,043 - 52,143 ha. of unloggable native forests could be added to the national park estate without losing any productive forest. Indeed, these sorts of "useless" lands have been the basis of national parks but the Foundation does not recommend that unproductive lands should be the only category that should be made national park. Our position is that all old growth and wilderness forests should be reserved, as provided in the National Forest Policy.

The Commission recognises some of the highly productive and accessible forests should also be reserved for flora, fauna and scenery protection. The Foundation submits that much of these proposed reserves would be more secure in the national parks estate, especially where they adjoin or can be connected with existing national parks (eg. the 645 ha. London Bridge reserve).

In regard to old growth forests, 12,318 ha. or 52 per cent of old growth forests⁴ are not to be logged under this proposal. Much of these forests can be added to the national park estate, securing reserves in accordance with the National Forest Policy, without loss of productive forest. Part of the reason why this option was not so recommended by the Forestry Commission is its ideological opposition to extension of national parks and wilderness protection.

The determining authority should overlook these ideological blocks when considering a reasonable determination of the matter. It is ridiculous to have vast areas of what are virtually unsecured reserves controlled by the Forestry Commission in competition with the National Parks and Wildlife Service.

Indian Giving?

There are 7,725 ha. of Crown timber reserve and leasehold land proposed to be brought into the state forest estate (see pg 35 of the E.I.S.). These forests include an extension to the Curramore State Forest, a forest which has mean annual increment of only 0.2 cubic metres/ha/yr (E.I.S. pg 71). The Curramore additions are about forty percent of the proposed extensions (see figure 7, pg 34 of the E.I.S.).

Why does the Forestry Commission want additions of such apparently useless forest, except perhaps to salvage log it once and to prevent the National Parks and Wildlife Service from getting it. Consideration of these additions on a topographic map reveal such forests to be also identified wilderness. These lands are very steep, inaccessible and probably contain poor forest.

During the second cutting cycle, the difference between the accessible forest under the current 1986 plan of management and the proposed plan is 1,100 ha (see pg 93 of the E.I.S. 29,500 ha - 28,400

⁴ Qu: When is a forest moratorium not considered a moratorium? Ans: When it affects wilderness area. The 23,500 ha. of old growth forest described in the E.I.S. are only those in schedule 1 of the moratorium forests in the Timber Industry Protection Act, 1992. Schedule 2 moratorium forests, protecting the Mann, Washpool and Guy Fawkes wilderness areas which cover the F.M.A. are conveniently ignored in the E.I.S.

ha). This figure is the area of useable forest proposed for reservation. Accordingly, the concession to conservation of productive and accessible forest appears to be almost **seven times smaller** than the amount proposed to be added to the state forest area.

The proposed accessible and productive forest expansion is apparently 3,627 ha. (33,127 - 29,500 ha see Table 8 & pg 93 of the E.I.S.). It appears that much more of the so-called productive forest outside the state forest estate is proposed to be logged, than the area state forest reserved. The poor productivity of the proposed additional land has not moderated the Commission's proposal, which must be based on a very vague criteria for what is a productive forest (eg. any forest that can be salvage logged once).

Wooden Mysteries?

From the data in Table 7 (pg 71 of the E.I.S.), the productivity for first cut quota logs from old growth forest is determined by subtracting timber yield from the already logged areas described in the top row of the table from the total area under the current plan as shown in the bottom row. The figure of 0.97 cubic metres/ha/yr for old growth forest yield⁵ compares unfavourably with the existing yield from already cut forest of 1.6 cubic metres/ha/yr. Why?

Obviously, the best areas were logged first. The remaining old growth is to a large extent on the substantially less productive and steeper lands. Old growth forests also contain a very high proportion of so-called rubbish wood and over-mature trees, much of which is not worth salvage (unless woodchipped).

The first cut yields are, however, two to three and a half times the yield from second cut. The average increment is only 0.48 cubic metre/ha/yr. This average, is greatly decreased by the Curramore-type state forests which produce only 0.2 cubic metres/ha/yr. These forests cannot be considered productive or worth silvicultural improvement. It is unlikely that the roading and management costs for these unproductive old growth forests will ever be recovered, except perhaps for some of the more small pockets of productive forests.

The Magic Wand

The Preferred Management Priority process is subject to **annual revision** (E.I.S. pg 42 section 4.3.3). The Glen Innes F.M.A. plan of management is not, and runs for five years or more before revision. Management plans and the Preferred Management Priority classification maps **do not** have statutory force under the Forestry Act of 1916.

The P.M.P. classification maps and plans of management are equivalent to development control plans under the Environmental Planning and Assessment Act, of 1979. They allow considerable discretion in interpreting what is approved under the P.M.P. classification and have no statutory force.

Under section 10(1)(a) of the Timber Industry (Interim Protection) Act, 1992, a person who carries out logging operations on and specified in Schedule 4 lands (the Forest Management Areas outside wilderness and old growth forest moratorium areas), must comply with

⁵ (17,700 - 6,200) m³.yr / (15,712 - 3,816) ha = 0.97 m³/ha.yr

the forest plan of management. From the date of the assent to this Act, forest management plans in N.S.W. have legal force.

A lawful development application, requires a definite project to be proposed. The Foundation submits that a development application cannot be lawfully expressed in terms of P.M.P. classifications but only by a draft plan of management for the F.M.A. Accordingly, encouraging public comment and review on a proposed P.M.P. map appears to be misdirected and unreasonable⁶.

The Colong Foundation for Wilderness submits that it is ludicrous to undertake a designated development assessment process for P.M.P.'s when they may well be overridden, by the forthcoming statutory plan of management or by another P.M.P. just one year later.

Given that it has taken from 1979 to 1992 to force the N.S.W. Forestry Commission by the extreme measure of special legislation (ie the Timber Industry (Interim Protection) Act, 1992) to undertake environmental impact statements over most of the Crown forest estate in N.S.W., the Colong Foundation has no confidence that the Commission will not take steps to avoid any proposed measures which could be unattractive to the timber industry.

The Commission can alter P.M.P. classification maps or plans of management in ways that ensure conservation measures proposed in the environmental impact statement are not implemented. For example, the E.I.S. suggests that salvage timber may be better utilised in the future than it is now. If an opportunity for integrated logging operations arose, for example if Boral sought to collect salvage for woodchipping, the P.M.P. and/or plan of management would be altered accordingly. There is of course nothing unreasonable about varying management or logging activities (so long as environmental improvements are made). From past experience, however, it is almost certain that such an increase in timber and wood production (and consequent reduction in environmental protection) would not trigger another environmental impact statement.

The Colong Foundation submits that the Forestry Commission should be required to undertake an environmental impact statement whenever a draft plan of management or P.M.P. Classification proposes to increase logging intensity, or the quota for sawlogs or other wood products.

The Foundation submits that the effect of P.M.P. classification is to obscure the legally binding plans of management behind the apparently more environmentally sensitive and colourful classification maps. Why call it "preferred" unless they intend to use another process that is not preferred? ⁷

⁶ If consent is given, a condition requiring the compliance with the conditions by persons carrying out logging operations will need to refer to the planning legislation and the Land and Environment Court Act. Plans of management will no longer have legal force once consent is granted. The consent conditions issued by the Minister for Planning become a de facto plan of management.

⁷ According to Circular 1100 "a P.M.P. Classification will consist of a map, subject to formal approval by the Commission or delegated officers, showing by different shadings the boundaries of management priority classes. This map will be a planning document in its own right, distinct from, but parallel to the management plan and in no way superseding or replacing it" (emphasis added).

The P.M.P. is not a management plan, just a classification. So far the Forestry Commission has successfully applied this "magic wand" so that its lack of meaning has not sunk in.

A critical examination of Figure 9 - "current preferred management priority classification" and Figure 14 - "increased conservation areas" reveals several apparent reductions in conservation areas which go unmentioned in the text of the environmental impact statement. These omissions (disappearing acts) include:

- * Some 2,000 ha. of steep land (P.M.P. 1.2) south west of Bark Hut Road in Figure 9, which disappears in Figure 14; and
- * The visual resource protection (P.M.P. 1.1.6) along Sampsons Ribs.

The proposed extensions to protection areas are not so large. Proposed areas, such as special emphasis flora and fauna (P.M.P. 1.1.7) existed mainly within previously existing steep land categories. For example, the P.M.P. 1.1.7 area to the north of Raspbury Lookout was mostly steep land. The changes in these circumstances are mainly semantic ones. In either case selective logging is permitted in the so-called reserves.

The extent of actual additions to proposed reserves (P.M.P. 1.3) also relies heavily on reclassifying steep areas. For example, about half of the proposed London Bridge and Black Hole Creek reserves are over steep land which would not be logged in any case. Furthermore, a P.M.P. 1.3 classification need not become flora reserves or the more insecure forest preserves as defined under the Forestry Act, 1916⁸.

The net effect of the P.M.P. classification system is to reduce the security of the proposed environmental protection measures by using a system of insecure reserves which can be logged.

When is a Moratorium not a Moratorium?

The Timber Industry (Interim Protection) Act, 1992 defines the logging moratorium areas in Schedules One and Two.

The E.I.S. only considers the pre-TI(IP) Act moratorium areas which are shown in Figure 13, and were identified by the Forestry Commission.

As a result of Schedule 2 of the TI(IP) Act, no logging in the Glen Innes F.M.A. should be undertaken in identified Washpool, Mann and Guy Fawkes wilderness areas (but not Binghi wilderness). These areas were nominated by people in the conservation movement and identified by the N.P.W.S. as wilderness.

The Foundation is concerned that the Commission has apparently misled the consultants (Mandis Roberts) and public by providing the wrong

⁸ P.M.P. 1.3 includes Flora Reserves, Forest Preserves, and other areas of known unique, rare or uncommon biological values which are worthy of consideration for formal preservation (emphasis added). Flora Preserves can be removed without notice being given in Parliament. Accordingly Preserves are in no way secure from the administrative whim of the Commission. All these reserves can be logged.

advice on the moratorium areas. Perhaps logging is going on in moratorium wilderness areas which are outside the Schedule 1 areas?

Integrated Logging

The E.I.S. claims there will no proposal for integrated logging. However, waste would be available for pulpwood. Just what "no tree would be specifically felled for pulpwood" (pg 99 of the E.I.S.) means depends on what the conditional adverb "specifically" is taken to mean.

Salvage or silvicultural operations can also be a woodchip operation.

Some of the forests are so poor that the only way to log them is by woodchipping. The Foundation has read of many proposals and reports on integrated logging. All claim that one of its benefits is to enable access and exploitation of poor forests. We have been advised that only integrated logging enables economic access to poor forests. Accordingly, we wonder why this F.M.A. is an exception.

Logging of ex-quota logs for woodchip has a low royalty of \$6.50 per log, compared with \$22.50 for a quota log. Logging a salvage log is presumably cheaper still. The Foundation is not convinced that the F.M.A. will not be woodchipped.

FAUNA IMPACT STATEMENT

The scientific assessment of fauna impacts and rational consideration of mitigation of these is a major step toward protecting fauna in State Forests. The Foundation can find little to criticise in the fauna impact statement by Austeco. However, the implementation of these measures require a level of trust in the N.S.W. Forestry Commission and its Preferred Management Priority (P.M.P.) classification process which the Foundation does not have.

Criticism is levelled at the N.S.W. Forestry Commission for not considering adequate and secure forest reserves to protect wildlife, particularly on the moist hardwood sites.

The Commission's scale for multiple use assessment is around 1:1,000 to 1:10,000 range, not the 1:100,000 or 1:250,000 scales. Tiny reserves of little security ignore the opportunities to link the 30% of steep lands in the F.M.A. with the national park and do not impress the Foundation. The wildlife won't survive in small reserves.

The whole point of the environmental impact statement and fauna impact statement should be to consider the land use options. There are opportunities to secure wildlife, old growth forest and wilderness protection.

The E.I.S. has taken an all or nothing approach to the wilderness proposals which is the simplest way to dismiss the matter. An examination of the preferred option and the proposed wilderness areas suggests that in many cases, old growth, wildlife and wilderness protection can be combined. If the proposed reserve areas were made national parks, then the future of wildlife in the area would be more assured.

Nothing about the multiple use logging reserves, PMP 1.1.7 (proposed special emphasis flora & fauna) guarantee the long term protection of

wildlife. The increased vehicle access to these sensitive wildlife areas will increase fire frequency in them. Fire is a main cause of reduction of wildlife diversity and so the proposed forest management may lead to loss of rare and endangered species.

Notwithstanding these criticisms, the proposed measures for non-old growth forests would appear to afford a degree of wildlife protection based on considered assessment of wildlife requirements.

Financial Considerations

The financial data is misleading as it refers to gross profit, estimated to be \$3.31 million in 1990/91. It may be that the F.M.A. will not show a net profit. The cost of roading, public administration and silvicultural costs need to be factored into the consideration of net worth of the proposal.

Australia does not import Eucalypt hardwood timbers. The key import areas are paper and softwood logs. Local softwood substitutes for hardwood logs are increasingly available. Accordingly there are no effects on the Balance of Payments from not undertaking this operation.

Thousands of businesses have had to reduce production during the current recession. The loss of 27 to 30 jobs if the entire wilderness and old growth forest areas were protected could hardly be a disaster on a local economy employing 3,358 people, particularly if a structural adjustment program envisaged by the N.F.P. is involved.

Visual Impact

The biased parochial view of the area as a traditional logging area and hence there having no visual impacts is rejected. The F.M.A. contains old growth forest and wilderness areas. Logging is not traditional in these areas.

The claim on page 280 of the E.I.S. that "in visual terms they [the scenes within forests] are all of a similar type and quality" defies a common sense understanding. Most people consider forests highly variable landscapes.

The protection of a visual buffer below Sampsons Walls has been deleted in the proposed additional conservation areas and this is unacceptable (see figure 14). The visual assessment does not comment on its disappearance.

The Foundation rejects the visual assessment as parochial and superficial.

Determination of the Proposal and the Timber Industry (Interim Protection) Act

The attention of the Department of Planning is drawn to Section 8(5) of the Timber Industry (Interim Protection) Act. The Minister for Planning is the only determining authority until the end of the 3 month period following completion of the public exhibition period. This provision, however, only applies to lands described in Schedule 4 of the Act and not to the determination of environmental impact statements and associated development applications.

It is quite within the powers of the Timber Industry (Interim Protection) Act for the Department of Planning to recommend to the Minister of Planning that the logging moratorium continue over the Schedule 1 and 2 lands while granting conditional approval to the Schedule 4 lands (although the Foundation recommends against the issue of any consent). If conditional approval is granted, other areas of old growth forest and wilderness not in the TI(IP) Act moratorium should be protected by moratorium.

This specific provision creates an administrative flexibility which the Department may not be aware. There is no legal compulsion for old growth and wilderness areas, as defined in the Timber Industry (Interim Protection) Act, to be determined at this stage.

Conclusion

The Foundation has reviewed the Glen Innes Forest Management Area environmental impact and fauna impact statements. The fauna impact statement is clearly the best yet produced.

The Foundation does not support the multiple use proposals outlined in the environmental impact statement because:

- a) They do not afford the level of security required for old growth and wilderness areas under the National Forest Policy;
- b) Fauna will not be adequately protected in the multiple use logging flora and fauna logging reserves;
- c) The proposed reserves PMP 1.3 ensure no guarantee that these areas will be reserved;
- d) No net profit estimates have been determined and it may well be that there is no benefit from logging these areas, especially the low productivity areas (eg Curramore State Forest).

The Colong Foundation recommends that the National Forest Policy be implemented and that the old growth and wilderness areas in the F.M.A. be secured as national park.

The proposal as outlined in the environmental impact statement for the Glen Innes Forest Management Area should be refused consent.

Colong Foundation for Wilderness
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