



IRISH TIMBER GROWERS ASSOCIATION

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Comments on the Consultation Draft Environmental Requirements for Afforestation (Forest Service draft dated 11th April 2016)

The Irish Timber Growers Association (ITGA) was established in 1977 and is the national representative body of private woodland owners in Ireland. The membership of the Association mirrors the wide range of different timber growers in the country and current membership includes farm forest owners, forestry co-operative members, private woodland estates, forestry investors and forestry pension funds. This wide range of membership allows the Association take a broad view of the industry and issues facing the sector.

The Irish Timber Growers Association welcomes the opportunity to make this submission to the Department of Agriculture, Food & the Marine on the Consultation Draft Environmental Requirements for Afforestation dated 11th April 2016.

Re: Page 5 (2nd bullet point)

- *An appropriate ecological assessment is required in sites where Annex I habitats or the habitat of Annex I birds or Annex II species occur or **are likely to occur**.*

The latter part of the above point will be difficult for a forester to assess and additional supporting information should be provided on which such a decision can be based.

Re: Page 5 (3rd bullet point)

- *All conifer afforestation applications with stream/river/lake frontage (as per OS maps) within certain water-sensitive catchments must include a Native Woodland Establishment (GPC 9 & 10) plot at least 20 m wide (tree-to-tree) adjoining the water setback (where site suitability for broadleaves allows), for the protection and enhancement of water quality.*

This requirement seems excessive and unnecessary in the light of the water setbacks already imposed in Table 3 on page 24 and the 15% ABE requirement for all afforestation sites. Especially for smaller sites this additional requirement will diminish the potential productivity of the afforested site disproportionately.

Re: Page 9; **2.3 Basic requirements at pre-application design stage**

'If faced with a particularly sensitive and complex site in relation to a particular environmental issue (water, biodiversity, archaeology, landscape, etc.), a Registered Forester may propose safeguards above and beyond the minimum requirements set out in this document. Furthermore, a relevant expert (hydrologist, ecologist, archaeologist, landscape architect, etc.) may be retained early in the pre-application design process, to assess the issue and to identify appropriate protective measures. Doing so, with supporting notes / expert report submitted with the Form 1 application, may negate the need for a subsequent request for Further Information from the Forest Service.'

The above text that appears in the box under point 2.3, is likely to create the expectation by inspectors, NPWS and other agencies that 'relevant experts' should be retained early in the pre-application design process for most sites that have any particular environmental issue. The cost of this development would not be sustainable for the sector.

Re: Page 10 **2.4 Water**

'During onsite assessment, identify and map aquatic zones and relevant watercourses adjoining or crossing the site, and also 'hotspots'. These features are defined as follows:

- *Aquatic zone: A permanent or seasonal river, stream or lake shown on an Ordnance Survey 6 inch map. (Note, the EPA water layer on iFORIS may not capture all aquatic zones onsite.)*
- *Relevant watercourse: A **watercourse that is not shown on an OS 6 inch map** but which is connected to an aquatic zone onsite, adjoining the site or elsewhere, and which has the potential to carry significant amounts of sediments / nutrients, or show evidence / signs of erosion/deposition. Relevant watercourses are often artificial, and include drains and channels and other potential pathways that may only contain flowing water during and immediately after rainfall. Note, not every watercourse may be deemed as a 'relevant watercourse'. For example, an existing well-vegetated agricultural drain on moderately sloping ground may not be regarded as a relevant watercourse.*
- *Hotspot: An area (often localised) that is a potential source for sediment / nutrient loss during afforestation and / or future forestry operations. Examples include soft wet ground, flushes and springs, areas where machine access is difficult due to slope or ground-bearing capacity, flood prone areas.*

The relevant water course which is not identified on a 6inch map must be identified on site, (even if it's a farmer's main drain that drains the site or through the site); this additional onus on the applicant and his forester to identify potential watercourses could be considered subjective and is open to interpretation by different Forest Service inspectors.

Re: Page 12

- *All culverts should be well-bedded and of sufficient size to carry normal flow and to accommodate 25-year storm events,*

Culverts must be able to accommodate 25-year storm events – who provides this relevant data and the culvert specification for any given location? The flow of water can vary greatly even within one site.

Re; Page 19:

*‘Where possible, include all reference numbers (e.g. RMP number) on the Biodiversity Map submitted with the application. **Doing so may expedite the Forest Service assessment of the application.**’*

Can timeframes for dealing with and processing applications which meet all these environmental requirements be provided in regards to the above statement?

Re: Page 23 **Public notification procedure**

‘It is proposed in 2016 to introduce a requirement for a site notice to be placed on the public road adjacent to all proposed afforestation sites. This notice will detail the area and site reference number of the proposed afforestation. Further details, including a map of the proposed application, will be available on request from the Forest Service, Johnstown Castle Estate, Co. Wexford.’

Where the Public notification procedure is referred to as part of these Requirements, the specifics such as the type of notice, the length of time the notice would have to be up for, etc. and within what timeframe, should be included in this document.

Re: Page 24; **Table 3 Water setbacks:**

Some of the water setback distances have been increased over those currently in place and this will further reduce the productive area of forests. Increased setbacks have also been applied to some archaeological sites.

Has recent research shown that the current setbacks are inadequate and require increasing? If there are no specific scientific reasons for these proposed increased setbacks they should be reconsidered, especially since there are additional requirements imposed *‘to include a Native Woodland Establishment (GPC 9 &10) plot at least 20 m wide (tree-to-tree) adjoining the water setback (where site suitability for broadleaves allows)’* (See page 5).

Water setbacks are proposed to be from a minimum of 10m to a maximum of 25m depending on slope and soil type. Relevant watercourses require a 5m setback. The combined open space can leave an owner with a biodiversity area over the 15% required, thereby reducing their net productive area.

Re: page 26: **Table 5 Archaeological setbacks**

The requirement to have the exclusion zone demarcated by a fence comprising two strands of straight wire will involve extra costs that may not be necessary for all archaeological setbacks. The necessity for a fence should be judged on a case by case basis and the ultimate objective of such fence should be considered.

Re: Page 33; **Forest edge treatment:**

In relation to the new proposed requirement for forest edge treatment - extra broadleaves within the forest edge, there is a need to clarify if this is in addition to 10 metre broadleaf planting along roads.

Also, the exclusion of forest operations in setbacks is not always feasible during forest operations. For example, turning areas are required for forest machinery.

Re: Page 39 **3.9 Submission of the Form 2**

‘The Registered Forester must walk the site within 2 months of submitting the Application for 1st Grant Instalment (Form 2), and satisfy her- / himself that the plantation is up to standard, both environmentally and silviculturally, and in full accordance with the Letter of Approval. Where this is not the case, rectify before submitting the Form 2.’

For clarification reasons, it may be better to amend the above section to :

*‘The Registered Forester must walk the site within 2 months **prior to** submitting the Application for 1st Grant Instalment (Form 2), and satisfy her- / himself that the plantation is up to standard, both environmentally and silviculturally, and in full accordance with the Letter of Approval. Where this is not the case, **the Registered Forester must rectify any issues** before submitting the Form 2.’*

Given the fact the these Requirements state that *‘Any statutory approval (with or without grant aid) for afforestation issued under S.I.558 of 2010 (as amended) is conditional on adherence to the measures set out in these Environmental Requirements for Afforestation’*, it would be appropriate to set out an appeal mechanism and/or a reference to a right of appeal in these Requirements.

Within the legal framework, sites less than 50 ha may also require the submission of an EIS, where it is determined by the Minister that the proposed development is likely to have a significant environmental effect. How this will be determined should be included in summary within this document.

A potential reason for requiring an EIS could possibly be found for many sites. An Appeal process would require that there be defined criteria for establishing the need for an EIS.

In summary, the draft Environmental Requirements for Afforestation will impact on the sector and the current afforestation programme. The draft Environmental Requirements for Afforestation involve revisions to current work practices and standard operating procedures in the sector and consequently require further consideration and refinement reflecting the above issues before being introduced.

23/5/2016