



05/02/2025

Right to Know

requests@righttoknow.ie

Re: AIE request 25 025

Dear Right to Know,

I refer to the request you made under the European Communities (Access to Information on the Environment) Regulations 2007 to 2018 (S.I. No. 133 of 2007, S.I. No. 662 of 2011, S.I. 615 of 2014 and S.I. No. 309 of 2018) (hereafter referred to as the AIE Regulations) for access to information held by this the Department of Agriculture, Food, and the Marine (DAFM).

Your AIE Request:

Forestry Opportunities Map “The right trees in the right places for the right reasons”

Dec 2024

Published by: Forestry Division, Department of Agriculture, Food & the Marine. Johnstown Castle Estate

The shp files are listed in the report as follows

Component Map Layers of the Opportunities Map include

- *NPWS Designated Sites: Special Areas of Conservation (SACs), National Heritage Areas (NHAs), Proposed NHAs, Special Protection Areas (SPAs), and National Parks.*
- *Water Bodies: Streams, lakes, and reservoirs (sourced from the EPA landcover map).*
- *Existing landcover including urban areas and waterbodies: From the EPA landcover map.*
- *High Nature Value Farmland: Identified by Teagasc.*
- *Source Protection Areas and Drinking Water Abstraction Points: Mapped by the Geological Survey Ireland (GSI).*
- *High-Status Objective Waterbodies: Data from the EPA.*
- *Freshwater Pearl Mussel Catchments: Data provided by the NPWS*
- *Potentially Fisheries-Sensitive Areas: Compiled in consultation with the Inland Fisheries (see Forestry Scheme Manual, July 2024).*
- *Potentially Acid-Sensitive Areas (see Forestry Scheme Manual, July 2024).*
- *Areas with bird species of high conservation importance: Spatial data compiled from the NPWS and BirdWatch Ireland.*
- *National Monuments / Architectural Heritage: Data from the National Monument Service.*
- *Soils data: Provided by Teagasc*
- *Forest Productivity Map: Developed by Teagasc.*
- *Existing Forest Cover: Information from DAFM and Coillte.*



For the purposes of this AIE, where the shp files referenced in the report are already in the public domain via gov.ie or similar, please note this in responses

The report notes that "The spatial layers used in compiling the Forestry Opportunities Category Map are available to Registered Foresters via DAFM's online licence application system, iNET"

Open access to iNET under the Open Data Directive may meet the DAFMs obligations to release environmental data in an open data format, eg API and/or bulk upload facility

RTK have no access to iNET so are unable to determine if iNET meets any of the requirements of open data.

As part of this AIE, please note the access requirements for iNET

Summary of Decision

I have decided on your AIE request on 5th February 2025. My decision is to refuse your request. The basis for my decision is that we are refusing this request under article 9 (1)(d). A public authority may refuse to make available environmental information where disclosure of the information requested would adversely affect intellectual property rights.

During our searches in relation to this request Subject Matter Expert Frank Barrett (Forest Service Inspector Operational Support) advised that data has been provided to DAFM under data agreements with strict confidentiality conditions. As such DAFM are unable to provide the spatial data related the Forestry Opportunities Map at this time. The Data Sharing Agreements are in place with Birdwatch Ireland, NPWS and Irish Hen Harrier Winter Survey.

Search Conducted

Following the assignment of this AIE request to me I contacted Subject Matter Expert Frank Barrett Forest Service Inspector Operational Support in relation to the items listed in your request, who advised that the data could not be shared but suggested that you might find the following links helpful:

High Nature Value Farmland Teagasc - <https://t-stor.teagasc.ie/handle/11019/1659>

Coillte Subcompartment Database – Contact Coillte Directly (enquiries to sharon.fitzpatrick@coillte.ie)

NPWS Designated Sites: Special Areas of Conservation (SACs), National Heritage Areas (NHAs), Proposed NHAs, Special Protection Areas (SPAs), and National Parks – See <https://data.gov.ie/> and or <https://www.npws.ie/maps-and-data>

National Landcover Map -<https://www.epa.ie/our-services/monitoring--assessment/assessment/mapping/national-land-cover-map/> and <https://tailte.ie/en/>

Source Protection Areas and Drinking Water Abstraction Points see <https://www.gsi.ie> and or <https://data.gov.ie/>



EPA High-Status Objective Waterbodies – see <https://gis.epa.ie/GetData/Download>

Freshwater Pearl Mussel Catchments: – See <https://data.gov.ie/> and or <https://www.npws.ie/maps-and-data>

National Monuments / Architectural Heritage: - See <https://data.gov.ie/> or <https://heritagedata.maps.arcgis.com/apps/webappviewer/index.html?id=0c9eb9575b544081b0d296436d8f60f8>

Soils data: - [ISIS Map](#)

Private Forests Database: - <https://opendata.agriculture.gov.ie/dataset/dafm-private-forest-estate-2023>

Public Interest Test

In accordance with article 10(3) and 10(4), I have weighed the public interest served by disclosure against the interest served by part refusal of your request. I have determined that the public interest would not be served by disclosing the redacted information you request. The factors in favour of release of this information are the making available to the public, where practical and allowed under the law, in a transparent manner, information affecting the environment.

The factors in favour of withholding are:

- (i) Data Sharing Agreements currently in place have strict confidentiality clauses in relation to the information being shared
- (ii) A public authority's duty to be mindful of intellectual property rights.

Please note that in making my decision, I have considered article 10(5), which states that,

Nothing in articles 8 or 9 shall authorise a public authority not to make available environmental information which, although held with information to which article 8 or 9 relates, may be separated from such information.

Fees

In this instance the Department will not be applying a fee for this AIE because as the compilation executed was under 60 minutes/1 hour and no records are being released.

Right of Review

Under Article 11 of the AIE Regulations, you have a right to request an internal review of this decision. An internal review involves a complete reconsideration of the matter by a member of the staff of this Department, unconnected with the original decision, of the same or higher rank than the original decision-maker, who may affirm, vary or annul the original decision.

If you wish to request an internal review, you can do so by emailing FOI Unit at freedomofinformation@agriculture.gov.ie referring to this decision, quoting the AIE reference number. This request must be made within one month of the date of receipt of this decision. The decision of an internal review will be communicated to you within one month of receipt of your request for an internal review.

Yours sincerely,



Oonagh O'Byrne
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