

**Coogan, Mary**

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**From:** Coogan, Mary  
**Sent:** Thursday 16 June 2022 18:00  
**To:** forestry agriappeals  
**Cc:** Keary, Kevin; OBrien, MichaelG; Forestry Support Unit; Coogan, Mary  
**Subject:** DAFM Statement FAC061/2022 CN85225 COPY File  
**Attachments:** CN85225 DAFM Statement FAC061 2022.pdf

Please note that DAFM Statement FAC061/2022 CN85225 has been uploaded to FAC Cloud Link today.

The COPY File CN85225 has also been uploaded to Cloud.

Regards,

Mary Coogan,

Forestry Support Unit.

**Mary Coogan**  
Forestry Division, Forestry Support Unit,  
Rannóg/Seirbhís Foraoiseachta, Rannóg Cheadúchan,

**An Roinn Talmhaíochta, Bia agus Mara**  
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## Forestry Division Statement to the Forestry Appeals Committee

FAC Reference	FAC 061/2022
File Reference	CN85225
Scheme	Afforestation
Species proposed	GPC 3
Approved Area	6.29 Hectares

### Summary of application:

Date Submitted	12/11/2019
Site Notice date	13/11/2019      18.23ha
Date Application Advertised	20/11/2019
Advertised for 2 <sup>nd</sup> Public consultation	Non-Applicable
Referrals to referral bodies	Clare County Council 21/11/2019 – No reply An Taisce 11/03/2020 – No reply
Referral to Archaeology	Archaeological report 10/03/2020 – Agreed by National Monuments Service 24/03/2020
Referral to Ecology	Forest Service Ecologist Report 19/10/2020 by Barry O’Loughlin DAFM Ecologist Ecological Survey submitted on behalf of applicant – 14/09/2021 Forest Service Ecologist Report 31/03/2022 by Barry O’Loughlin DAFM Ecologist Appropriate Assessment Screening Report & Determination 31/03/2022 by Barry O’Loughlin DAFM Ecologist
Date Referred to Inspector	21/11/2019 - Certified 05/03/2020 15/07/2020 - Certified 28/10/2020 15/09/2021 - Certified 20/04/2022 06/05/2022 - Certified 13/05/2022 16/05/2022 - Certified 19/05/2022 Inspect at 1 <sup>st</sup> Instalment
Desk Assessment/Desk & Field Assessment	Field & Desk Assessment: Field inspected 28/10/2020  (Field inspected by District Inspector and DAFM Ecologist on 30/07/2020)
Submissions Received	3 submissions received: 02/12/2019, 09/12/2019 & 12/12/2019

Appropriate Assessment Screening	Natura Site 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 (11 sites reduced to 10)- Screen Out: No likelihood of a significant effect on any European site  (See Ecology above)
Recommendation from Inspector	Approve with Conditions
Decision	<p>- All existing trees and hedgerows within the site shall be retained. Reason: In the interests of protecting the character of the landscape and the protection of the environment, in particular, habitats for flora and fauna.</p> <p>- The afforestation project and all associated operations shall be carried out and completed in accordance with the measures set out in the Environmental Requirements for Afforestation and the Forestry Standards Manual (as mended by periodic Circulars). Reason: In the interest of clarity and to ensure good forest practice and the protection of the environment.</p> <p>- The area of biodiversity is over 21% therefore at form 2 the applicant's agent must invoke the 85% area of biodiversity threshold rule.</p> <p>- Condition: Adhere to the mitigation measures set out in the attached Ecology Report, dated 31/03/2022 Reason: In the interests of protection of the environment, in particular the protection of biodiversity features, species and habitats.</p> <p>- Ensure that all aquatic setbacks adhere to the requirements specified in the Environmental requirements for afforestation i.e. 20m for peat.</p>
Date Decision Issued	20/05/2022
Date Decision Advertised	23/05/2022

**Administrative Comments:**

**The decision was issued in accordance with our procedures, S.I. 191/2017 and the 2014 Forestry Act.**

Please see the statement from the Inspectorate.

Name: Mary Coogan

Grade: EO

Date: 16/06/2022

## Grounds of Appeal

02-06-2022 10:04

Gmail - Fwd: Kilmoon



Fwd: Kilmoon

Forestry Appeals Committee

03 JUN 2022 2 juni 2022 om 10:01

Appeal to decision of afforestation; Ref. CN 85225 Kilmoon East, Clare

I refer to your letter dated 20 May 2022.

It is extremely disappointing to receive the approval for afforestation.

I am writing this letter in front of a fire with the inscription "1834" on the stonework. That, in a nutshell, encapsulates the history and community of Kilmoon, and a community that is steadily being destroyed by the excessive spread of plantations in this area. However, even if we ignore the historical significance of this area and its connection to the wider Burren landscape, your approval can (and should) be contested on many other grounds.

Your approval states the conditions under which the licence has been issued, and the reasons underpinning the conditions. However, in practice, the conditions appear to be being completed ignored.

In Ireland in 2020 already 71.2% of afforestation consists of conifer, mostly Sitka Spruce, a non-native species. Around Kilmoon East this percentage is already higher. All the plantations around us consist of Sitka Spruce with some Broadleaves at the edges and sometimes along streams. We can prove that this area once was a native woodland. We found Oak Bogwood in this area and at archaeological sites in Fanore they have found traces of Burren Pine and Broadleaf used in fires for cooking. According to the National Parks and Wildlife Service (NPWS) non-native forestry is one of the biggest pressures on EU protected habitats. One of the key reasons for this is that many of Ireland's older forestry plantations are in previously biodiverse-rich upland areas and peatland, as our area is. This area is part of the Burren, a world renowned area of exceptional nature, biodiversity and archaeological sites. See Forestry Standards Manual, 19.3.4.

The approving of even more afforestation of this type will destroy this area. Afforestation of this type creates a biological desert. Nothing will grow underneath it, so it is a non-liveable environment for most mammals, birds and insects. We can already see the change. The simple fact of planting Sitka Spruce destroys the "character of the landscape" and the "environment" ..... "in particular, habitats for flora and fauna". This is the first condition of your proposed licence and, on the evidence of extensive damage under existing plantations, is plainly impossible to achieve.

Fish in the streams and local reservoir have disappeared because of the known effect of Sitka Spruce needles killing fish, because the needles get stuck in their gills. Also this type of afforestation has a detrimental effect on humans. Because it makes our surroundings sombre and dark, it's depressing. Already most of the houses in Kilmoon have forestry at one or more sides. Forestry Standards Manual 6.5.2

This type of afforestation also does not work with the battle against climate change. The Irish Government signed up to the Agreement of Paris, to reduce Carbon levels. Planting in this type of soil means that, in order to get the Sitka Spruce growing, drainage has to be improved. This means that at the time of planting soil releases Carbon. And again by felling, and again and again..... This type of forestry is a net Carbon emitter, and there will be a consistent increase in emissions due to harvesting the older, existing plantations, plus emissions released from organic soils due to drainage.

Climate Change will also contribute to more extreme weather, so to more frequent and heavier storms. Already a lot of trees fall and die, and are left in place. Climate Change will also give longer spells of drought, thus a higher risk of fire. Conifer trees are highly-inflammable, especially when there are also dead trees. With such a vast amount of plantation around us this is a real danger for us already. This will affect the market price of our properties, and likely the availability of insurance cover.

Also there will be erosion of the soil due to working the soil when you plant and also when you harvest. It is already happening as there is work going on in the forestry; the water in the reservoir of Kilmoon becomes muddy, otherwise it is very clear. In the proposed site this will also give problems because of the steep slopes. Note also that this area is the catchment area of the Aille river which flows through Lisdoonvarna and Doolin. In Lisdoonvarna the Aille is joined by the river Gowlaun and Kilmoon stream. Flowing through Lisdoonvarna, it gives rise to sulphur, iron, and magnesium wells there. The proposed afforestation will therefore directly impact the source of these important tourist attractions. See Forestry Standards Manual Section 9.

In your own Forestry Standards Manual you write about setbacks: "In conifer plantations, the strip of 10 to 20 metres from the road should be planted with broadleaves, and not left unplanted. Avoid planting in straight lines and create an undulating natural forest edge. This distance is an average distance from the planting line to the road edge within any one application, and should vary to take account of good landscaping practices" The reality around here is that everything is planted in very straight lines and mostly consists of one kind of broadleaf species, So no landscaping at all. Again in your own manual "it is against the law to litter" we find everywhere planting bags, even a pile of leftover (full) bags of fertiliser and herbicide containers. Also grease containers for machinery. And coffee cups, plastic bottles and so on. Our past experiences with the Afforestation organisations doesn't give us confidence or belief that they adhere to the planting regulations.

Finally, your organisation still uses an old map. We showed in our observation already which areas are also planted with Sitka Spruce plantation but not mentioned in your map. There is also a new area where the owner has asked for forest planting. (CN90735). This is worrying and, together with the above examples, further undermines confidence that the Forestry Standards Manual has been, or will be implemented properly, and the Licence's stated Conditions adhered to.

And last but not least the whole community of Kilmoon is behind this appeal.

Regards

**Forestry Appeals Committee**

03 JUN 2022

**Statement from Inspectorate.**

Assessment Criteria	
Was the AA screening procedure at the time of approval applied? (Y/N)	Yes
What version of the AA procedure?	Most Recent iteration
Standard Operating Procedures applied? (Y/N)	Yes

**Based on the information supplied by the appellant, do you recommend any change to the original decision?**

(Tick as appropriate)

No change	<input checked="" type="checkbox"/>	Confirm recommendation to grant licence	<input type="checkbox"/>	Revise conditions of licence	<input type="checkbox"/>	Remit licence for reassessment	<input type="checkbox"/>	Revoke licence	<input type="checkbox"/>
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1. Great Care was taken in this application with relation to Habitat Mapping and the inclusion of areas of Biodiversity enhancement in plots that were deemed ineligible for planting.
2. All the appropriate setbacks from waterways were specified that considered the ground conditions underfoot.
3. All Natura 2000 designations were screened out which was done in accordance with current procedures.
4. Nevertheless a comprehensive ecological report was compiled to take account of the proposed areas characteristics.
5. Additional areas of biodiversity enhancement were included in the final approval to take account of the views of submissions to the Forest Service. There are 3 bio plots in the vicinity of the road and around existing dwellings. All road setback protocols will be adhered to.
6. The proposal was referred to Clare Co. Council and Archaeology. No reply was submitted by Clare Co. Council.
7. The original area of 18.23ha was cut down to 6.29ha due to the exclusion of ineligible and unplantable areas.
7. I am satisfied that the approval complies with all Forest Service scheme requirements and the appropriate legislation.

Name: Kevin Keary

Role: Grade III District Inspector

Date: 08/06/2022

