

Carr, Philip

From: Declan Little [woodsofireland@iol.ie]
Sent: 21 December 2005 15:44
To: Carr, Philip
Cc: Michael Starrett; Liam Lysaght; Declan Cooke; McAree, Diarmuid; fergalathome@eircom.net; Jerry Hawe; John Cross; Collins, Kevin; Maria Cullen; Mide Gerrard; Sasha van der Sleesen; Stephen Meyen; Stephen Neylon; Dave Brickenden; Aileen O'Sullivan; Daniel Kelly; Derek Felton; Curran, Eugene; Fraser Mitchell; Joe Gowran; John Fennessy; John O'Halloran; John.Griffin@dardni.gov.uk; Morgan Roche; Fahy, Orla; Pat Doody; Pat Warner; Philip Blackstock; Rory Harrington
Subject: Forestry Act submission

Philip

I attach the Woodlands of Ireland Forestry Act submission. If you have any queries, please do not hesitate to contact me at your convenience.

Season's Greetings!

Regards

Declan Little

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Cabinteely
Dublin 18

Mr Philip Carr
Forest Service
Department of Agriculture and Food
Johnstown Castle Estate
Co. Wexford

21st December, 2005

Dear Mr Carr,

Re: Review of 1946 Forestry Act

As a follow up to our submission re the above in 2003 (see below) I wish to submit a further submission based on the specific Articles and Statutory Instruments as outlined in your recent advertisement. I would draw your attention to those sections marked * as these are the most important areas for consideration.

*Forestry Act 1946: Part IV, Article 35: (c) not all dead trees should be exempt. Though perhaps useless for commercial purposes, standing deadwood that is not a hazard to health and safety in native woodlands of high conservation value (SACs/NHAs) should be retained for biodiversity reasons. (Indeed some may even be desirable in commercial forests as per certification requirements).

*It is suggested that Section 37: (1), which refers to the 'uprooting of trees over ten years of age', be altered. It is undesirable to remove such secondary woodland (commonly referred to as scrub) in some areas, e.g. especially adjacent to existing mature native woodland or in riparian zones. Hence, a felling licence should be strictly applied in such circumstances. In particular, only limited felling licences should apply in semi-natural woodlands and severe, increased penalties should be enforced where the law is transgressed.

Article 37: (3) Fines should be increased to account for inflation etc. and to ensure that a sufficient deterrent exists.

Article 38: (2). Ditto.

Article 39: (4). Ditto.

Article 41: (11). Ditto.

Article 42: (b) (1). Ditto.

Article 45: (2). Ditto.

*Article 46: (2) (a), Article 48: (3) (b) & Article 49: (3) (a) & (6). If I understand these correctly, these Articles refer to the replanting condition inherent in all general felling licences. On lands that were planted prior to the Acid sensitive Protocol, especially poor, upland and unproductive sites (with a Yield Class rating less than 14 - most of which are in the ownership of Coillte), it is our view that the planting condition should be revoked and replaced with a 'restoration' condition. This would mitigate against potential soil erosion (due to harvesting and consequent site preparation), fertiliser runoff, i.e. potential phosphate loading, and potential acidification loading. Restoration may entail - depending on site habitat classification (i.e. heathland, blanket bog, etc.) - blocking drains, removing commercial tree crops and allowing natural regeneration of the site, planting native broadleaves, etc. whichever is most appropriate. If replanting continues to be a condition of felling licences in these site types, it is our view that this contravenes sustainable forestry management, especially from environmental and economic perspectives.

Article 46: (9). As for Article 37: (3).

Article 47: (2). Ditto.

Article 48: (5). Ditto.

Article 49: (7). Ditto.

Article 51: (2). Ditto.

Article 52: (5). Ditto.

Article 53: (c). Ditto.

On a general not, it may be prudent in the General Felling Licences to have a maximum clearfell size as this is a bone of contention in certification discussions.

In case any of the suggestions in our previous 2003 submission below are relevant to the Articles and Statutory Instruments currently under review, I have also highlighted the most important ones thus *.

Regards

Declan Little
Project Manager

cc. Mr Michael Starrett, Chairman, Woodlands of Ireland and the Woodlands of Ireland Steering group