

Kildare Communities 4 Climate action



Department of Agriculture, Food and Marine

26/8/20

Dear Sir /Madam,

Kildare Communities 4 Climate Action welcome the opportunity to comment on the Draft Agriculture Appeals (Amendment) Bill 2020.

Our view is that this bill is not actually necessary and that it does nothing to address the underlying issues. The draft bill limits appeals and impacts on the independence of the Forestry Appeals Committee.

We acknowledge that this bill is motivated by a desire to streamline the regulatory process for commercial forests. However, we believe that engaging with community in a democratic way is much more likely to be effective. We would like to see a complete review of the forest policy and the forest service (DAFM). This should include:

- Focus on improving the quality of licensing decisions by addressing longstanding issues within the system, and by correcting issues in forestry legislation.
- The creation of a new forestry programme that recognises community and environmental concerns and significantly increases forest cover in an appropriate way
- Reform of the forestry grants system so that it incentivises delivery of a new positive forestry model.

We would also call for rejection of the Mackinnon report. It is the basis for the bill's proposal to introduce fees for forestry appeals. It also contains other deeply problematic recommendations which will impact on our most sensitive sites for rare and endangered species and habitats. We believe that a collaborative transparent approach where education of and communication with community and all those interested in forestry decisions will be more effective in achieving better decisions that are evidence based and in line with best practice. Specifically we believe:

- That the concept of 'relevant persons' is problematic. Appeal should not be limited to people who have a vested interest in the license or site and those who have made a submission on the original application. Public engagement throughout the process should be encouraged rather than limited.
- Environmental bodies should be able to appeal and there should not be any restrictions on their ability to appeal based on their size or length of time in existence. Community resilience is essential to combat the challenges we are going to face from climate change and biodiversity loss and we will see

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hopefully many new community environmental groups coming into being. It is essential that these groups are not restricted from participating in appeals processes that can affect us all.

- Fees should not be charged for appeals as again this can limit participation.
- Under the draft bill the quorum for the Forestry Appeals Committee is only 4 people. We are concerned that this is insufficient and may not guarantee adequacy of knowledge and qualifications of those making the decision.

Lastly due to the importance of the forestry service for our future and the difficulties in balancing the responsibilities of being regulator, promoter, developer, funding and governor of the forestry programme we would recommend the creation of a separate State Agency (similar to SEAI) to take responsibility for forestry promotion, research and development and community engagement leaving legislation and regulation to the department.

Yours sincerely

Fionnuala Corcoran

Fionnuala Corcoran (Member of KC4CA)

On behalf of Kildare Communities 4 Climate Action