

North East Forest Alliance

NORTH EAST FOREST ALLIANCE

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Tony Chappel
Chief Executive Officer
Environment Protection Authority
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Dear Mr Chappel,

On 20 November I wrote to you in relation to Compartment 13 of Moonpar State Forest which is now being logged, attaching an assessment that had identified Yellow-bellied Glider, Southern Greater Glider and Powerful Owl within the compartment, including 2 Southern Greater Glider den trees. My concern was that Bionet identified that FCNSW had made no records of these species since 2018. As it was therefore not apparent that the Forestry Corporation had made any attempt to identify their den, roost and nest trees of as required by the CIFOA, I requested an immediate Stop Work Order until the required searches are undertaken.

Your response of 30 November was that you would not implement a Stop Work Order on the basis *"that NSW Environment Protection Authority (EPA) officers closely monitor forestry operations within the Moonpar State Forest to ensure compliance with the forestry laws. The EPA's ongoing compliance monitoring activities include onsite inspections and examining the adequacy of broad area habitat searches conducted by the Forestry Corporation of New South Wales (FCNSW)".*

Steve Orr's response to me of 30 November was "EPA officers have been conducting a range of assessments and inquiries and EPA officers are on site at Moonpar today".

I find this totally unsatisfactory. I put to you the questions that I put to Mr. Orr in response to your letter:

Could you please inform me as to whether the FCNSW are undertaking nocturnal searches for den trees and what methodology they are applying to identify such, given that the EPA say they are satisfied with their methodology. Did the EPA undertake any nocturnal surveys? How many den trees have the EPA and/or FCNSW identified to date?

It seems to me that there is one interpretation of the CIFOA requirements for identifying den and nest trees in southern NSW and a different one for north-east NSW where they are not required to be identified.

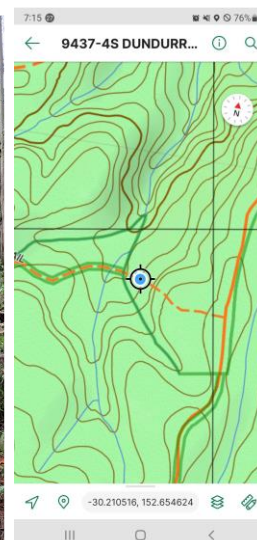
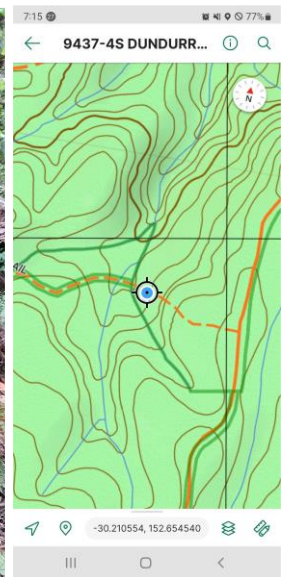
I find it particularly galling that on NEFA's behalf a very brief assessment of compartment 13 of Moonpar State Forest on the afternoon of the 30 November (the same day as the EPA's visit) identified no den trees marked for retention in an area that we had identified to you as having multiple records of Greater Glider and Yellow-bellied Glider. While it is possible that some identified den trees exclusions were not seen on the brief visit, it appears that the only ones identified remain those we identified to you. Do you think its tenable that neither the FCNSW or EPA identified any den trees where these species inhabit?

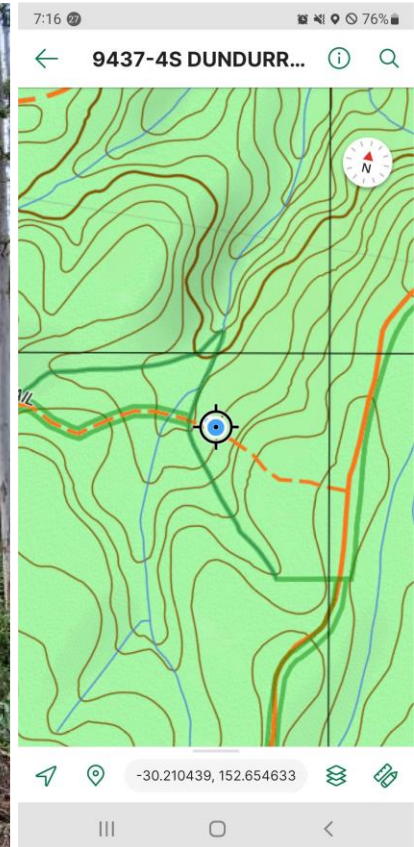
The brief inspection identified multiple other breaches that the EPA apparently did not identify on your inspection of the same day. This brings into question the rigor of your assessment and (as identified by the Auditor General) the adequacy of training of your staff. These include: damage to a population of Rainforest Senna killing at least two plants; killing one and damaging two marked Glossy Black Cockatoo feed trees; significant damage to two marked giant Sydney Blue Gum trees and damage to one marked hollow-bearing Tallowwood tree; and damage to two marked Koala feed trees.

Breaches 1 and 2. Two subpopulations of *Senna acclinis* (Rainforest Senna) within 100m were identified, totalling around 100 plants up to 3m tall, with 2 identified as impacted by logging machinery. There are likely to have been many more amongst the logging debris. Rainforest Cassia is identified in the CIFOA as requiring a flora road management plan, with surveys undertaken in spring–summer when flowering and fruiting. There had been no attempt to mark the plants or implement a buffer zone.



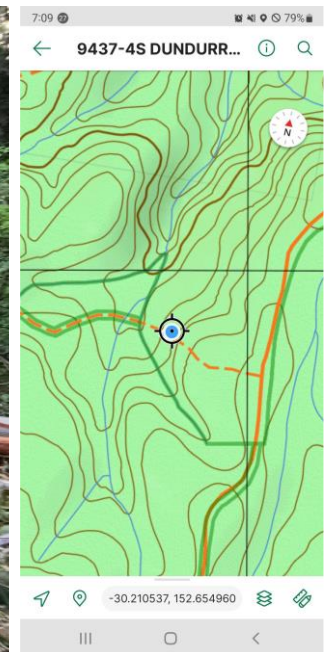
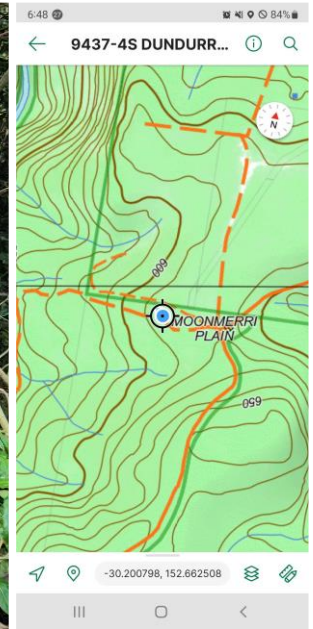
Breaches 3, 4 and 5. There was widespread destruction of Forest Oaks. Including damage to Glossy Black Cockatoo feed trees marked for retention, with one tree destroyed and 2 significantly damaged:



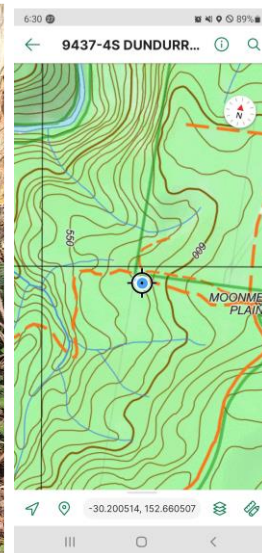


Breaches 6, 7 and 8: Significant damage to two marked (L) giant Sydney Blue Gum trees and damage to one marked hollow-bearing (H) Tallowwood tree. These are also Koala feed trees. I have asked you for guidance before on criteria for what the EPA considers damage, though despite repeated requests the EPA has refused to provide guidance. In the absence of such, these are what NEFA considers sufficiently severe to affect the long-term survival of these irreplaceable trees. It also raises the question as to whether they are den trees, whether any credible attempt to identify possible dens was made, and whether they should have had 50m buffers.





Breaches 9 and 10: Damage to two Tallowwood trees marked for retention as Koala Feed Trees:



Yours sincerely,

Dailan Pugh

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