

**An Roinn Talmhaíochta,  
Bia agus Mara**  
Department of Agriculture,  
Food and the Marine



Mr. Diarmuid Collins,  
Senior Administrative Officer,  
Procurement, Internal Audit & PCI,  
An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1.  
D01 V902

17<sup>th</sup> July 2019

**Re: Celtic Interconnector (France-Ireland interconnection between La Martyre and Great Island or Knockraha)**

Dear Mr. Collins,

The following are the comments from Forestry Division in relation to above proposed development.

If the proposed development will involve the felling or removal of any tree or trees, the developer may be required to obtain a Felling License from this Department before trees are felled or removed. The developer has been advised of the requirements under the Forestry Act, 2014, and exemptions from the requirement to obtain a tree felling licence, that may be available to the developer, under Section 19.

Should a Felling Licence be required, an application form can be obtained from **Felling Section, Department of Agriculture, Food and the Marine, Johnstown Castle Estate, Co. Wexford**. Tel: 076-1064459, Web <https://www.agriculture.gov.ie/forests-service/tree-felling/tree-felling/>

A Felling Licence granted by the Minister for Agriculture, Food and the Marine provides authority under the Forestry Act 2014 to fell or otherwise remove a tree or trees and/or to thin a forest for silvicultural reasons. The Act prescribes the functions of the Minister and details the requirements, rights and obligations in relation to felling licences. The principal set of regulations giving further effect to the Forestry Act 2014 are the Forestry Regulations 2017 (S.I. No. 191 of 2017).

The developer should take note of the contents of **Felling and Reforestation Policy** document which provide a consolidated source of information on the legal and regulatory framework relating to tree felling;

<https://www.agriculture.gov.ie/media/migration/forestry/tree-felling/FellingReforestationPolicyMay2017250517.pdf>. As this development is within a forest lands particular attention should be paid to deforestation and the requirement to afforest alternative lands.

In order to ensure regulated forestry operations in Ireland accord with the principles of sustainable forest management (SFM), as well fulfilling the requirements of other relevant environmental protection laws, the Department (acting through its Forest Service division) must undertake particular consultations and give certain matters full consideration during the assessment of individual Felling Licence applications. This includes consultation with relevant bodies, the application of various protocols and procedures (e.g. Forest Service Appropriate Assessment



Procedure), and the requirement for applicants on occasion to provide further information (e.g. a Natura Impact Statement).

Consequently, when the Department is considering an application to fell trees, the following applies:

1. The interaction of these proposed works with the environment locally and more widely, in addition to potential direct and indirect impacts on designated sites and water, is assessed. Consultation with relevant environmental and planning authorities may be required where specific sensitivities arise (e.g. local authorities, National Parks & Wildlife Service, Inland Fisheries Ireland, and the National Monuments Service);
2. Where a tree Felling Licence application is received, the Department will publish a notice of the application before making a decision on the matter. The notice shall state that any person may make a submission to the Department within 30 days from the date of the notice. The notices for 2019 are published online at:  
<https://www.agriculture.gov.ie/forests-service/publicconsultation/environmentalimpactassessment-2019/registerofdecisions/>
3. Third parties that make a submission or observation will be informed of the decision to grant or refuse the licence and on request details of the conditions attached to the licence, the main reasons and considerations on which the decision to grant or refuse the licence was based, and where conditions are attached to any licence, the reasons for the conditions. Both third parties and applicants will be also informed of their right to appeal any decision within 28 days to the Forestry Appeals Committee. Felling Licence decisions for 2019 are published online at:  
<https://www.agriculture.gov.ie/forests-service/publicconsultation/environmentalimpactassessment-2019/registerofdecisions/>

It is important to note that when applying to a Local Authority or An Bord Pleanála for planning permission where developments are:

- a) subject to an EIA procedure (including screening in the case of a sub-threshold development) and any resulting requirement to produce an EIAR; and/or
- b) subject to an Appropriate Assessment procedure (including screening) and any resulting requirement to a Natura Impact Statement (NIS); and
- c) the proposed development in its construction or operational phases, or any works ancillary thereto, would directly or indirectly involve the felling and replanting of trees, deforestation for the purposes of conversion to another type of land use, or replacement of broadleaf high forest by conifer species,

that:

1. there is a requirement inter alia under the EIA Directive for an overall assessment of the effects of the project or the alteration thereof on the environment to be undertaken, including the direct and indirect environmental impact of the project;



and

2. pursuant to Article 2(3) of the EIA Directive the Department of Agriculture, Food and the Marine strongly recommends that notwithstanding the fact that a parallel consent in the form of felling licence may also have to be applied for, any EIAR and/or NIS produced in connection with the application for planning permission to the Local Planning Authority or An Bord Pleanála should include an assessment of the impact of and measures, as appropriate, to prevent, mitigate or compensate for any significant adverse effects direct or indirect identified on the environment arising from such felling and replanting of trees, deforestation for the purposes of conversion to another type of land use, or replacement of broadleaf high forest by conifer species.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ann Cunningham', is written over a horizontal line.

Ann Cunningham  
Forestry Division