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Via email [Janet.Farrell@agriculture.gov.ie](mailto:Janet.Farrell@agriculture.gov.ie)

2<sup>nd</sup> December 2022

Dear Ms Farrell,

**Re: Comments on Ireland's Forest Strategy Implementation Plan Draft for public consultation.**

The Department welcomes the invitation to make a submission in relation to the draft Forest Strategy Implementation Plan. The following observations are made by the Department in its role as a statutory authority with overarching responsibility for nature conservation and the nature directives (i.e. the Bird Directive (2009/147/EC) and Habitats Directive (92/43/EEC)). These observations are being issued pursuant to the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (SI No. 435 of 2004), as amended by S.I. No. 200 of 2011 and pursuant to Regulation 42(9) of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011) as amended.

Comments are provided on the draft Implementation Plan, the SEA Environmental Report and the Natura Impact Statement. Separate comments relating to impacts on birds and their supporting habitats have been separated out and presented below.

**Implementation Plan**

The Department welcomes many of the actions proposed in the Implementation Plan, particularly in relation to native woodland expansion, woodlands for water, ancient and long-established woodlands, restoration and legacy issues. Comments relating to specific proposals and sections of text in the draft Plan are provided below:

**1. p. 3 point 5 Ecosystem Services, Resilience, Restoration, and Legacy Issues**

- This is not only achieved through creating and managing forests. Prevention of inappropriate afforestation also needs to be referenced.



2. **Action 19** – It is problematic that “*the right trees in the right places for the right reasons with the right management*” is an underpinning principle of the Plan but has not yet been clearly defined and agreed amongst stakeholders.
3. **Action 26** – It is recommended that the NPWS should be listed as a key stakeholder
4. **p. 23 Goal – Protecting and Restoring Natural Heritage and Ecosystem Services.**
  - This goal requires an action relating to the prevention of inappropriate afforestation on peatlands, other habitats of high ecological value and habitats of ecologically important species.
5. **p. 38 Support for the retention and appropriate management of suitable areas of ‘scrub’**
  - The plan states, “*These areas represent an important biodiversity feature within the landscape, with the potential for delivering many ecosystem services*”. However, the new afforestation premium for emergent woodland is only €350 whereas other rates are c. three times higher. This creates an inappropriate incentive to remove emergent woodland and replant.
6. **p. 38 Annual broadleaf target**
  - The increase from 30% to 35% is an incremental change. The public consultation reflected “*a wish to see more native and broadleaf trees established*”. The target should be more ambitious, though it is acknowledged that there are supply constraints.
7. **p. 43 6.1 (f)**
  - Refers to expired National Biodiversity Action Plan. A draft of the 2023-2027 NBAP is available and should be referred to where appropriate.
8. **p.62 Table 1 – Forest Creation Intervention**
  - Recommend removal of ‘pre-screening report’, habitat description and map, ecology report and NIS. Replace with:
    - *Ecological Impact Assessment Report (EclA)*
    - *Natura Impact Statement (where required, subsequent to screening for Appropriate Assessment).*
    - *Environmental Impact Assessment Report (where required, subsequent to screening for Appropriate Assessment).*
9. **p. 62 Afforestation targets**
  - The afforestation target for FT1 Native forests (1150 ha p.a.) is inadequate. Preliminary analysis regarding the legally-binding targets of the proposed EU Nature Restoration Law indicates that at least 1271 ha p.a. of Native Woodland



Establishment is required to meet the target for 91A0 Old sessile oak woods alone.

- Similarly, the target for FT2 Forests for Water (150 ha p.a.) is inadequate. Preliminary analysis regarding the legally-binding targets of the proposed EU Nature Restoration Law indicates that at least 494 ha p.a. of woodland establishment is required to meet the target for 91E0 Alluvial woodland alone.

#### **10. p. 64 Mandatory requirements applying to environmental considerations.**

- Apart from reference to the need to screen for Appropriate Assessment, it not clear what assessments are required to be undertaken to address the other environmental considerations. Ecological Impacts Assessment should be required in circumstances where an EIA is not being undertaken and should include in its scope to consider impacts on Annex I habitats (particularly species-rich grasslands, and including habitats outside of European Sites (such as those described under Article 10 of the Habitats Directive), other protected species (e.g. Marsh Fritillary, Red-list Birds).
- Impacts on High Nature Value Farmland also need to be addressed, as referred to in the European Commission's comments on the State Aid provided under the Forestry Programme 2014-2020 "*The inappropriate afforestation of sensitive habitats such as peat lands and wetlands will be avoided, as well as the negative effects on areas of high ecological value including areas under high natural value farming*" (para 36. C(2015) 448 final).

#### **11. p. 67 Native Tree Area Scheme**

- The draft Plan proposes an exemption from the requirement to obtain an afforestation licence to incentivise small-scale tree planting. Paragraph 3 states "*the statutory changes "provide that an exemption can only be granted where, on the basis of objective information, the proposed small-scale tree planting is not likely to have a significant effect on a European Site"*". Appendix 5 details this scheme and clarifies that a significant number of ecologically-sensitive areas will not be eligible for the scheme including European sites (see Table 1 on p8); however there are still other ecologically-important areas that have not been referenced E.g. ex-situ bird usage sites, breeding wader sites (other than mapped curlew) and undesignated wintering wildfowl sites. The Flora Protection Order 2022 is also not listed.
- There would appear to be a reliance on existing spatial data, but many important areas are not digitally mapped and only inspection by an experienced ecologist will detect significant ecological characteristics. For example, there is an exclusion for semi-natural grasslands but appears only to apply to those areas that are already mapped. In reality, many small sites of such habitat will not be mapped.
- Conversely, there may be some European sites or other designations that could benefit from the above scheme (such as adjoining native woods, riparian zones and it would be preferable if the scheme could be accessed once the ecologically-beneficial nature of them was established. Suggested wording



could include “*excluded unless “not directly connected with or necessary to the management of the site”*”, may address this issue.

#### **12. p.68 Intervention 2 - Creation of Agroforestry Systems**

- It is proposed that hedgerows will be incorporated into any proposed Agroforestry sites. This may lead to a loss of function if their linear character is integrated into a larger forest setting as their profile often acts as a wildlife corridor for some fauna that are less likely to use it if it is integrated into forestry.

#### **13. p.72 Intervention 3 - Infrastructure and Technology investments**

- There is reference to AA and impacts on European sites but little reference to Ecological Impact Assessment as a tool that can address impacts on non-protected sites and other aspects of biodiversity.

#### **14. p.116 Appendix 4 Mitigation**

- “*An appropriate ecological assessment is required in sites where the habitat of Annex I bird species or Annex II species occur or are likely to occur to investigate the potential for where they occur*” The Department would recommend clarifying who will assess whether such habitats and species may occur, how to ensure the quality of this assessment and what the objective is for mitigation (e.g. avoidance, protection, restoration) if it they could be regarded to being “potentially” occurring.

### **SEA Environmental Report**

#### **15. p7-3<sup>rd</sup> paragraph: Intervention 8: Reconstitution**

- This proposed Intervention deals with restoring forest damage by natural causes. This proposal needs to be expanded to cover funding for removal of trees that may have been planted in inappropriate locations and led to adverse environmental effects.

#### **16. p16 Current State of the Environment 5.3 Biodiversity including Flora and Fauna**

- 2nd par: “*Research has shown that establishing plantation forests on improved and semi-improved grasslands will be neutral or positive for biodiversity*”. This is a rather simple statement that requires further discussion to provide context. Biodiversity value can be measured in different ways and some elements of biodiversity can be negatively affected for example by plantation forests being planted on grassland used by breeding, feeding, roosting and overwintering birds.



### 17. p17 Table 5.2 Environmental topics relating to forestry and biodiversity

- First row under “key data”. It is stated that “*Forest cover is estimated to be at its highest level in over 350 years*”. However, the current extent of “forest” now is largely non-native conifer and bears no resemblance to the native “forests” to which it is being compared. Only 1-2% out of the 11% is native woodland.
- Row 5 “*All new forests established must have a minimum of 15% broadleaves planted*”. It is advised that a distinction be made between native and non-native broadleaves.
- Row 2, Reforestation, deals with a requirement to replant but states “*Some sites may not be reforested if there are overriding environmental considerations*”. Whilst this advice is welcomed, it refers only to the time of harvesting and it is suggested that there should be a reference to identifying and deforesting problem areas before environmental issues arise.
- p19, row 1: The list of types of native woodland is rather limited and may suggest that these are the only important species in native woodlands. Other species such as Scots pine, aspen, yew, cherry (bird and wild), holly, *Sorbus* species, crab apple should be referenced in the context of native woodland species.
- p22 row 1, refers to “*Legally protected*” species in Ireland and lists a wide range of invertebrates including 45 bee species, 12 butterflies, 5 damselflies and dragonflies. These are not covered by the Wildlife Acts or other nature conservation legislation and it is requested that the description of these being “protected” be revised to address this inaccuracy.

### 18. p24 5.4 Land and Soils

- It is stated that suitable land for GPC 2-12 in Ireland includes: “*Areas of Midland fen peats that have been improved, and peats previously reclaimed for agriculture and now supporting rush pasture vegetation*”. It is our view that such habitats may be net carbon emitters even after afforestation and this proposal would need to be assessed to see if rewetting is a preferred option. This issue is dealt with satisfactorily elsewhere but needs to be stated here. It is suggested that this text is revised to state “*areas of midland fen peats that cannot be rewetted*”.
- p25-26 Text referencing “*The Forest Service Environmental Requirements for Afforestation*” is of significance and is relevant to many factors in the plan and assessments; it deserves explanation in detail in the draft Plan. Further explanation of the assessments referred to in this section could address many of the concerns raised in this submission by the Department.

### 19. P44 Table 6.1 SEA Objectives, Indicators and Targets: Biodiversity

- 1<sup>st</sup> bullet point “*Preserve, protect, maintain and, where appropriate enhance terrestrial, aquatic and soil biodiversity*”. We suggest adding the word “*restore*” also i.e. “*where appropriate, enhance or restore*”.



- 1<sup>st</sup> bullet point for targets states “*no loss of protected habitats*”. We advise that the term “*protected*” be defined, as there are different levels of protections afforded by different legislation.
- 3<sup>rd</sup> bullet point objectives (similar to comment above) “*protect species outside these areas covered by the Wildlife Act*”. The Wildlife Act offers limited protection in cases concerning forestry proposals so we would recommend amending this term to “*protected and threatened*” and remove reference to the Wildlife Act.
- 3<sup>rd</sup> bullet point in targets: “*No ecological networks or parts thereof which provide significant connectivity between areas of local biodiversity to be lost without remediation*” It is recommended that a more positive target “*Creation of new connectivity between areas of local biodiversity*”, since the draft Plan does facilitate, target and reward such measures so it warrants mention here.
- 5<sup>th</sup> bullet point in objectives: We recommend an additional target here “*Identify and promote areas for appropriate afforestation to provide connectivity between separated woodland habitats*”.
- 6<sup>th</sup> bullet point objectives: We recommend an additional target here “*Where ecologically appropriate, enhance areas surrounding and adjoining designated sites by creating supporting habitats through appropriate afforestation and associated measures*”.
- 5<sup>th</sup> point in targets refers to “*particularly where they are proposed in/and/or near European Sites*”. We recommend an amendment to bring it closer to legislation “*where they may affect European Sites*”.
- Points 7-8 in SEA Indicators should include “*Area of native woodland restored*” and “*Area of invasive species removed*”.
- Point 10 in targets should include *sediment loss i.e. Reduced incidents of eutrophication/water pollution, sediment loss*.

#### **20. p45 Table 6.1 SEA Objectives, Indicators and Targets: Biodiversity**

- 2<sup>nd</sup> point in targets is to identify invasive species and to develop techniques for control. It is recommended that a commitment be made to carrying out such control.
- We recommend the addition of a new objective “*Where legacy issues have caused ecological damage or where legacy issues are causing ongoing ecological damage, appropriate measures will be established to address this and where possible stop ongoing damage and restore habitats*”. This needs to be a standalone measure and not just related to scheduled re-afforestation after felling.
- We recommend the addition of a new objective clarifying that areas of historic woodland as per historical mapping will be replanted with native woodland (as they would have been originally) and that such areas where they have been cleared, are targeted/incentivised for woodland re-establishment. This is stated in the draft Plan for replanting on conifer sites but no obvious commitment for other undeveloped lands where historic woodland area has been noted.

#### **21. p47 Table 6.1 SEA Objectives, Indicators and Targets: Water**

- 1<sup>st</sup> point Objectives: Reference should be made to addressing existing and ongoing sedimentation or hydrological issues and include a commitment to



closure of drains and retrospective establishments of aquatic zones where deemed appropriate.

- We recommend an additional target - *Where wetlands have been historically inappropriately afforested measures will be developed so they may not replanted after harvesting and procedures will be put in place where it is possible to intervene where sites need to be deforested to achieve environmental (including ecological) benefits.*

**22. p57, Table 8.2 Environmental Assessment of Forestry Programme - Intervention and Measures: Intervention 1 Forest Creation**

- Measure 3: *“Native Woodland Intervention for Remediation of Industrial Cutover Peatlands Pilot Scheme”*. Many of these sites are important for a wide range of biodiversity. Rewetting of peat and peatland restoration should be prioritised over woodland intervention on such sites and even sites that cannot be rewetted could potentially support adjoining wetlands. This intervention requires a site-specific assessment to determine suitability of the intervention in terms of the potential for other re wetting and restoration measures. The carbon storage aspects of this intervention also need to be considered.

**23. p60 Environmental Assessment of Forestry Programme - Intervention and Measures:**

- Row 1 1<sup>st</sup> point: We welcome this proposal for constructed wetlands as part of forest works and encourage these features to be significant in terms of size. .
- Preference should be stated for bridges rather than culverts.
- *“Larger (water) storage features located away from surface obstructions will be designed to accommodate aerial firefighting in high risk areas”* A similar measure should be used to address problematic forestry drainage located along roads and general field drainage causing sediment loss.

**24. p64 Table 8.2 Environmental Assessment of Forestry Programme - Intervention and Measures:**

- We would recommend an additional new bullet point: *“Establishment of aquatic zone if none present already”*.

**25. p68 Table 8.2 Environmental Assessment of Forestry Programme - Intervention and Measures:**

- *“SEA Comments”* re Measure 3 Coppicing- Coppicing might be a concern and undesirable in some woodlands so application of this measure needs to be carefully selected with a requirement for ecological input.

**26. p75 Table 8.2 Environmental Assessment of Forestry Programme - Intervention and Measures:**

- Reforestation for Biodiversity and Water Protection- mentions “widely spaced” it should be clear that sometimes “widely spaced” may not be as useful as



provision of open areas that are required particularly for some wetland habitats. In these circumstances, what percentage of open space/unplanted area will be allowed?

**27. p76 Table 8.2 Environmental Assessment of Forestry Programme - Intervention and Measures: Intervention 8-Reconstitution**

- Measure 1: There needs to be an acceptance that plantations that failed, should in some cases be removed completely not just replanted with diff species. This could be stated in the SEA comments section.
- Measure 2 Underplanting Ash Dieback- If underplanting with different species; these should be native broadleaf species. The conclusion of the SEA of a positive effect on biodiversity is entirely based on this factor but there is absence of a clear commitment that native species will be used.

**28. p79 Table 8.3 SEA of Actions within the Forestry Action Plan**

- 6<sup>th</sup> point- SEA Comments: “Identify “Go To” Areas”- This is a new and welcome idea, particularly for promoting native woodlands. Following a robust environmental assessment, this Action could also be a good way to target spruce away from sensitive areas.

**29. p82 Table 8.3 SEA of Actions within the Forestry Action Plan Goal-Incentives for forest creation and management**

- “Action 16: Implement support schemes to support redesign and, where appropriate, restoration measures at reforestation stage.” This is very welcome but it should also support such action before the reforestation stage, if appropriate, or at least have a mechanism to facilitate and allow this.

**30. p88 Table 8.3 SEA of Actions within the Forestry Action Plan**

- Action 42: “Implement support schemes for the reconstitution of forests following significant damage by natural causes”. It is important for environmental reasons that some damaged areas should not be replanted, but damaged trees may require to be removed e.g. wind throw on river banks in some SACs.

**31. p94 Table 8.3 SEA of Actions within the Forestry Action Plan**

- “Action 64: Support the establishment and natural regeneration of native forest on post-industrial cutaway peatlands, where appropriate”. As stated previously, not all peatland sites are suitable for this Action. It requires a robust assessment by a qualified ecologist to assist in implementing this Action.

**32. p95 Table 8.3 SEA of Actions within the Forestry Action Plan**

- “SEA Comments”: We welcome the clarification that “Only peatlands that do not have the capacity to be restored and cannot be used as a carbon sink, will be considered for replanting of native trees”. This Action also needs to consider



other valuable habitats especially for birds and Annex II species e.g. Marsh fritillary which occurs frequently on such sites.

**33. p96 Table 8.2 Environmental Assessment of Forestry Programme - Intervention and Measures**

- *“Action 67: Support the appropriate restoration and conservation of Ancient and Long-established Woodland through funding restoration works”* and *“Action 68: Establish a baseline and complete the national inventory of Ancient and Long-established Woodland”* These are very welcome actions but could go further by adding such areas to the “Go To” list referred to earlier, to incentivise further. Refer to earlier comments on the need to address former areas of historical woodland on undeveloped sites.

**34. p108 Table 9.1 Mitigation Measures**

- 9<sup>th</sup> point: A very welcome commitment that Afforestation will be restricted to native tree species in the Top 8 Freshwater Pearl Mussel Catchments. However, it should be acknowledged that other areas where this species occurs also require safeguards to prevent adverse effects of inappropriate actions that might result from implementation of this Plan.

**Stage 1 AA Screening and Stage 2 AA Natura Impact Report (NIR)**

**35. Mitigation**

- p125 Reference to Archaeological Assessments and mitigation is not relevant to the NIS unless it is related to likely significant effects on European sites.
- p126 *“Forest Management/Forestry Operations including Felling and Thinning”*- Particularly in relation to Felling and Reforestation, there is lack of reference to existing issues concerning problematic drainage works. We recommend that there should be a recognition that on some sites such features need to be physically removed/blocked/ altered/ silt pods added etc.

- 36.** We would recommend that the NIS refers to circumstances whereby a measure or action may be proposed under the Plan which may be directly connected with or necessary for the management of a European Site. The implications of this in terms of its relevance to mandatory requirements applying to environmental considerations should be reflected in the NIR and the Draft Plan.

**Comments specifically related to impacts on birds and their supporting habitats**

- 37.** There is a need to refer to spatial planning with respect to future forest/tree planting in the Forest Strategy and particularly in the Environmental Report. There is a lack of consideration of the potential effects and particularly cumulative effects of this draft Plan (and in combination with other plans e.g. DAFM CAP SP) on bird species



of national conservation importance. This gap includes birds in the wider countryside, particularly, though not exclusively, those related to the effects of habitat loss, changes in habitat quality and potential indirect effects on overall breeding productivity and survival for those rare and threatened species of conservation concern (further details below).

- 38.** Though the pressures and threats outlined for Annex I species under Article 12 assessments are considered in the NIR, it is important to highlight that these Article 12 assessments (published in 2019) are constrained by the reporting requirements and categorisation of pressures and threats set out by the EU. Furthermore, there was no Member State obligation to set out pressures and threats for non-Annex I species, though B01 – *Conversion to forest from other land uses, or afforestation*, was highlighted as a significant pressure and threat for breeding Curlew, for example.
- 39.** The Department would have concerns about the implications of the Native Tree Area Scheme for birds in the wider countryside and Ireland’s obligations in that regard under the EU Birds Directive. The strategic and spatial planning objectives behind the creation of small patches of native woodland (over more contiguous larger woodlands) across the landscape, though likely beneficial to some common wider countryside birds, is not clear from the documents provided. Such a scheme, while likely to be positive for common and widespread woodland-associated birds, is unlikely to benefit many of Ireland’s most threatened bird species and could be regarded as potentially deleterious in some instances (see below). The cumulative effects of such a scheme on birds in the wider countryside, particularly those of high conservation concern (see below), need to be assessed, particularly as this scheme will not require a consent process for any areas planted that are under one hectare in size.
- 40.** Hancock et al. (2020)<sup>1</sup> have shown how the population of predators (e.g. foxes) increases substantially when previously open areas are planted with forestry. As highlighted by the most recent Curlew Conservation Programme Report 2022, the loss of bog habitats and wet fields continues and decades of afforestation, especially on uplands bogs, have created a very fragmented landscape that is acting against the Curlew’s breeding success and survival. The Curlew is one of Ireland’s most threatened ground-nesting birds (Gilbert *et al.* 2021<sup>2</sup>). Other ground-nesting species affected by the extensive habitat losses due to afforestation of our uplands and bogs include the following now Red-listed species: Snipe, Red Grouse, Meadow Pipit, Ring Ouzel, Golden Plover (also Annex I) and Dunlin (also Annex I).

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<sup>1</sup> Hancock, M., Klein, D. & Cowie, N. (2020). Guild-level responses by mammalian predators to afforestation and subsequent restoration in a formerly treeless peatland landscape: Predator responses to afforestation and restoration. *Restoration Ecology*. 10.1111/rec.13167.

<sup>2</sup> Gilbert, G., Stanbury, A. & Lewis, L. (2021) Birds of Conservation Concern in Ireland 4: 2020 – 2026. *Irish Birds* 43, 1–22.



41. The decline in the national population of Hen Harrier has been attributed to loss of extent and declining quality of the open habitats in its former breeding grounds, directly attributed to afforestation; including declining productivity due to increased predation of nests by the increasing predator populations associated with planted forests. Ring Ouzel, now regarded as one of Ireland's rarest breeding birds, has suffered catastrophic declines in Ireland (NPWS, unpublished data) and declines elsewhere have been associated with large-scale upland afforestation (Buchanan *et al.* 2010<sup>3</sup>). Collectively, these bird species are considered amongst the most threatened in Ireland and they are dependent on the availability of good quality open habitats to support their breeding requirements, the very habitats that are likely to be targeted under this plan.
42. It is requested that the NIR is revised to reflect the detailed conservation objectives published in September 2022 for five of the six breeding Hen Harrier Special Protection Areas. The potential implications of forestry on breeding productivity through effects on breeding habitat, prey populations and predation pressure have not been considered in the current version of the NIR. We recommend that this be addressed in order to ensure the full effects of this Plan are analysed, as necessary.
43. The NIR requires revision to consider the potential impacts of the Implementation Plan on a range of bird species, including the Annex I-listed species Peregrine Falcon, whose range is estimated at 274 10km<sup>2</sup> nationally (please refer to the 2019 Article 12 report). The expansion of forestry could have negative impacts *e.g.* disturbance/displacement of pairs from breeding sites, destroying nests or discouraging the species from nesting in a particular area. The conservation of nesting sites must remain a high priority given the species' nest-site fidelity. Furthermore, the indirect and any potentially adverse effects of synthetic plant protection chemicals associated with forest planting (as referenced in the NIR – page 168 of 169), on survival and/or productivity need to be included in the NIR.
44. The NIR also requires revision to consider the predicted impacts of the IFSIP on other bird species/group besides Hen Harrier and Merlin (as per Table 8). Corncrake, Kingfisher, Peregrine Falcon and Chough (all Annex I) are omitted from the NIR, as are key waterbird species/groups including Annex I-listed Greenland White fronted Goose, Golden Plover and Dunlin, and along with Red-listed Redshank, Lapwing and Curlew. Presumably, these species were excluded on the basis that the NIR considered they were not unduly impacted by afforestation and/or forestry activities, when clearly this is not the case if all available publications/research were considered in the assessment.

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<sup>3</sup> Buchanan, G.M., Pearce-Higgins, J.W., Wotton, S.R., Grant, M.C. & Whitfield, D.P. (2010) Correlates of the change in Ring Ouzel *Turdus torquatus* abundance in Scotland from 1988-1999. *Bird Study*, Vol 50, Issue 2, 97-105.



45. More specifically, Table 8 requires revision to reference the potential disturbance effects that could be caused by forest fertilisation methods (and methods required to be themselves described) on nesting hen harrier/merlin. Similarly, revisions are required to reference effects on breeding Peregrine Falcon or other key species/groups.
46. While the Hen Harrier Threat Response Plan (HHTRP) has not yet been adopted, it has been developed closely with Forest Service (DAFM) and it is not entirely clear how the HHTRP actions will be integrated into the Plan, as it concerns forestry. Though referenced briefly in the NIR, it is notably absent in Appendix A – there is no specific mention of the HHTRP, though other TRPs are referenced.
47. From a birds perspective, the focus of the FS Implementation Plan is very much on the more general biodiversity gains *i.e.* more typical woodland bird communities, which are, in general, of least conservation concern, as the majority of which are not in serious decline (Lewis et al. 2019<sup>4</sup>). Inadequate consideration is given to the likely losses for birds in the wider countryside that will arise, particularly for priority species of conservation concern including those non-Annex I bird species, but Red-listed (*e.g.* breeding Curlew, Ring Ouzel, Meadow Pipit, Yellowhammer, Whinchat, Red Grouse) and Amber-listed (Skylark), which are already declining/at risk due to forestry.
48. The FS DAFM needs a plan for developing more informed cumulative effects assessments with respect to the aforementioned species, in light of current data and obligations. In the *Forest Strategy 2022-2030*:
- It is positive to see that the document notes that legacy issues (*e.g.* page 14), and the requirement to have a sustainable forest sector that increases forestry's contribution to maintaining and enhancing biodiversity whilst also helping to support climate actions, climate resilience and combat climate change.
  - However, the proportion of planting of non-native tree species remains very high, and as such, it is hard to see how Ireland can move forward with a more sustainable forest industry that continues to rely on previous unsustainable and environmentally damaging planting. The ambition to meet requirements under the wider policy frameworks should not be at the expense of Ireland's most vulnerable biodiversity.
  - Looking at "*Section 3 Drivers, barriers and enablers*" and specifically under "*Biodiversity and environmental quality*" .... if "*the over-riding objective between now and 2030 is to radically and urgently expand the national forest estate on both public and private land*" and notwithstanding points raised above, the

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<sup>4</sup> Lewis, L. J., Coombes, D., Burke, B., O'Halloran, J., Walsh, A., Tierney, T. D. & Cummins, S. (2019) *Countryside Bird Survey: Status and trends of common and widespread breeding birds 1998-2016*. Irish Wildlife Manuals, No. 115. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht, Ireland.



compatibility of this objective with the restoration of the conservation status of a range of ground nesting birds that have undergone significant declines over the last 50 years or so needs to be assessed.

- The overarching objective of the new EU *Nature Restoration Law*, which is a key element of the EU *Biodiversity Strategy*, for terrestrial habitats is to achieve continuous, long term and sustained recovery and increase climate mitigation and adaptation through restoration and acknowledges the role of forests in helping to combat climate change, but also the importance of peatlands and restoration of peatlands in the EU could save up to 25% of Europe's agricultural gas emissions. Thus, the ambition and expansion of the Strategy, should be mindful of obligations regarding restoration of peatlands and past legacy issues with respect to priority species and habitats, which though acknowledged, are not clearly accounted for in the new proposed Implementation Plan (see below).
- 49.** The ecological reasoning in the Environmental Report behind "*the creation of mosaics of open habitats and native scrub/forest .....to benefit and increase the protection of watercourses and other biodiversity features or habitats such as adjoining designated areas in terms of future forest operations*", is not clear. The fragmentation of pre-existing open peatlands habitats, for example, through past afforestation, has resulted in negative outcomes for many birds species and groups (e.g. Hen Harrier, upland breeding waders (Curlew, Dunlin, Golden Plover), Red Grouse, Ring Ouzel, with forestry impacts clearly linked to population declines for these species, particularly due to edge effects *i.e.* increased predation by animals associated with forests and resulting nest losses and associated decreased productivity and overall survival. Thus, any proposed woodland/forest creation close to/on existing open habitats that support or could support these species would likely have negative implications for such areas in terms of habitat quality for ground-nesting birds.
- 50.** As a general point, some of the statements made throughout the NIS and SEA require revision to include a more robust understanding of the breadth of ecological requirements/needs and impacts of existing pressures from numerous sectors (including forestry) on birds in the wider countryside, but in particular for those species that collectively are associated with and dependent upon open peatland and grassland habitats. While acknowledging legacy issues of the past, the current Implementation Plan does not set out a clear strategy/framework as to how those past mistakes will not be repeated, particularly given Ireland's obligations under the Birds Directive (including those under Article 4(4)).



We are happy to engage with you further to clarify any of the above comments

Yours sincerely,

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