

Forest Service / NPWS Referral Matrix *Version 06 February 2013*

Notes:

1. The following matrix sets out scenarios where the referral of forestry applications from the FS to NPWS is: (i) mandatory; or (ii) at the discretion of the Forestry Inspector. The matrix has been developed with the agreed aim of reducing the number of referrals from the FS and increasing the quality/detail of responses from NPWS. The matrix operates in parallel with the electronic transfer of files and subsequent responses to / from the FS and NPWS and internally within NPWS, *via* DATS.
2. The matrix is based on the FS Appropriate Assessment Procedure (AAP) Table, utilising the same project types (Afforestation, Forest Road Construction, etc.) and scenarios (where relevant). This maximises streamlining with that procedure *vis-à-vis* the responsibility of the FS under S.I.477/2011 to undertake screening, and where necessary, appropriate assessment, in relation to the possibility of a significant effect(s) on a Natura site(s).
3. The '**Referral at FS Inspector's Discretion**' referral option is exercised by the FS Inspector within the context of the provision of ecological training and guidance to FS Inspectors (with NPWS input) regarding the types of issues meriting referral to NPWS.
4. Under the '**Any other scenario**' scenario, the application is referred to NPWS if deemed necessary by the FS Inspector. (E.g. where the FS Inspector is aware of the presence or likely presence of protected species (*inter alia*, owls, curlew, eagles, Habitats Directive Annex IV species) on a non-designated site, or where Bird Directive Article 4(4)-related concerns exist.) The option to refer under this scenario is exercised by the FS Inspector within the context of the provision of ecological training and guidance to FS Inspectors (with NPWS input) regarding the types of issues meriting referral to NPWS, in addition to the input into iFORIS of relevant NPWS datasets.
5. Where a scenario gives rise to both referral options, mandatory referral takes precedence.
6. Regarding dual consent requirements for NHAs, the response from NPWS will include (where appropriate) wording giving NPWS permission for the relevant notifiable action(s) to proceed (subject to conditions, as required).
7. The following matrix is to be kept under review, with future changes inserted, as agreed between the FS and NPWS.

Application for...	Scenario: Project area, or any part thereof, is...	Referral to NPWS?
Consent under S.I.558 / 2010 (with / without grant) for <u>AFFORESTATION</u>	(1). Within a SAC, SPA, National Park, NHA, pNHA or Nature Reserve.	Referral Mandatory
	(2). Within the 0-0.5 km buffer zone of a SAC, SPA, National Park, NHA, pNHA or Nature Reserve.	Referral at FS Inspector's Discretion (SEE NOTE 3)
	(3). Within the 3 km buffer zone, upstream of, <u>and</u> hydrologically connected to, a SAC, SPA, National Park, NHA, pNHA or Nature Reserve.	Referral at FS Inspector's Discretion
	(4). Within an area where the Forest Service Freshwater Pearl Mussel Requirements apply.	Referral at FS Inspector's Discretion
	(5). Within a section of a Hen Harrier 'Red Area' extending outside the SPA.	Referral Mandatory
	(6). Any other scenario. (SEE NOTE 4)	Referral at FS Inspector's Discretion

Application for...	Scenario: Project area, or any part thereof, is...	Refer to NPWS?
Consent under S.I.558 / 2010 (with / without grant) for <u>FOREST ROAD</u> <u>CONSTRUCTION</u> (incl. ancillary works)	(1). Within a SAC, SPA, National Park, NHA, pNHA or Nature Reserve.	Referral Mandatory (*) <i>(* Except in Hen Harrier SPAs, where Scenario 5 applies.)</i>
	(2). Within the 0-0.5 km buffer zone of a SAC, SPA, National Park, NHA, pNHA or Nature Reserve.	Referral at FS Inspector's Discretion
	(3). Within the 3 km buffer zone, upstream of, <u>and</u> hydrologically connected to, a SAC, SPA, National Park, NHA, pNHA or Nature Reserve.	Referral at FS Inspector's Discretion
	(4). Within an area where the Forest Service Freshwater Pearl Mussel Requirements apply.	Referral at FS Inspector's Discretion
	(5). Within a Hen Harrier 'Red Area', either within the SPA or extending outside the SPA.	Referral Mandatory
	(6). Any other scenario.	Referral at FS Inspector's Discretion

Application for...	Scenario: Project area, or any part thereof, is...	Refer to NPWS?
Felling licence under the 1946 Forestry Act for THINNING (incl. 1 st , 2 nd & subsequent)	(1). Within a SAC, SPA, National Park, NHA, pNHA or Nature Reserve.	Referral Mandatory (*) <i>(* Except in Hen Harrier SPAs, where Scenario 5 applies.)</i>
	(2). Within the 0-0.5 km buffer zone of a SAC, SPA, National Park, NHA, pNHA or Nature Reserve.	Referral at FS Inspector's Discretion
	(3). Within the 3 km buffer zone, upstream of, <u>and</u> hydrologically connected to, a SAC, SPA, National Park, NHA, pNHA or Nature Reserve.	Referral at FS Inspector's Discretion
	(4). Within an area where the Forest Service Freshwater Pearl Mussel Requirements apply.	Referral at FS Inspector's Discretion
	(5). Within a Hen Harrier 'Red Area', either within the SPA or extending outside the SPA.	Referral Mandatory
	(6). Any other scenario.	Referral at FS Inspector's Discretion

Application for...	Scenario: Project area, or any part thereof, is...	Refer to NPWS?
Felling licence under the 1946 Forestry Act for CLEARFELL (incl. refor.)	(1). 0.1 ha or greater and within a SAC, SPA, National Park, NHA, pNHA or Nature Reserve.	Referral Mandatory (*) (* <i>Except in Hen Harrier SPAs, where Scenario 6 applies.</i>)
	(2). Within the 0-0.5 km buffer zone of a SAC, SPA, National Park, NHA, pNHA or Nature Reserve.	Referral at FS Inspector's Discretion
	(3). Within the 3 km buffer zone, upstream of, <u>and</u> hydrologically connected to, a SAC, SPA, National Park, NHA, pNHA or Nature Reserve.	Referral at FS Inspector's Discretion
	(4). Within an area where the Forest Service Freshwater Pearl Mussel Requirements apply.	Referral at FS Inspector's Discretion
	(5). A Coillte site located anywhere within the entire catchment of any of the top eight <i>M. margaritifera</i> populations or anywhere within the 6 km zone of the R. Nore FPM catchment. (Forest Service Freshwater Pearl Mussel Requirements apply, with revised Forms 1-3.)	Referral at FS Inspector's Discretion
	(6). 0.1 ha or greater and within a Hen Harrier 'Red Area', either within the SPA or extending outside the SPA.	Referral Mandatory
	(7). Any other scenario involving single trees, groups of trees less than 0.1 ha, or areas 0.1 ha or greater, wherever located.	Referral at FS Inspector's Discretion

Application for...	Scenario: Project area, or any part thereof, is...	Refer to NPWS?
Licence under S.I.125 / 2012 for <u>AERIAL</u> <u>FERTILISATION</u>	(1). Within a SAC, SPA, National Park, NHA, pNHA or Nature Reserve.	Referral Mandatory
	(2). Within the 0-0.5 km buffer zone of a SAC, SPA, National Park, NHA, pNHA or Nature Reserve.	Referral Mandatory
	(3). Within the 3 km buffer zone, upstream of, <u>and</u> hydrologically connected to, a SAC, SPA, National Park, NHA, pNHA or Nature Reserve.	Referral Mandatory
	(4). Within an area where the Forest Service Freshwater Pearl Mussel Requirements apply.	Referral at FS Inspector's Discretion
	(5). Within a section of a Hen Harrier 'Red Area' extending outside the SPA.	Referral Mandatory
	(6). Any other scenario.	Referral at FS Inspector's Discretion

End