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Joint Committee on Environment and Climate Action  
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01/11/23

**Re: The Environmental Pillars views in relation to the mandates of Semi-State bodies around their biodiversity practices, and how these align with the recommendations made by the Citizen's Assembly on Biodiversity Loss**

Dear members of the Joint Committee on Environment and Climate Action,

We are writing to you to express our views in relation to the mandates of semi-state bodies around their biodiversity practices, and how these align with the recommendations made by the Citizen's Assembly on Biodiversity Loss.

Back in February 2023, the Environmental Pillar, Stop Climate Chaos and the Sustainable Water Network (SWAN) wrote to relevant government Ministers to say that we are strongly of the view that public land must be utilised in the public interest and that all public bodies must be mandated to lead in Ireland's response to biodiversity loss and climate breakdown. The Irish people should have a greater say in how that is achieved. At the time, there was public outrage in response to the agreement between Coillte and Gresham House PLC. The admission by Minister McConalogue that the deal was "*not the government's preferred option*<sup>1</sup>," starkly highlighted the lack of accountability and government oversight that has persisted in the operation of public bodies such as Coillte and Bord Na Móna. Coillte's agreement with Gresham House and the persistent greenwashing of outdated and unsustainable land use practices by both bodies<sup>2 3</sup> signal an unacceptable lack of leadership by the State in response to Ireland's declared climate and biodiversity emergency<sup>4</sup>.

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<sup>1</sup> The Journal (2023) Coillte forestry deal 'not government's preferred option', admits agriculture minister <https://www.thejournal.ie/coillte-deal-mcconalogue-5979424-Jan2023/>

<sup>2</sup> Opinion: Is greenwashing our greatest threat to nature? <https://greennews.ie/greenwashing-the-greatest-threat-to-nature/>

<sup>3</sup> Environmental Pillar (2022) Coillte's Strategic Vision For Its Future Forest Estate

<https://environmentalpillar.ie/2023/02/14/environmental-pillar-2022-coilltes-strategic-vision-for-its-future-forest-estate/>

<sup>4</sup> RTE (2019) Ireland becomes second country to declare climate emergency <https://www.rte.ie/news/environment/2019/0509/1048525-climate-emergency/>

We remain strongly of the view that the legal mandates of Coillte and Bord Na Mona's must be reviewed and brought in line with societal expectations and the stark realities of the States declared biodiversity and climate emergency<sup>5</sup>. The review should be informed by the various relevant recommendations from the Citizens Assembly on Biodiversity Loss, as well as the commitments outlined in the EU Biodiversity Strategy for 2030 and Ireland's Climate Action Plan. Such a review is already long overdue considering that the Programme for Government (PFG)<sup>6</sup> has already committed to review the remits of both bodies. To meaningfully deliver on the PFG commitments, the narrow economic mandates conferred on Coillte, Bord na Móna by outdated legislation must be amended. This is a rational first step to reform the narrow economic focus that has directed the management and governance of these public lands.

## Coillte

The principal objectives of Coillte are outlined in section 12 of the Forestry Act 1998, namely to carry on the business of forestry and related activities on a commercial basis and in accordance with efficient silvicultural practices.

Coillte is the largest landowner in the Irish State, managing a landholding of 440,000 ha or 7% of Ireland's land area. Of this land, approximately 364,000 ha (84%) is forested<sup>7</sup> representing the vast majority of the 49.1% of Irish forestry in public ownership<sup>8</sup>. Ireland's unnatural and industrial model of forestry is arguably the least sustainable in Europe. For example, within the EU Ireland has the highest share of forest area dominated by introduced tree species and the highest level of plantation forestry. This is in stark contrast to Europe as a whole where 87% of forest area is semi-natural<sup>9</sup>. The sector remains dominated by low diversity plantations which are clear-cut. This is also the case on Coillte land where conifer species cover the majority of the forested area of 320,000 ha or 73% of the total estate. The principal conifer species of the estate are the non-native Sitka spruce (covering 240,000 ha or 55%), followed by Lodgepole pine, Japanese larch, Norway spruce and Douglas fir.

Commercial forestry is a leading threat and pressure on protected habitats and species in Ireland<sup>10</sup>. Forestry is reported as having negative effects on a wide range of species, including fish, molluscs, terrestrial mammals and vascular plants because of the wide sphere of influence of some activities for example through water quality impacts. The habitats which have been most negatively impacted by forestry are peatlands, wetlands and grasslands<sup>11</sup>. Forestry is a leading pressure on water quality in Ireland and is a significant pressure on our last pristine High-Status water bodies<sup>12</sup>. Commercial forestry has a disproportionate impact on Ireland's environment relative to its land cover mainly due to its intensive nature and its distribution within sensitive wetlands, uplands and catchment headwaters.

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<sup>5</sup> Ireland becomes second country to declare climate emergency <https://www.rte.ie/news/environment/2019/0509/1048525-climate-emergency/>

<sup>6</sup> Programme for Government: Our Shared Future <https://assets.gov.ie/130911/fe93e24e-dfe0-40ff-9934-def2b44b7b52.pdf>

<sup>7</sup> Coillte (2022) Strategic Vision for Our Future Forest Estate <https://www.coillte.ie/wp-content/uploads/2022/07/Coillte-Future-Forest-Estate-Strategic-Vision-Consultation-Booklet.pdf>

<sup>8</sup> DAFM (2023) Forest Statistics Ireland 2023 <https://www.gov.ie/pdf/?file=https://assets.gov.ie/267876/499d9f21-751b-4d53-89d6-ed8e8e9efb97.pdf#page=null>

<sup>9</sup> Forest Europe (2020): State of Europe's Forests 2020. <https://foresteurope.org/state-of-europes-forests/>

<sup>10</sup> NPWS (2019). The Status of EU Protected Habitats and Species in Ireland. Volume 1: Summary Overview. Unpublished NPWS report.

<sup>11</sup> *ibid*

<sup>12</sup> Water of Life (2023) Framework of Measures and Best Practice Guidelines for the Protection and Restoration of High Status River Waterbodies Annex 2: Forestry [https://www.watersoflife.ie/app/uploads/2023/08/Measures\\_Forestry.pdf](https://www.watersoflife.ie/app/uploads/2023/08/Measures_Forestry.pdf)

Forestry covers 450,940 ha of peatlands in Ireland<sup>13</sup> with 60% of the forestry on peat being State owned<sup>14</sup>, with Coillte being responsible for 232,500 ha of forestry on peatlands making them the largest owner of peatland habitat in Ireland<sup>15</sup>. The EPA calculate that forestry on organic soils may emit from 0.59 t C/ha/yr to 1.7 t C/ha/yr<sup>16 17</sup> which implies national emissions in the region of 0.2 Mt CO<sub>2</sub> / yr to 0.8 Mt CO<sub>2</sub> / yr. The legacy issues associated with the afforestation of peatlands have been largely ignored by policy makers in Ireland albeit the scale of the adverse impacts on climate are now reflected in Ireland's Climate Action Plan 2023<sup>18</sup>, while the Climate Change Advisory Council have called for the rewetting and rehabilitation of afforested peatlands and review and revision of the primary legislation regarding afforestation and the management of existing afforested peatlands<sup>19</sup>.

As a public authority and leader in Irish forestry, Coillte has the ability and the responsibility to lead the Irish forestry sector towards a more sustainable model of forestry and land use. Coillte owns a significant area of approx. 96,000 ha of Special Protection Areas (SPA) and Special Areas of Conservation (SAC), Natural Heritage Areas (NHA) and proposed Natural Heritage Areas (pNHA). According to Coillte's own assessment, their landholdings support a number of Rare, Threatened or Endangered, which is equivalent to the IUCN conservation status of "*critically endangered, endangered or vulnerable*"<sup>20</sup>. Coillte's land holdings also encompass many vulnerable nationally important high-status water bodies. Coillte have significant expertise when it comes to nature restoration having been involved in a range of completed and ongoing habitat restoration projects<sup>21</sup>.

Given the amount of internationally and nationally important areas for biodiversity within Coillte landholding and the importance of peatlands, wetlands and forests in Ireland's efforts to tackle climate change, Coillte clearly must play a leading role in the national response to the biodiversity loss and climate breakdown.

## Bord Na Móna

Bord Na Móna was founded under the Turf Development Acts 1946 and its legal remit was established under the act and other subsequent acts between 1946 and 1998. In essence Bord Na Móna's remit has been to acquire peatlands with the objective to exploit them commercially for turf and turf products.

Bord na Móna owns a landholding of approximately 80,000 ha<sup>22</sup>, or approximately 1% of Ireland's land area. This is constituted of a network of 130 bogs<sup>23</sup>. Coincidentally there are estimated to be

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<sup>13</sup> Duffy, P., Black, K., Fahey, D., Hyde, B., Kehoe, J., Murphy, B., Quirke, B., Ryan, A.M. and Ponzi, J., 2020. Ireland's National Inventory Report 2020. Greenhouse Gas Emissions 1990-2018 Reported to the United Nations Framework Convention on Climate Change. Environmental Protection Agency, Johnstown Castle, Ireland.

<sup>14</sup> NPWS (2015) National Peatlands Strategy

<https://www.npws.ie/sites/default/files/publications/pdf/NationalPeatlandsStrategy2015EnglishVers.pdf>

<sup>15</sup> NPWS (2015) A National Peatlands Strategy 2015. Dublin: National Parks & Wildlife Services. Department of Arts, Heritage and the Gaeltacht.

<sup>16</sup> EPA (2022) Ireland's National Inventory Submissions 2022 <https://www.epa.ie/publications/monitoring--assessment/climate-change/air-emissions/irelands-national-inventory-submissions-2022.php>

<sup>17</sup> Jovani-Sancho, A. J., Cummins, T., & Byrne, K. A. (2021). Soil carbon balance of afforested peatlands in the maritime temperate climatic zone. *Global Change Biology*, 27(15), 3681-3698.

<sup>18</sup> Government of Ireland (2023) Climate Action Plan 2023 <https://www.gov.ie/pdf/?file=https://assets.gov.ie/270956/94a5673c-163c-476a-921f-7399cdf3c8f5.pdf#page=null>

<sup>19</sup> Climate Change Advisory Council (2023) Annual Review 2023

<https://www.climatecouncil.ie/councilpublications/annualreviewandreport/CCAC-AR-2023-FINAL%20Compressed%20web.pdf>

<sup>20</sup> Coillte (2011) Sustainability Report, Coillte Teoranta <http://sustainabilityreport2011.coillte.ie/index.php?id=130>

<sup>21</sup> <https://www.coillte.ie/our-business/our-projects/nature-conservation/>

<sup>22</sup> Bord Na Mona (2016) Bord Na Mona Biodiversity Action Plan 2016 – 2021 <https://www.bordnamona.ie/wp-content/uploads/2021/03/Biodiversity-Action-Plan-2016-2021-1.pdf>

<sup>23</sup> Bord Na Mona (2014) The Strategic Framework for Future Use of Peatlands <https://www.npf.ie/wp-content/uploads/2017/09/0457-Bord-na-Mona.compressed.pdf>

80,000ha of industrial cutover bogs in Ireland<sup>24</sup>. At the time of the publication of Bord na Móna Strategic Framework for Future Use of Peatlands in 2014, 77% of the land holding was in active industrial peat production purposes; with a high proportion of the remaining landholding constituting post-industrial cut-over bog and a small percentage of semi-intact bogland. In 2016, cutaway bog accounted for 30% of the total Bord na Móna bog area, while areas still in active production which are destined to become cutaway bog account for up to 55% by area<sup>25</sup>.

Carbon stocks held in natural and managed peatlands in Ireland are estimated at 2216 Mt of carbon, with around 42% in raised bogs, 42% in lowland blanket bogs and 15% in mountain blanket bogs<sup>26</sup>. Natural and cutover peatlands together contain just under half of the national peatland carbon stock. Degraded peatlands are a significant source of emission nationally estimated at around 860,000 tonnes of carbon per year (or 3.15 Mt CO<sub>2</sub> / yr). Restoration of peatlands and organic soils has the potential to reduce carbon losses in a relatively short time following rewetting<sup>27</sup>; while rewetting and restoring peatlands can deliver co-benefits such as biodiversity, improved water quality and water regulation<sup>28</sup>. For this reason, rewetting and rehabilitation targets for industrial peatlands play an important role in Irish climate policy. The Climate Change Advisory Councils (CCAC)<sup>10</sup> have highlighted that the rewetting of drained organic soils and peatland restoration must be a key government priority if Ireland is going to achieve a 51% reduction in net emissions in the LULUCF sector. The EPA, have concluded that only modelled land use scenarios which included restoration of 70,000 ha of exploited peatlands managed to achieve net-zero in the AFOLU sector by 2050<sup>28</sup>. This is far more ambitious than the existing target in the Climate Action Plan 2023 of rehabilitating 33,000 ha of peatlands over eighty-two Bord na Móna bogs<sup>29</sup>.

From a biodiversity perspective Bord Na Móna's landholding would formerly have supported an incredible array of wildlife across a mosaic of raised bog, blanket bog, wetlands, grasslands, woodlands and freshwater habitats<sup>30</sup>. Though much has been lost since Bord Na Móna was established in the 1940s, the potential for rehabilitating both remnant habitats and degraded habitats is frankly incredible. Cutaway bog supports a range of pioneer habitats such as wetlands, species rich grasslands, scrub and emergent bog woodlands; to more complex poor fen and rich fen habitats and established bog woodland. Already these sites support internationally important wintering Whooper Swans and breeding Lapwing and a range of waterfowl<sup>31</sup>.

Bog remnants account for 12% of the bog area and largely comprises areas of degraded raised bog, patches of active raised bog (a priority habitat under the Habitats Directive). These remnants support threatened species such as Curlew and Sphagnum pulchrum, Marsh Fritillary butterfly. Drained raised bogs account for <3% of total bog area which have the potential to be restored and have a high conservation value. Some of these bogs still retained active raised bog habitat and all

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<sup>24</sup> Duffy, P., Black, K., Fahey, D., Hyde, B., Kehoe, J., Murphy, B., Quirke, B., Ryan, A.M. and Ponzi, J., 2020. Ireland's National Inventory Report 2020. Greenhouse Gas Emissions 1990-2018 Reported to the United Nations Framework Convention on Climate Change. Environmental Protection Agency, Johnstown Castle, Ireland.

<sup>25</sup> Bord Na Mona (2016) Bord Na Mona Biodiversity Action Plan 2016 – 2021 <https://www.bordnamona.ie/wp-content/uploads/2021/03/Biodiversity-Action-Plan-2016-2021-1.pdf>

<sup>26</sup> Renou-Wilson, F. et al (2022) Peatland Properties Influencing Greenhouse Gas Emissions and Removal <https://www.epa.ie/publications/research/land-use-soils-and-transport/research-401-peatland-properties-influencing-greenhouse-gas-emissions-and-removal.php>

<sup>27</sup> Renou-Wilson, F. et al (2022) Peatland Properties Influencing Greenhouse Gas Emissions and Removal <https://www.epa.ie/publications/research/land-use-soils-and-transport/research-401-peatland-properties-influencing-greenhouse-gas-emissions-and-removal.php>

<sup>28</sup> EPA (2022) Land Use Review: Fluxes, Scenarios and Capacity Synthesis Report

<sup>29</sup> Government of Ireland (2023) Climate Action Plan 2023 <https://www.gov.ie/pdf/?file=https://assets.gov.ie/270956/94a5673c-163c-476a-921f-7399cdf3c8f5.pdf#page=null>

<sup>30</sup> Bord Na Mona (2016) Bord Na Mona Biodiversity Action Plan 2016 – 2021 <https://www.bordnamona.ie/wp-content/uploads/2021/03/Biodiversity-Action-Plan-2016-2021-1.pdf>

<sup>31</sup> ibid

showed good potential for restoration of active and degraded raised bog habitat<sup>32</sup>. Such is the conservation value of these sites that they have already or may be afforded national or EU protection<sup>33</sup>. A perfect illustration of the potential of Bord Na Móna's landholding for nature restoration is the successful fledging of chicks by a pair of Common Crane's in 2022 and 2023 on a Bord na Mona rewetted peatland in Co. Offaly. The species hasn't bred in Ireland for over 300 years<sup>34 35</sup>.

The opportunity and the necessity to rehabilitate and restore nature and carbon stocks across Bord Na Móna's landholding is not currently matched by existing policy targets. While the value of these public lands for nature is well recognised the reality on the ground is that industrial uses for bogs post production continue to be prioritised while there is no clear framework or targets in place to assess whether sites should be prioritised for nature restoration and eco-tourism. Rebranding and public communications exercises aside, the use of this public land continues to be driven by commercial interests while surrounding communities remain peripheral figures in the opaque decision-making process.

## Mandate for reform

There is a strong mandate from the public to reform Coillte and Bord Na Móna as reflected in the recommendations from the Citizens Assembly on Biodiversity Loss calling for the reform of both semi-state bodies.

- Recommendation 120 highlights *“there is a conflict of interest between business aims and corporate responsibility, particularly for State agencies. The State must fundamentally reassess the constitution, goals and operations of Coillte and the 1988 Forestry Act (as amended).”*
- Recommendation 116 specifically calls for the remits of Bord Na Móna & Coillte to be reviewed with a focus on Peatland restoration and rehabilitation projects, with targeted outcomes on biodiversity conservation.
- Recommendation 121 states that *“State-owned woodlands should be recognised and managed as a strategic, long-term national asset for the benefit of the common good.”*

At a political level this mandate is already manifest in the Programme for Government (PFG)<sup>36</sup>, which commits to *“Ensure that Coillte's remit supports the delivery of climate change commitments and the protection of biodiversity”* and *“the retention of the commercial forests of Coillte in public ownership”* and also to *“ensure that Bord na Móna is required to take into account climate, biodiversity, and water objectives, as they deliver on their commercial mandate, through an amendment to the Turf Development Acts 1998 (emphasis added)”*. We have seen no evidence of progress to deliver on these PFG commitments. However, the debate around the European Commission's proposal for an EU Nature Restoration Law showed that there is a willingness within the government to prioritise Coillte and Bord Na Móna lands for ambitious rewetting and nature restoration<sup>37</sup>.

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<sup>32</sup> Bord Na Mona (2016) Bord Na Mona Biodiversity Action Plan 2016 – 2021 <https://www.bordnamona.ie/wp-content/uploads/2021/03/Biodiversity-Action-Plan-2016-2021-1.pdf>

<sup>33</sup> *ibid*

<sup>34</sup> <https://www.bordnamona.ie/gone-for-300-years-common-crane-comes-home-to-rewetted-irish-peatlands/>

<sup>35</sup> <https://www.bordnamona.ie/common-crane-chick-fledges-on-bord-na-monas-rewetted-peatlands-2nd-year-after-300-year-hiatus/>

<sup>36</sup> Programme for Government: Our Shared Future <https://assets.gov.ie/130911/fe93e24e-dfe0-40ff-9934-def2b44b7b52.pdf>

<sup>37</sup> Irish Farmers Journal (2023) Rewetting targets can be met from State-owned lands - McConalogue <https://www.farmersjournal.ie/news/news/rewetting-targets-can-be-met-from-state-owned-lands-mcconalogue-765598>

To meaningfully deliver on the PFG commitments, the narrow economic mandates conferred on Coillte and Bord na Móna by outdated legislation must be amended and brought in line with environmental and climate obligations at national and EU level.

## Conclusion

The untapped potential of Coillte and Bord Na Móna's land holdings presents an unprecedented opportunity to restore nature at a scale, delivering essential ecosystem services to society such as biodiversity restoration, climate change adaptation and mitigation, as well as employment and public amenity. The overall benefit/cost ratio of effective environmental protection and nature restoration are overwhelmingly positive<sup>38 39</sup>. At a time when we are asking more and more of private landowners it is critically important that the State is seen to lead from the front. Public land must be utilised in the public interest and the Irish people should have a greater say in how that is achieved. Reforming land use in Coillte and Bord Na Móna is not only desirable but necessary to address our national efforts to reduce green-house gas emission in the land use sector and to achieve the pledges we have made to restore nature under the EU Biodiversity Strategy 2030<sup>40</sup> and the United Nations COP 15 Biodiversity conference<sup>41</sup>.

Existing strategies such as Coillte's strategic vision for its future forest estate<sup>42</sup>, and Bord na Móna's Enhanced Peatland Rehabilitation Scheme<sup>43</sup> while a step in the right direction cannot deliver transformational change if the direction emanating from their boards continues to be based on limited commercial mandates. Any review should be informed by input from the public.

We the call on the State without delay to:

- **Amend the legal mandates conferred on Coillte by the Forestry Act 1988, Bord na Móna by the Turf Development Acts 1946-1998 and the OPW under the Arterial Drainage Acts 1945-1995, ensuring that the protection and restoration of the environment and climate action are core obligations; and place the government's commitment to retain public land in public ownership on a legal footing.**
- **Issue new letters of expectation from government to the boards of Coillte and Bord Na Móna signalling the imminent reform of their legal mandates and directing them to not enter into any legal agreements which would undermine public ownership or public access to their landholdings.**

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<sup>38</sup> Balmford, A., Bruner, A., Cooper, P., Costanza, R., Farber, S., Green, R. E., ... & Turner, R. K. (2002). Economic reasons for conserving wild nature. *science*, 297(5583), 950-953.

<sup>39</sup> Commission Staff Working Document Impact Assessment - Accompanying the proposal for a Regulation of the European Parliament and of the Council on nature restoration (Part 1/12) [https://environment.ec.europa.eu/publications/nature-restoration-law\\_en](https://environment.ec.europa.eu/publications/nature-restoration-law_en)

<sup>40</sup> [https://environment.ec.europa.eu/strategy/biodiversity-strategy-2030\\_en#:~:text=The%202030%20EU%20Biodiversity%20Strategy&text=The%20EU's%20biodiversity%20strategy%20for,contains%20specific%20actions%20and%20commitments.](https://environment.ec.europa.eu/strategy/biodiversity-strategy-2030_en#:~:text=The%202030%20EU%20Biodiversity%20Strategy&text=The%20EU's%20biodiversity%20strategy%20for,contains%20specific%20actions%20and%20commitments.)

<sup>41</sup> <https://www.cbd.int/article/cop15-cbd-press-release-final-19dec2022>

<sup>42</sup> Coillte (2022) Strategic Vision for Our Future Forest Estate <https://www.coillte.ie/wp-content/uploads/2022/07/Coillte-Future-Forest-Estate-Strategic-Vision-Consultation-Booklet.pdf>

<sup>43</sup> Bord na Móna to commence Enhanced Peatland Rehabilitation Scheme <https://www.bordnamona.ie/bord-na-mona-to-commence-enhanced-peatland-rehabilitation-scheme/>

*We would like to dedicate this submission in loving memory to our friend and colleague Andrew St Ledger who recently passed away. A committed environmental advocate, he dedicated much of his professional life to the protection and restoration of Ireland's native woodlands and to the advancement of sustainable forest management. Andrew worked tirelessly to reform Coillte up until his death. A mighty oak has fallen in the woods but his legacy lives on.*