

From: [Collins, Kevin](#)
To: ["John Hynes"](#)
Cc: [Fahy, Orla](#)
Subject: Working document setting out "Screen Out Scenarios" in support of FS-DAFM AAP
Date: Tuesday 5 November 2019 14:56:58

Dear John,

As discussed yesterday, we are developing a document to support the revised Appropriate Assessment Procedure (as per the SOP released today), setting out clear scenarios whereby an Inspector can screen out a particular Natura site. Please see Section 1.9.1 of the attached SOP, which contains the following text:

"This SOP is accompanied by a document entitled 'Screen Out Scenarios'. Inspectors can categorically state that the project itself (i.e. 'individually') will not impact a Natura site where one or more of the scenarios listed in the document 'Screen Out Scenarios' applies. The scientific rationale presented can be cited directly by the Inspector.

These scenarios have been developed with expert input and present the necessary level of scientific certainty to enable screening out. These scenarios also do not rely on any of the measures set out in the various environmental guidelines, requirements and standards, as these are regarded as 'mitigation'.

Inspectors may come across similar scenarios – please inform Kevin Collins of such scenarios, to enable the list to be expanded and recirculated."

Generally, the DIs are looking to be provided with as many 'yes' / 'no' ecological certainties as possible, at AA screening stage. Therefore, we wish to provide Inspectors with a 'ready reckoner' for Annex 1 habitats and Annex 2 species. While it will be difficult to state categorically that no impact will arise in all situations, various levels of reassurance could be given in many cases, e.g. certain Annex 1 habitats will be vulnerable to afforestation, but not forest thinning, given that such sites are already under trees.

The idea of this table is to capture as many 'clear and obvious' screening-out scenarios as possible from the perspective of the Q.I. / Cons. Obj., with additional nuance added (where possible) to take account of large-scale parameters such as distance, hydrological connectivity and the overall characteristics of the different forestry activities, e.g. afforestation versus thinning. Obviously, there will need to be an ecological narrative (with cited research) included to qualify the position(s) presented, as the Inspector will need to be able to reproduce this to support his / her screening decision, at the Forest Appeals Committee, etc.

Colin's Annex 1 Bird Receptors table is a good example, giving the foraging distance and the foraging habitats within that area, citing research, surveys, etc. This will enable Inspectors to check whether or not an application they are looking at falls within the foraging distance of an Annex 1 bird, and if so, possibly whether or not it contains a habitat used by that bird for foraging. This provides the Inspector with the scientific rationale

needed to screen out (or screen in) the Natura site involved, and to defend that decision later, if needed.

Would it be possible for MKO to compile such a table for release to the Inspectors as a 'Screen Out Scenarios' document, focusing on Annex 1 habitats and Annex 2 species? Obviously, we would like to provide the Inspectors with this document as soon as possible. Perhaps a working version can be produced focusing initially on a subset of habitats and species, maybe focusing on the 'low hanging fruit' in terms of situations that can be readily screened out?

Would you have any thoughts on this approach, and how long it would take for MKO to draft a working document, initially focusing on a subset of Annex 1 habitats and Annex 2 species to enable distribution in the short-term to the District Inspectors?

Thanks,

Kevin

Kevin Collins

Forestry Inspector - Environment

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