17th August 2021

Our Ref: AIE 21/151

Dear ,

I refer to your request for information under the European Communities (Access to Information on the Environment) Regulations 2007 to 2018. On 19th July 2021 you requested the following:

**In respect of the activities and responsibilities of the Forest Service of DAFM**

**1) Records of the requisite measures established for a general system of protection under Article 5 of the Birds Directive for all species of wild birds prohibiting in particular**

**(a) deliberate killing or capture by any method;**

**(b) deliberate destruction of, or damage to, their nests and eggs or removal of their nests;**

**(d) deliberate disturbance of these birds particularly during the period of breeding and rearing, in so far as disturbance would be significant having regard to the objectives of this Directive;**

**2) Records of any system/s of derogation from the provisions of Article 5 applied under Article 9 of the Birds Directive, where there is no other satisfactory solution, for the following reasons:**

**(a) — in the interests of public health and safety,**

**— in the interests of air safety,**

**— to prevent serious damage to crops, livestock, forests, fisheries and water,**

**— for the protection of flora and fauna;**

Having considered your request, my decision is to refuse you access to the information sought as the document you requested does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken.

I can be contacted by telephone at 053 9163491 and will seek to answer any questions you may have regarding your request.

If for any reason you wish to appeal this decision you may do so by writing to the Freedom of Information Unit at the Department of Agriculture, Food and the Marine, Pavilion A, Grattan Business Centre, Dublin Road, Portlaoise, Co. Laois R32 K857. You may also submit your appeal by e-mail to: foi@agriculture.gov.ie You must make your appeal within one month of this notification.

Yours sincerely,

Martina Monaghan

Forestry Division,

Department of Agriculture, Food & the Marine,

Johnstown Castle Estate,

Co. Wexford