



15 April 2021

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FAC refs: 309/2020 & 327/2020

**Subject:** Appeal in relation to felling licence TFL00316419

Dear [REDACTED]

I refer to the appeals to the Forestry Appeals Committee (FAC) against the decision by the Department of Agriculture, Food and Marine (DAFM) in respect of felling licence TFL00316419.

The FAC established in accordance with Section 14 A (1) of the Agriculture Appeals Act 2001 has now completed an examination of the facts and evidence provided by the parties to the appeal.

#### Background

Felling licence TFL00316419 was granted by the Department on 08 June 2020.

#### Hearing

An oral hearing of appeals 309/2020 and 327/2020 was conducted by the FAC on 18 February 2021.

#### Attendees:

**FAC Members:** Mr Des Johnson (Chairperson), Mr Dan Molloy and Mr Pat Coman

**Secretary to the FAC:** Mr Michael Ryan

**Appellant\*:** [REDACTED]

**Applicant representatives:** [REDACTED]

**DAFM representatives:** Dr Orla Fahy, Mr Seppi Hona and Ms Eilish Kehoe

[REDACTED]

#### Decision

The Forestry Appeals Committee (FAC) considered all of the documentation on the file, including application details, processing of the application by DAFM, the grounds of appeal, submissions made at the oral hearing and all other submissions before deciding to set aside and remit the decision to grant this licence (Reference TFL00316419).

The proposal comprises 9.45 ha of clear-felling of 100% Sitka Spruce and replanting with 85% Sitka Spruce and 15% Additional Broadleaves at Cloonbannif and Cloondrihara, Co Sligo. Proposal is in 3 plots, plot 3 (5.73 ha) is in Cloonbannif, plot 2 (2.60 ha) is divided between Cloonbannif and

Cloondrihara, and plot 1 (0.82 ha) is wholly within Cloondrihara. Plot 3 is separated from the other plots by a public road, other forestry, housing and agricultural grasslands.

The proposal is within an area sensitive to fisheries and within a 0.5km buffer of an SAC. The soil type underlying the project area is predominantly highly modified peat & peaty podzols in nature. The slope is predominantly flat to moderate (<15%). The project area is crossed by / adjoins an aquatic zone(s). Plot 3 is c124m from the River Moy SAC, plot 1 is bordered by the SAC, and plot 2 is c135m from the edge of the SAC. There are no EPA marked watercourses from the plots to the SAC. The proposal is within the Moy-Killala Bay Catchment and Moy\_SC\_010 sub-catchment, and is within the Moy\_020 river waterbody for which the WFD status is stated as good by the EPA, and the Swinford ground waterbody is given as good overall status.

The DAFM referred the application in April 2019 to Inland Fisheries Ireland (IFI), the National Parks and Wildlife Services (NPWS) and to Sligo County Council. One response is evidenced. Sligo County Council replied seeking protection of water quality with regards to public health / drinking water, the adherence to DAFM guidelines, a 25m buffer by watercourses, supervision of works, that there be liability insurance in place, the use of ½ loads at harvesting, sought a designated haulage route agreement, sought reporting of damage, and that there would be no damage to public roads, to existing drainage of public roads, and no debris. That a traffic management plan be in place, use of clear sightlines, monitoring of utility poles and moved if required. Also requested the reporting of public road damage to the area engineer, repair by the applicant and to contact area engineer prior to works.

The DAFM completed a Stage 1 Appropriate Assessment (AA) Screening with reference to the provisions of Article 6(3) of the Habitats Directive, identifying Natura 2000 sites within 15km of the project lands. The DAFM requested a Natura Impact Statement (NIS) from the applicant in June 2019 advising of a screen-in of the River Moy SAC. A NIS is provided and dated July 2019 and includes an in-combination assessment. An AA Report completed by MKO, Planning and Environmental Consultants, for the DAFM and dated 18 February 2020 includes a screening review of the DAFM screening on the inspector's certification and an AA of the proposal. An AA Determination dated 25 May 2020 states the proposal is not within or adjoining the River Moy SAC. The AA Determination concluded a number of mitigations were required, these relate to there being no forestry operations between 01 March and 31 August, the retention of earth banks and of broadleaves, a 10m wide exclusion zone from Relevant Water Courses (RWCs), use of water crossings, that there would be no brush piles within water setbacks, the standards of felling and reforestation would apply, a 5m set back from water courses (WCs) at reforestation stage and two lines of broadleaves to be placed along setbacks to WCs.

The licence was issued subject to standard conditions plus additional conditions that include complying with the mitigations set out in the AA Determination, which is stated to accompany the licence.

There are two appeals against the decision to grant the licence, the grounds of the first appeal (309/20) are summarised as follows.



1. Breach of Articles 2(1) and 4 (2) of the EIA Directive 2014/52/EU – Inspector’s checkbox does not have reasons and self contradicts.
2. Breach of Article 4 (4) of the EIA Directive 2014/52/EU as application does not represent the whole project.
3. Breach of Article 4 (4) of the EIA Directive 2014/52/EU DAFM must determine on basis of 4(4) info but as the developer has not submitted the whole project etc this is not met.
4. The afforestation of these lands was not carried out in a manner consistent with the law as no EIA screening was carried out.
5. The AA screening – the forest road serving the proposal was screened out for AA – CN81772 – there should be a retrospective AA for the road.
6. The Harvest Plan does not record all of the required features and the application is assessed without the required information.
7. The licence and its associated operations threaten the achievement of the objectives set for the underlying waterbody or waterbodies under the River Basin Management Plan for Ireland 2018-21.
8. The AA Determination is not legally valid / cannot have lacunae.
9. *The mitigations recommended in the AA Determination are inadequate.*
10. The opinion of the general public was not sought under Article 6(3) of the Habitats Directive.
11. Inadequate consideration of feedback from a Consultation Body.
12. There should be required notification of commencement and conclusion of operations.
13. The licence should include stringent and enforceable conditions regarding notification to appropriate bodies, groups and the public concerned in the case of any spraying of chemicals.

The grounds of the second appeal (327/20) are summarised as follows.

1. Plot 1& Plot 2 are located in Cloondrihara townland, while Plot 3 is in Cloonbaniff. All three are within 0.5 km of the River Moy SAC. Plot 1 is immediately adjacent to the boundary of the SAC. The Moy River SAC comprises not only the riverbed but also designated areas extending along both sides of the river that provide the natural habitat of flora and fauna specified in the Qualifying Interests (QI) of the SAC.
2. The AA Determination is appealed against on grounds; Lack of scientific rigour - the MKO Report contains a number of incorrect assumptions eg. a lack of hydrological connection to the SAC. Plot 3 has clearly been planted (1989) on a southern sloping cut-away bog, the remainder of which connects to the SAC to the south and therefore has an underlying hydrological connection.
3. There are significant omissions eg. information about present status of water quality and requirements of the Water Frameworks Directive and how that might influence set back distances. Indication of location of drains, water courses.
4. The MKO Report does not appear to include or comment on any of the maps supplied with the ecologist’s NIS. Had they done so it would have become apparent that some of the maps indicate a variation to Plot 3, extending the eastern section southward towards another section of the SAC.

5. Adequate mapping would also have indicated that Plot 1 of the proposal is immediately adjacent to the SAC boundary on its western side and that the conclusion of the senior Forestry Inspector that the project "is neither in nor adjacent to the SAC" is incorrect.
6. The senior Forestry inspector would also be aware that planting this type of commercial conifer forestry is no longer permitted on cut-away bog and, especially noting the ecologist's report of extensive wind throw and heightened risk of soil erosion.
7. In-combination and cumulative effects - The MKO Review lists a number of other plans and projects within an unspecified distance. It provides no further detail of these and omits to point out that one of them TFL00302619 is immediately adjacent to the application which is under consideration here. The ecologist, MKO and the Senior Inspector were however all aware of this connection because they were all involved in a parallel process of AA evaluation of TFL00302619. The ecologist in her NIS is the only one to clearly state that cumulative effects are possible and suggest as mitigation that the two felling projects should not occur simultaneously.
8. The purpose of an Appropriate Assessment is to provide complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the proposed work on the project area. I do not believe that this has been achieved in this case.
9. The appellant seeks that the FAC considers this appeal consecutively with an appeal against TFL00302619 as they are contemporary, contiguous and interdependent.

In response to the grounds of appeal 327/20, the DAFM state the felling and reforestation project licensed as TFL00316419 has undergone the DAFM's AA Screening procedure set out in the document entitled Appropriate Assessment Procedure: Guidance Note & iFORIS SOP for DAFM Forestry Inspectors (v.05Nov19) (DAFM, 2019). The application was screened in and went through an Appropriate Assessment. An NIS was produced by the applicant and reviewed by the DAFM Ecology Unit who made recommendations of mitigation measures. The site was subsequently approved with conditions.

In response to appeal 309/20 with regards the EIA Directive the DAFM stated that whilst a provision in the Act does impose an obligation on the Minister in the making of the decision whether to grant a Tree Felling Licence (TFL), with or without conditions, or to refuse it, further to the making of an application for the same under the relevant statutory provisions, to also consider whether the performance of that function also requires the carrying out of a screening for an environmental impact assessment (EIA) and if necessary the carrying out of an EIA, that statutory obligation is fully discharged once it has been clearly identified at the outset that the application in question does not involve an activity or project that falls within the specified categories of forestry activities or projects set out in Schedule 5 Part 2 of the Planning and Development Regulations 2001, as amended, and in Regulation 13(2) of the Forestry Regulations 2017, and wherein relevant national mandatory thresholds and criteria for EIA are also prescribed.

In the case of the former, those are:

➤ Projects involving the replacement of broadleaf high forest by conifer species, where the area involved would be greater than 10 hectares; and



➤ Projects involving deforestation for the purpose of conversion to another type of land use, where the area to be deforested would be greater than 10 hectares of natural woodlands or 70 hectares of conifer forest.

In the case of the latter, those are:

➤ Initial afforestation projects which would involve an area of 50 hectares or more; and

➤ Forest road works which would involve a length of 2000 metres or more.

The standard operational activities of (a) thinning or (b) clear-felling and replanting already established forest areas are not so categorised and therefore a screening assessment for sub-threshold EIA does not need to be carried out by the Department in the case of applications for TFLs for these particular activities.

The DAFM also stated that Article 4(4) of the EIA Directive requires that where a category of project listed in Annex II of the Directive or in the national transposing legislation (i.e. where not otherwise automatically required by nationally prescribed thresholds or criteria) are required to be subject to a determination as whether a sub-threshold EIA needs to be carried out or not, the applicant is required to provide information on the characteristics of the project and its likely significant effects on the environment. A detailed list of information to be provided is specified in Annex IIA of the Directive (as transposed by Schedule 1 of the Forestry Regulations 2017) and includes, amongst other things, a description of the physical characteristics of the whole project. However, because the standard operational activities of clear-felling and replanting an already established forest area are not so categorised either in Annex II of the Directive or in the national transposing legislation (and where the legislature had the discretion to include such activities had it wished to do so), a screening assessment for sub-threshold EIA did not need to be carried out by the Department in this case and thus Article 4(4) of the Directive is not applicable.

The DAFM stated that Article 4(5) of the EIA Directive requires that where a category of project listed in Annex II of the Directive or in the national transposing legislation (i.e. where not otherwise automatically required by nationally prescribed thresholds or criteria) are required to be subject to a determination as whether a sub-threshold EIA needs to be carried out or not, and the Competent Authority decides that an EIA is not required, it must –

a) State the main reasons for not requiring the EIA with reference to the relevant criteria listed in Annex III of the Directive (as transposed by Schedule 3 of the Forestry Regulations 2017) and, where proposed by the applicant, state any features of the project and/or measures envisaged to avoid or prevent what *might otherwise have been significant adverse effects on the environment*; and

b) Make the determination available to the public.

However, because the standard operational activities clear-felling and replanting of an already established forest area are not so categorised either in Annex II of the Directive or in the national transposing legislation (and where the legislature had the discretion to include such activities had it wished to do so), a screening assessment for sub-threshold EIA did not need to be carried out by the Department in this case and thus Article 4(5) of the Directive is not applicable.

The DAFM again stated the felling and reforestation project licenced as TFL00316419 has undergone the DAFM's AA Screening procedure, as set out in the document entitled *Appropriate Assessment Procedure: Guidance Note & iFORIS SOP for DAFM Forestry Inspectors (v.05Nov19)* (DAFM, 2019). The application was screened in and went through an Appropriate Assessment. An NIS was produced by the applicant and reviewed by the DAFM ecology unit who made recommendations around mitigation measures.

The FAC held an Oral Hearing on 18 February 2021. The parties were invited to attend in person or to join remotely. One appellant (309/20), the DAFM and the applicant's representative participated remotely. The FAC sat in person and remotely at this hearing. A communication received from appellant (327/20) on 06 February 2021 was read into the record of the hearing "as my Appeal of TFL00316419 was an Appeal of the AA Determination made by a Senior Forestry Inspector, I do not think it is correct that the DAFM response/ Statement from Inspectorate should come from the Local Inspector who was responsible only for the initial AA Screening". At the hearing the DAFM described the processes involved in considering the application and the referrals to the IFI, NPWS and the Local Authority to which only the Local Authority responded. The DAFM described how the River Moy SAC was screened in for AA and that a request then issued to the applicant for an NIS. An NIS completed by a Consultant Ecologist was received. The DAFM detailed how due to work backlog the NIS and details were referred to MKO consultants for an AA report, this AA report (18 February 2020) included an AA screening review regards all Natura sites within 15 km radius of the proposal. Following receipt of the report, the DAFM's Head of Ecology completed an AA determination (25 May 2020) setting out required mitigations for the proposal in respect of the River Moy SAC. The appellant stated in addition to their written grounds that forestry is a pressure point on the River Moy SAC, that the NIS contains no details regards in-combination plans or projects, the MKO AA report contains for 9 forestry related projects but makes no mention of Cloondrihara which appears excluded from the in-combination assessment, there also appears no mention of nearby licence TFL00302619. The MKO report credits all 3 plots to Cloonbaniff, the AA determination and the licence only identify one townland when the project is in two different townlands. A 25m setback to any watercourses requested by the Local Authority and referred to repeatedly by MKO in the AA report has not been included on the licence and there is no reason given by the ecologist as to why not. There are no haulage conditions in the licence, no reference to use of half loads, no reference to a traffic management plan, nor to resurfacing of roads. The appellant questioned if supervision by a qualified technical professional involved an ecologist. The FAC observes this question apparently relates to a point by the Local Authority regards ensuring works are adhered to the forestry guidelines and licence conditions. The appellant questioned the correctness of the conclusion at page 7 of the MKO AA report – the FAC notes this point appears to refer to a transcribed conclusion from the NIS. The appellant stated they appealed the licence as issued, there are no maps with the licence or with the MKO AA report and there are inconsistencies between the mapped areas with the AA determination and with the NIS, and neither of these or the AA report confirm or assess the status of the waterbody, and there is no map showing relevant watercourses. Also, there is no assessment of any hydrological impact on bogland. The appellant stated the intention to replant with Sitka Spruce appeared at odds with the reports of windthrow indicating soil instability that would result in sediment loss and siltation risks for consideration as cumulative impacts. Also, the NIS, the AA report and the AA determination includes for restrictions in heavy rainfall (not defined) which are not included in the licence conditions. In this matter it was pointed out that the licence



included for adherence to all mitigations set out in the AA determination. The appellant questioned was there an EIA screening done in 1989, questioned the DAFM's response to question 13 on the IFORIS certification 'somewhat applicable', stated legacy issues regards Freshwater Pearl Mussel but did not provide any details, and finally expressed concern regards a harvest plan. The applicant's representative stated the applicant employed a private ecologist to prepare and submit an NIS to ensure everything is done correctly with regards the EU sites and the environment and is now waiting c. 2 years on a decision on the licence since application date in March 2019. The applicant's representative confirmed an adjoining site was managed by them, was not belonging to the applicant in the case at appeal and works thereon would not be undertaken at the same time as with the licence at appeal. They stated there are 'plenty' of broadleaf plots on site which are not submitted for licence as these are intended to be left to grow on, especially within the northern plot. The applicant's representative also confirmed the crop on the proposal was very good and reached maturity and windblow that began in 2018 was a factor in the decision to clear-fell and has continued in the interim. They stated there is no evidence of flooding on the site and drainage works would have been carried out there many decades ago. The DAFM confirmed the proposal adjoins but is not within the River Moy SAC and there is an error in the AA determination in that respect but *no such error in the AA report – see in relation to the Otter. The DAFM stated that the applicant's NIS is also part of what the applicant must do regards the proposal.* The DAFM outlined the reasons for different inputs on the IFORIS certification that were required to fully process the application, and these do not impact on the licence and requirements from the AA. The DAFM confirmed there is no EPA marked watercourse or aquatic zone on site, there are drainage ditches with vegetation in them and not all have running water. The appellant experienced poor connection at times to the hearing, in this matter all participants are advised in writing prior to an oral hearing that adequacy and reliability of the facilities being used by the parties to attend and participate are matters for the parties concerned. Where an internet connection is being used and the connection breaks down or becomes unusable for the purposes of oral participation, the Committee will facilitate attempts to restore the connection, and this occurred in this instance on a number of occasions under instruction from the chairperson.

In addressing the grounds of appeal, the FAC considered, in the first instance, the contention that the proposed development should have been addressed in the context of the EIA Directive. The EU Directive sets out, in Annex I a list of projects for which EIA is mandatory. Annex II contains a list of projects for which member states must determine through thresholds or on a case by case basis (or both) whether or not EIA is required. Neither afforestation nor deforestation (nor clear-felling) are referred to in Annex I. Annex II contains a class of project specified as "initial afforestation and deforestation for the purpose of conversion to another type of land use". (Class 1 (d) of Annex II). The Irish Regulations, in relation to forestry licence applications, require the compliance with the EIA process for applications relating to afforestation involving an area of more than 50 Hectares, the construction of a forest road of a length greater than 2000 metres and any afforestation or forest road below the specified parameters where the Minister considers such development would be likely to have significant effects on the environment. The FAC concludes that the felling and subsequent replanting, as part of a forestry operation, with no change in land use, does not fall

within the classes referred to in the Directive, and similarly are not covered in the Irish Regulations (S.I. No. 191 of 2017). The FAC considers the licence issued is for the felling and reforestation of 9.45 ha and does not consent to any change of land use. The FAC is satisfied the completion of the EIA questionnaire on IFORIS in this instance does not affect the foregoing. As such, the FAC concluded that there is no breach of any of the provisions of the EIA Directive.

Regards the County Council referral, the FAC accepts that all of the points raised by the council were not reflected in the licence conditions, in particular a 25m watercourse buffer zone regards which the FAC is satisfied that the ecologist's input in the NIS, the AA report and the AA determination is fully reflected in the 10m buffer zone. The County Council sought for agreeing a designated haulage route and the use of ½ loads. The licence does not directly address haulage routes and the use of ½ loads when transporting. However, the licence does require the applicant to contact the Area Engineer prior to the commencement of operations to discuss haulage of timber from the site. While the FAC considers it an error to not more fully reflect the submission received from the County Council in the licence conditions in this instance, the FAC does not conclude this to be a significant error in the circumstances outlined with the prior consultation with the Area Engineer specified for.

Under Article 6(3) of the Habitats Directive, any plan or project not directly connected with or necessary to the management of a European site, must be subject to an assessment of the likely significant effects the project may have on such a designated site, either individually or in combination with other plans or projects, having regard to the conservation objectives of that designated site. In this case, the DAFM undertook a Stage 1 screening in relation to 13 Natura 2000 sites and concluded that the proposed project alone or in combination with other plans or projects would not be likely to have significant effects on 12 of those Natura 2000 sites as follows with distances: Ox Mountain Bogs SAC (1.5km), Unshin River SAC (3.5km), Templehouse and Cloonacleigha Loughs SAC (5.6km), Turloughmore (Sligo) SAC (6.1km), Knockalongy and Knockachree Cliffs SAC (7.3km), Lough Nabrickkeagh Bog SAC (10.6km), Doocastle Turlough SAC (11.1KM), Ballysadare Bay SAC (12.4km), Lough Hoe Bog SAC (12.9km), Cloonakillina Lough SAC (14km), Flughany Bog SAC (14.3km) and Ballysadare Bay SAC (12.9km). The River Moy SAC was screened in and noted in the AA determination to adjoin a boundary of one of the proposal plots. Also, the proposal has hydrological connectivity via drainage ditches. The FAC also notes that the MKO AA report identified potential hydrological connectivity between the felling and reforestation site and the River Moy SAC via drainage ditches and watercourses within and adjoining the site. The AA determination document restates from the NIS that there are no aquatic zones on the proposal site but that collector drains at the plot boundaries drain to the River Moy SAC and are relevant watercourses. In determining regards the River Moy SAC and the otter, a listed qualifying interest, the AA determination refers to a lack of an aquatic zones on site. The AA determination confirmed the collector drains to be relevant watercourses.

The NIS included an otter survey and found no evidence of otters, holts or couch sites on the proposal site. The AA report by MKO identified that the River Moy SAC adjoins plot 3 and a watercourse that occurs in plot 2 may potentially be suitable for the otter while acknowledging the NIS included no evidence of otter including prints, spraints, couches, lay-up sites or holts along any of the drainage ditches or watercourses. Against this the AA determination states the lack of aquatic zone or dense scrub and adherence to best practice in conjunction with the mitigations described



will ensure that otters are not adversely affected. As the licence includes a condition that the mitigations set out in the AA determination must be adhered to, and those mitigations include for the 10m buffer with machine exclusion etc, and having regard to the NIS, the AA report and the AA determination the FAC is satisfied there will be no adverse effect on the otter qualifying interest of the River Moy SAC in this instance.

The MKO AA report states at page 6 (site details) the site is located in the Moy surface water sub-catchment, that parts of site 3 are adjoining the River Moy SAC, drainage ditches running through and adjacent to the proposed felling and reforestation site provide hydrological connectivity to the River Moy SAC. The report at page 14 confirms the proposal adjoins the River Moy SAC. The FAC is satisfied the hydrological connectivity and the adjoining of the proposal to the SAC were factors considered in the AA report, used to inform the AA determination.

Licence TFL00302619 for 10.54 ha is granted 08 June 2020 and was considered in the MKO AA report with other plans and projects in-combination with the proposal. The FAC is aware this is an adjoining felling licence and having regard to the hearing evidence that both projects would not occur at the same time and the NIS content (5.5.1) regards cumulative impacts and the FAC considers it was erroneous of the DAFM, having regard to the precautionary principle, to not include a condition on the licence TFL00316419 to ensure the completion of one project prior to the commencement of the other. Also, in the grounds of appeal a 'retrospective AA' is sought for a forest road project CN81772. In this matter the FAC is only empowered to herein determine regards the decision to issue licence TFL00316419. The FAC again is satisfied the road project CN81772 was considered in the in-combination plans or projects in the AA report for the proposal at appeal.

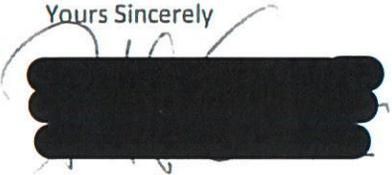
The NIS includes a harvest plan document with maps with colour coded legend. The grounds of appeal refer to the harvest plan not recording all of the required features but does not specify what features are not recorded. The FAC considers that the harvest plan is, in fact, a document outlining general environment and safety rules and that all of the licenced operations on site must comply with the conditions of the felling licence.

The felling licence TFL00316419 is silent on townland locations of the proposal. The licence maps give the correct locations of the proposal plots. Regards mapping the FAC is satisfied c. 5.73 ha (plot 3) of the licenced area under TFL00316419 is within Cloonbannif TD and south of the L4605. In addition, a section of plot 2 is also within Cloonbannif TD and north of the L4605. All of plot 1 and the greater part of plot 2 is within Cloondrihara TD. The NIS report while correctly mapping the plots north of the L4605 does not identify Cloondrihara TD in the body text. Also, the NIS does per appeal grounds wrongly map plot to include an area at the south-east that is not within the licence. The FAC does not consider the absence of comment on this matter in the subsequent AA report and AA determination does not constitute a significant or serious error. The AA determination does not include any mention of Cloondrihara TD, and in addition states as follows: *'the 9.45ha of clearfelling and replanting proposed under TFL00316419 at Cloonbannif, Co Sligo, is not within or adjoining the River Moy SAC (002298) and there will be no loss of Annex 1 habitat or any supporting habitat of any*

*QI/SCI species associated with the SAC*. The FAC considers this content is erroneous as it excludes Cloondrihara TD and is at variance with the fact plot 1 bounds the River Moy SAC. The FAC considers this is a significant error in the AA determination that led to the decision to issue TFL00316419.

In the above circumstances, the FAC concluded that the decision of DAFM should be set aside and remitted to the Minister to carry out a new Appropriate Assessment under Article 6(3) of the Habitats Directive, and to also have regard to the other errors identified in this decision letter, before making a new decision in respect of the licence.

Yours Sincerely

A handwritten signature is present, but it is almost entirely obscured by three thick, black horizontal redaction bars. Only the top and bottom edges of the signature are visible.

Pat Coman, on behalf of the FAC