

Definition Statement

**for the 1997 Progress and Compliance Report
by the Department of Conservation and Land Management
on the Forest Management Plan 1994-2003**

Draft for public comment

**Environmental Protection Authority
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Foreword

In December 1992 the Minister for the Environment issued a statement that a proposal submitted by the Department of Conservation and Land Management (CALM) to the Environmental Protection Authority (EPA) amending the 1987 forest management plans could be implemented subject to a number of conditions. Subsequently, CALM produced a Forest Management Plan 1994-2003 which was approved by the Minister.

One of the conditions set out in the Minister's statement was that CALM would prepare a major public progress and compliance report in 1997 to help verify the environmental performance of the CALM project, and that the report would be prepared in consultation with the EPA. The statement also set out that the EPA is responsible for verifying compliance with the conditions. The Forest Management Plan 1994-2003 has become the project for the purpose of CALM's progress and compliance report.

As a first step to preparing the report, CALM in consultation with the EPA has produced the attached definition statement setting out the broad approach which CALM will follow in preparing its report. The EPA is now inviting public comment on this definition statement as part of its consultation process with CALM on the preparation of the report.

The report will be published later this year, and public comment will be invited before the EPA finalises its advice to the Minister on the report.

Call for submissions

The EPA invites people to make submissions on the attached definition statement during the period 1 February to 14 February 1997. Comments from government agencies and from the public will help to ensure that CALM's 1997 progress and compliance report addresses all relevant matters in accordance with the 1992 Ministerial statement.

All submissions received by the EPA will be acknowledged. Submissions will be treated as public documents and may be quoted in full or in part, unless provided and received in confidence (and then subject to the requirements of the Freedom of Information Act).

Developing a submission

By keeping the following points in mind, you will make it easier for your submission to be analysed:

- list points so that issues raised are clear. A summary of your submission is helpful;
- refer each point to the appropriate part of the Definition Statement;
- attach any additional factual information you may wish to provide and give details of the source.

Remember to include:

- your name,
- address,
- date; and
- whether you want your submission to be confidential.

The closing date for submissions is: 14 February 1997

Submissions should be addressed to:

The Chairman
Environmental Protection Authority
Westralia Square
141 St George's Terrace
PERTH WA 6000

FOREST MANAGEMENT PLAN 1994-2003

DEFINITION STATEMENT FOR THE 1997 PROGRESS AND COMPLIANCE REPORT

REQUIREMENTS TO REPORT UNDER MINISTERIAL CONDITIONS OF 24 DECEMBER 1992

On 24 December 1992, the Minister for the Environment released a statement that the proposal titled "Proposal to amend the 1987 Forest Management Plans and Timber Strategy and Proposal to meet Ministerial Conditions on the Regional Plans and WACAP ERMP" submitted by the Department of Conservation & Land Management (CALM) to the Environmental Protection Authority (EPA) may be implemented subject to a number of conditions. Condition 18 and the Procedure section of the Ministerial Statement were about compliance and the preparation of reports.

Condition 18-1 Reporting on compliance

The proponent shall prepare "Progress and Compliance Reports", to help verify the environmental performance of this project, in consultation with the Environmental Protection Authority. These shall include brief annual progress reports to the Environmental Protection Authority, and major public reports in 1997 and 2002.

Procedure Compliance

The Environmental Protection Authority is responsible for verifying compliance with the conditions contained in this statement, with the exception of conditions stating that the proponent shall meet the requirements of either the Minister for the Environment or any other government agency.

This statement is one instrument for consultation between the Department of Conservation & Land Management (the proponent) and the Environmental Protection Authority to assist preparation of the report for 1997.

Reference to a project in Ministerial Condition 18-1 is a reference to the proposal submitted by CALM to the EPA in February 1992 and approved by the Minister for the Environment on 24 December 1992. Also in February 1992, CALM released for public comment a review of the management strategies for the south-west forests of Western Australia. The EPA report on the proposal (EPA Bulletin 652) also reviewed the management strategies document. Accordingly the EPA report to the Minister, through Bulletin 652, reviewed more than one document.

Subsequent to the release of the review of the forest management strategies by CALM in February 1992 and the statement by the Minister on 24 December 1992 that the proposal submitted to the EPA may be implemented, the Lands and Forest Commission and CALM produced a document entitled "Forest Management plan 1994-2003" for consideration by the Minister for the Environment. The Minister for the Environment approved the Forest Management Plan 1994-2003 in accordance with section 60 of the Conservation and Land Management Act 1984. This 1994-2003 Plan has become the principal forest management plan for Western Australia although the 1987 Plan has not been revoked. For the purpose of the Ministerial Condition 18-1, the project is now considered to be the Forest Management Plan 1994-2003.

The 1997 Progress and Compliance Report to be prepared by CALM to "help verify the environmental performance of this project" will be structured around the Ministerial Conditions, and in doing so the Report will focus on the following major elements of forest management:

| | <u>Condition No.</u> |
|---|----------------------|
| • amendments to the conservation estate | 4 |
| • silvicultural methods for harvesting and regenerating the forest | 3,11,13,14 |
| • protection of water quality in harvested areas | 12,16 |
| • areas outside formal reserves receiving special protection (including old growth forest) | 5,6,7 |
| • fire management | 15 |
| • levels of timber harvest. | 8,9,10 |
| • dieback management | 3 |

This structure will provide information on each of the Ministerial Conditions, to assist the EPA in its task of verifying compliance, as well as providing information on the environmental performance of the forest management plan.

The EPA has requested that the objectives in implementing each Ministerial Condition be stated so that the environmental performance could be judged against that objective. CALM will work closely with the EPA in an endeavour to achieve the approach requested by the EPA.

Several conditions impose an obligation that the requirements of either the Minister for the Environment or another government agency must be met. Reporting and compliance with these conditions then becomes an issue for the proponent and the nominated Minister or agency. Where applicable, this statement details the requirements of the Minister or agreements reached with relevant agencies.

MINISTERIAL CONDITION No 1**Proponent commitments**

1-1 In implementing the proposal, the proponent shall fulfil the commitments (which are not inconsistent with the conditions or procedures contained in this statement) made in the proposal and in response to issues raised following public submissions.

This Ministerial Condition about commitments is general to all statements made by the Minister for the Environment that a proposal may be implemented. It is the usual practise for the schedule of commitments to be agreed upon between the EPA and the proponent, and then the schedule be attached to the Ministerial Statement. However, this was not undertaken in relation to the forest management project.

The commitments can be found throughout the various documents. It is not intended that the Progress and Compliance Report endeavour to trace each detail in the documents and report on them individually. Rather, the report will provide information on the process which CALM has developed to give effect to its commitments.

MINISTERIAL CONDITION No. 2

Implementation

2-1 *An expert scientific and administrative committee will be established by the Minister for the Environment to review and report on the implementation of this proposal by June 30 1993. The terms of reference of the committee will be to consider:*

- *reserve recommendations within multiple use forest involving those proposals related to temporary exclusion from timber production and potential reserves to act as wildlife corridors;*
- *the environmental, economic and social implications of such proposals for:*
 - *nature conservation in WA's native forests;*
 - *the maximum sustainable timber supply*
 - *the existing and future timber industry*
- *the potential to increase plantation estate on cleared agricultural land to contribute to the production of timber products.*

The committee of Dr Tim Meagher, Mr Frank Campbell, Dr Ken Shepherd and Dr Darrell Kitchener reported as required in June 1993 in a report of 60 pages plus appendices. The Minister for the Environment then released a response to this report on 5 August 1993, and a "determination of annual sustainable timber resource available for allocation" on 16 August 1993.

The Minister's statement of 5 August 1993 concluded that

- natural ecological processes were not being adversely affected and that the system of protected areas was excellent and generous
- wildlife corridors had no demonstrable ecological benefits and would not be implemented
- the timber industry is a significant contributor to regional economy and stability in the south-west and requires resource security
- yield levels should be set at quantities defined in his response
- there is scope for plantation expansion and this is being progressed
- value-adding objectives would be established for the timber industry.

The progress report will summarise the historical aspects of the implementation of this condition and document how the requirements of the condition have been met.

2-2 Subject to these conditions, the manner of detailed implementation of the proposal shall conform in substance with that set out in any designs, specifications, plans or other technical material submitted by the proponent to the Environmental Protection Authority with the proposal. Where in the course of that detailed implementation, the proponent seeks to change those designs, specifications plans or other technical material in any way that the Minister for the Environment determines on the advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

The progress report will indicate that no changes have been sought by the proponent.

MINISTERIAL CONDITION No 3

Precautionary approach and adaptive management

3-1 *The proponent shall manage the karri and karri-marri forest in accordance with a precautionary approach. This approach requires that where there is a significant risk that a particular forest management measure could lead to an irreversible consequence appropriate monitoring and subsequent adjustments to management within an acceptable time frame be carried out”.*

3-2 *The proponent shall manage the jarrah forest in accordance with the following general principles:*

- (1) a precautionary approach*
- (2) adaptive and flexible management practices based on research and monitoring of environmental monitoring of operations (see condition 17);*
- (3) implementation as a trial, with reassessment by the Environmental Protection Authority after ten years - the period of the Management Plans and the Timber Strategy (see condition 11); and*
- (4) no commitment of all of the wood resource in the long term (see conditions 9 & 10).*

For the purposes of condition 3-1, and 3-2(1), the progress report will summarise risks that have been identified in previous statements, such as:

- the “Ministerial response” of 5 August 1993 which states that the biggest threat to animals comes from the introduced predators, the fox and cat, and for plants, the biggest threat is the *Phytophthora cinnamomi* fungus and
- the management plan and Ministerial Conditions which identify values (eg, habitat for wildlife, fresh water) which might potentially be at risk.

The report will outline action taken to address these risks, such as:

- Extensive fox control implemented through Operation Foxglove and Western Shield and
- the appointment by the Minister of a group of eminent scientists to investigate the *Phytophthora cinnamomi* problem and

Under condition 3-2(2), the report will summarise the briefings to the Forest Monitoring and Research Committee (FMRC) which are required under condition 17 while progress and compliance with conditions 3-2(3) and 3-2(4) will be reported specifically under conditions 9,10 and 11.

MINISTERIAL CONDITION No. 4
Amendments to conservation estate

The proponent shall initiate the Government processes required to implement the proposed amendments to the conservation reserve estate as agreed to by the Minister for the Environment and defined in the approved Forest Management Plans.

The Government processes to implement changes in tenure involve:

- definition of suitable boundaries for gazettal
- consultation with Local Government Authorities
- consultation with Water Authority (now Water and Rivers Commission)
- consultation with Department of Minerals and Energy
- consideration by Parliament.

The report will contain summaries of progress on implementation of tenure changes of individual land parcels contained in the proposal.

MINISTERIAL CONDITION No. 5
Revised travel route, river and stream reserves.

5-1 The proponent shall implement the revised system of travel route (road), river and stream reserves consistent with condition 15 [should be 16]. It is noted that the minimum combined width (both sides of a first, second or third order stream) of the proposed zones is 60 metres.

5-2 The proponent shall ensure that the travel route (road), river and stream reserves remain unharvested in perpetuity, except for those portions of regrowth forest within road zones where thinning can be undertaken in a manner consistent with, and so as to enhance in the longer term, the defined visual quality objectives.

5-3 The proponent shall monitor the effectiveness of the travel route (road), river and stream reserves for nature conservation and protection of water quality to requirements of Minister for the Environment.

Under conditions 5-1 and 5-2, the report will document the revised system. Examples from the Departmental geographic information record-keeping system including links with operational procedures will be presented in the report.

Under condition 5-3, monitoring the effectiveness of these reserves is to the requirements of the Minister. The Minister's requirements will be reported.

MINISTERIAL CONDITION No. 6
Diverse ecotype conservation areas

6-1 Diverse ecotype conservation areas shall be identified by the proponent and those greater than five hectares shall be identified on publicly available maps.

6-2 The proponent shall ensure that Diverse Ecotype Conservation areas remain protected from timber harvesting and associated activities in perpetuity”.

Under 6-1, maps of defined ecotypes will be presented in the report.

Under 6-2, examples from the Departmental geographic information record-keeping system including links with operational procedures will be presented in the report.

MINISTERIAL CONDITION No 7
Old growth karri areas of high social or environmental value

7-1 The proponent shall identify and protect areas of old growth karri (up to 3200 hectares) with a high aesthetic, social or environmental value. This is to be implemented on a regional basis and with the benefit of public involvement. These areas shall:

- (1) include those trees in Beavis, Carey and Giblett forest blocks protected from clearfelling by environmental conditions related to the Manjimup-Beenup power line proposal (EPA Bulletin 603)*
- (2) be identified publicly and progressively from the adoption of the Management Plans, with the proponent reporting to the Minister on progress towards implementation within three years; and*
- (3) shall not be harvested, and shall be managed to retain their values (other than timber production).*

7-2 The proponent shall report on the implementation and management of these special areas at the next Forest Management Review.

Under condition 7-1(1) and 7-1(2), specific areas nominated in the condition and additional areas which have been progressively selected ahead of timber harvesting will be reported by way of maps and explanatory text.

Condition 7-1 (2) also requires reporting to the Minister within three years of adopting the Management Plans, (March 1997). It is proposed that the compliance report make reference to the report to the Minister.

Under 7-2, the proponent is required to report at the next forest management review. No reporting is required here.

MINISTERIAL CONDITION No. 8
Sustainable yield estimates

8-1 *The allocated timber resource for the period ending 30 June 1993, prior to the consideration by the Minister for the Environment of the report of the committee referred to in condition 1 (should be 2) will not exceed the 1993 level described in the 1987 Timber Strategy together with an additional amount of the timber resource that was approved in the 1987 Timber Strategy but remained uncut. This additional amount may be allocated by the proponent with the approval of the Minister for the Environment on a needs basis up to a total level not exceeding that proposed by the proponent in its 1992 proposals.*

8-2. *Following consideration of the report of the committee referred to in condition 2, the Minister for the Environment shall determine the annual sustainable timber resource available for allocation.*

The progress report will summarise the historical aspects of the implementation of this condition and document how the requirements of the condition have been met.

MINISTERIAL CONDITION No. 9
Commitment of wood

9-1 *Subject to condition 8, in the letting of contracts for wood supply from the jarrah forest, the proponent shall;*

- (1) not exceed the annual levels of timber supply defined in condition 8 above;*
and
- (2) recognise the possibility of the necessity to reduce wood supply beyond 2002 as a result of monitoring and adaptive management following the trial implementation of the jarrah forest silvicultural prescription.*

Under 9-1(1), the report will summarise the wood supply contracts from the jarrah forest that have been negotiated together with a progress report of the quantity of timber supplied in accordance with the contracts.

Under 9-1(2), although there is no specific requirement to report at this stage, routine monitoring of the results of the jarrah forest silvicultural prescription will be reported on.

MINISTERIAL CONDITION No 10
Commitment of new resource to be referred

10-1 Notwithstanding Section 38 of the Environmental Protection Act, the proponent shall refer to the Environmental Protection Authority any proposal to enter into a contract for a substantial portion (as determined by the Minister for the Environment) of forest produce identified as other logs (jarrah) or forest residue (marri) in the revised Timber Strategy (Table 13 of the proposals document).

The report will document any contracts entered into or proposals made for the forest produce identified in this condition.

MINISTERIAL CONDITION No. 11
Jarrah silvicultural trial

11-1 The proponent shall implement the jarrah silvicultural prescription so that monitoring of the environmental impacts on a representative range of treated sites and localities in the forest can be carried out to the requirements of the Minister for the Environment. This shall include long-term monitoring which quantifies the impacts of silvicultural practices on environmental elements and values in the forest and provide bases to adjust management.

11-2 The proponent shall give all necessary assistance to the Monitoring and Research Committee (condition 16) (should be 17) to enable it to have an active and fully informed role in the planning and oversight of the scientific monitoring of this trial period.

11-3 The proponent shall report to the Minister for the Environment on outcomes of this implementation and monitoring and on any modifications to the prescriptions by 2002 as part of the next review of the Forest Management Plans and Timber Strategy.

Under 11-1, the report will outline the measures that are in place to meet the condition to the requirements of the Minister for the Environment.

Under 11-2, the report will document the assistance given to the FMRC.

Under 11-3, although there is no specific requirement to report to the Minister at this stage, interim results and modifications made to the prescriptions will be included in the compliance report.

MINISTERIAL CONDITION No. 12**Phased logging**

12-1 *The proponent shall ensure that, in all second order catchments in the intermediate and low rainfall zones of the multiple use jarrah forest subject to logging, at least 30 per cent of each second order catchment has a retained basal area of greater than 15 m²ha⁻¹ for a period of at least 15 years after harvesting the remainder of the catchment.*

12-2 *This retained forest shall be selected to enhance wildlife, water resource and visual objectives.*

12-3 *The proponent shall monitor, to the requirements of the Minister for the Environment, and report by 2002 on the status and effectiveness of these measures to protect nature conservation values and water quality at the time of the next Forest Management Plans and Timber Strategy.*

Under 12-1 and 12-2, the report will document historical records of areas that have been progressively selected ahead of harvesting.

Under 12-3 although there is no specific requirement to report to the Minister at this stage, preliminary indications will be included in the compliance report.

MINISTERIAL CONDITION No. 13**Habitat trees**

13-1 *The proponent shall ensure that the number, condition and age of trees retained on sites subject to gap treatment is sufficient, as determined by the Minister for the Environment to adequately provide habitat function throughout the cutting cycle of the forest."*

The report will summarise research required under this proposal impinging on the substance of this condition regarding the number, condition and age of habitat trees which are required to provide habitat in the jarrah forest. Any determination by the Minister will be reported.

MINISTERIAL CONDITION No 14***Banksia grandis* reduction**

14-1 *The proponent shall concentrate the proposed Banksia grandis reduction in specific areas where the environmental circumstances suggest that treatment will have the greatest impact on reducing the spread and intensification of Phytophthora cinnamomi in the jarrah forest and where required to establish jarrah and marri regeneration.*

14-2 *The proponent shall establish a programme, to the requirements of the Minister for the Environment, to identify and evaluate the environmental implications of the proposed reduction and that the results of that evaluation shall be reported on, at or before the time of the next review of the Forest Management Plans by 2002.*

Under 14-1 the report will summarise the methods used and areas treated for establishing jarrah and marri regeneration including the reduction of *Banksia grandis* in this process. The general policy with respect to the management of *Phytophthora cinnamomi* in the jarrah forest will be reported under condition 3-2.

Under 14-2, the report will summarise action taken to implement the recommendations of the Dieback Review Panel and any requirements of the Minister.

MINISTERIAL CONDITION No 15**Fire management**

15-1 *The proponent shall ensure that the fire management objectives related to the jarrah forest prescription include the minimisation of air pollution in urban areas, to the requirements of the Minister for the Environment.*

15-2 *The proponent shall inform the public about its fire management on a regional basis each year in its annual report. This shall include but not be limited to the following:*

- (1) occurrences and causes of wildfires*
- (2) purposes of burns*
- (3) areas burnt under different regimes of season and periodicity*
- (4) escapes; and*
- (5) the contribution of prescribed burning to reducing wildfire hazard.*

15-3 *Within 12 months of this proposal being given authority to be implemented the proponent shall initiate a public review of its prescribed burning policy and practices and the wildfire threat analysis. This should be done with the close involvement of the Research and Monitoring Committee. If possible, it should be linked with a review of the provisions of the Bush Fires Act.*

Under 15-1 the report will outline measures that have been taken to address the requirements of this condition, and the requirements of the Minister.

Under 15-2, the report will outline current fire management practices reported in CALM's annual report.

Under 15-3, the report will outline the conclusions of the public review.

MINISTERIAL CONDITION No. 16

High salt risk catchments

16-1 Within three years, or such other period as the Minister for the Environment shall nominate, the proponent, on advice from the Water Authority of Western Australia, shall identify second order catchments with a high salt risk.

16-2 Within each catchment identified according to the requirements of condition 16.1, the proponent shall retain additional river and stream buffers and locate areas temporarily reserved during phased logging operations to the requirements of the Water Authority of Western Australia.

Under 16-1, the report will document the time-frame determined by the Minister and progress on identifying second order catchments with high salt risk

Under 16-2, the report will summarise measures required by the Western Australia Water Authority (now Water and Rivers Commission) and action taken to meet their requirements.

MINISTERIAL CONDITION No. 17

Forest Monitoring and Research Committee

17-1 The Minister for the Environment will set up a committee having objectives which include:

- (1) identification, prioritisation and approval of monitoring and research programmes and projects on environmental impacts of forestry management*
- (2) the granting of funds towards such monitoring and research*
- (3) receipt of progress reports*
- (4) reporting to the Minister for the Environment*
- (5) publication of results.*

17-2 The Committee shall include the heads (or nominees) of the Department of Conservation & Land Management, the Environmental Protection Authority, the Western Australian Forest Industries Federation, the Conservation Council and the Water Authority of Western Australia, and the Chairpersons of the Lands and Forest Commission and National Parks and Nature Conservation Authority.

17-3 The committee shall appoint working groups of scientists to recommend and report to the Committee on the design and funding of research projects, the identification, prioritisation and review of monitoring and research programmes and projects relating to the environmental impacts of forest management.

17-4 The committee shall provide brief annual progress reports to the Minister for the Environment, with major reports in 1997 and 2002, at the time of the next review of the Forest Management Plans and Timber Strategy.

Under 17-1, the report will outline the process used to establish the FMRC together with progress made and problems the committee has encountered in carrying out its responsibilities.

Under 17-2, the report will document the representatives.

Under 17-3, the report will summarise research projects which have been referred to the committee.

MINISTERIAL CONDITION No. 18

Reporting on compliance

18-1 The proponent shall prepare "Progress and Compliance Reports", to help verify the environmental performance of this project, in consultation with the Environmental Protection Authority. These shall include brief annual progress reports to the Environmental Protection Authority, and major public reports in 1997 and 2002.

This public report being prepared by CALM for submission to the EPA together with the brief annual progress reports submitted in previous years will fulfil this condition.