



30 July 2020

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: Appeal 383/2019 regarding licence LM08 FL0143

Dear [REDACTED]

I refer to the appeal to the Forestry Appeals Committee (FAC) in relation to the above licence issued by the Minister for Agriculture, Food and the Marine. 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 all parties to the appeal.

Background

Felling licence LM08 FL0143 was issued by the Department of Agriculture, Food and the Marine (DAFM) on 15 November 2019.

Hearing

A hearing of appeal 383/2019 was held by the FAC on 23 July 2020.

FAC Members: Mr. Des Johnson (Chairperson), Mr. Jim Gallagher, Mr. Pat Coman, Mr. Vincent Upton

Decision

The Forestry Appeals Committee (FAC) considered all of the documentation on the file, including the application details, processing of the application by the Department of Agriculture Food and the Marine (DAFM), the grounds of appeal, a consultant's report commissioned by the FAC and all submissions made before deciding to confirm the decision to grant the licence (Reference LM08 FL0143).

The proposal at Lisgavneen and Lugmeeltan, Co Leitrim concerns 14.9ha of clear-felling and replanting of 14.9 ha with 100% Sitka Spruce. The application sought to replant 14.19 ha with remainder left as open space, and this was confirmed in a letter by the applicant dated 07 July 2020. The underlying soils are described as a mixture of Gleys and peats. The habitat is predominantly coniferous forest and the proposal site is divided by a public road. The project is sloped at elevations of between 400 and 600 feet and is within the Cashel Stream (Bonet) sub-catchment and the Sligo Bay Drowse

catchment. The proposal site adjoins two streams just prior to their confluence to one at the northeast, which flows north to Belhavel Lough.

There are additional conditions on the licence, these include;

- Leitrim County Council District Engineer to be contacted prior to the commencement of operations to discuss haulage of timber from the site.
- Notify Leitrim County Council District Engineer one week prior to the commencement of operations.

The full conditions are specified on the licence. The FAC is satisfied that none of the conditions contained in the licence are in place to mitigate any effects on a European site.

There is a single appeal against the decision to grant the licence. The grounds of appeal include that based on the information supplied it is not possible to make a decision which would be in compliance with the requirements of the Habitats and EIA Directives, and that the test for Appropriate Assessment Screening in Irish law is as set out by "Finlay Geoghegan J. in Kelly -v- An Bord Pleanala [2014] IEHC 400 (25 July 2014) "There is no need to *establish* such an effect; it is, as Ireland observes, merely necessary to determine that there *may be* such an effect." Extract is quoted from the judgement section 26. The grounds also suggest that if mud was to enter the lakes it could have an effect on the SAC/SPA and the fact that the distance is over 15 km has no relevance to the fact that there still may be an effect. No lakes were identified by the appellant.

In a response to the appeal DAFM stated that an Appropriate Assessment screening was carried out by DAFM for European sites within 15 km from the clearfell and reforestation project submitted for licensing. DAFM stated that having reviewed the details of relevant European sites their qualifying interests and conservation objectives DAFM deemed that the project, when considered in combination with other plans and projects as identified in the pre-screening report, will not give rise to the possibility of a significant effect on the relevant screened European sites. As such, the clear-fell and reforestation project was screened out and an Appropriate Assessment deemed not required in relation to the European sites considered during the screening exercise. Also, for the purposes of 42(16) of S.I.477 / 2011, DAFM has determined that the project will not adversely affect the integrity of any European sites.

The DAFM have submitted an Appropriate Assessment Screening, undated, to the FAC and listed other plans/projects under an in-combination assessment, these were circulated to the parties. This new screening by DAFM concludes that there is no likelihood of significant effects on European sites from the proposal on its own or when considered in-combination with other plans and projects. In this post licence screening the Department states that there is an absence of a direct upstream hydrological connection from the project lands to Lough Gill SAC, whereas the streams adjacent to the northeast of the site have such a connection through the Greagh stream to Belhaven Lough and the Cashel stream to the Bonet river (part of Lough Gill SAC). The hydrological distance is c.9.9km.

There are six European sites located within a 15 kilometres radius of the project lands, they are Lough Arrow SAC and Lough Arrow SPA (c. 14.4 km), Boleybrack Mountain SAC (c. 5.4 km), Unshin River SAC (c. 14 km), Cuilcagh-Aneirin Uplands SAC (c. 13.8 km) and Lough Gill SAC (c. 6.2 km). The FAC sought a report by an independent consultant in relation to this proposal and, in particular, a Stage 1 screening for Appropriate Assessment in accordance with the provisions of Article 6(3) of the Habitats Directive (92/43/EEC). The report, dated 12 July 2020, was considered by the FAC in coming to its decision and a copy of the report is contained in the public file. Having regard to the report, to the European Sites and to the location and nature of the project at appeal, the FAC is satisfied the conditions of the licence, which are standard conditions, are not mitigation measures for the proposal in respect of any European site.

Regarding other forestry related projects in the area the FAC notes that DAFM have provided detail for the period 2017 to 2021, some of which have not progressed from application processing stage. From what is provided these are listed for reason of being within one river sub-basin and many are at some remove from the proposal. The Cashel Stream (Bonet) sub-catchment comprises of c. 128 km². The in-combination aspects of the screening are set out in the report and the FAC agrees with the conclusion.

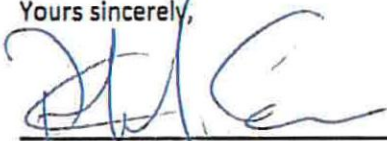
The report's findings include that the proposal is clearly not necessary for or connected with the management of any Natura 2000 site. The screening report states regarding the hydrological connection to Lough Gill SAC that at the distance involved any mud which might be released into the streams in the vicinity of the project lands would be deposited well before the main stream enters the SAC, and in the circumstances it is not likely that the tree felling and re-planting proposed would have any significant effect on the Lough Gill SAC. The author concluded overall that the proposed felling and replanting, of itself or in combination with any other plans or projects, is not likely to have any significant effect on any Natura 2000 site, and in these circumstances the carrying out of an Appropriate Assessment as referred to in Article 6(3) of the EU Habitats Directive is not required.

The FAC is satisfied that the screening procedure detailed in the consultant's report is in accordance with the requirements of the Habitats Directive. The FAC agrees with and adopts the findings of the report in respect of the Natura 2000 sites identified and having regard to the qualifying interests for those sites. The FAC concluded that the proposed clear-felling and replanting alone, or in-combination with other projects would not be likely to have significant effects on any Natura 2000 site.

The report includes a preliminary examination of environmental effects and concluded that while the proposed development does not come within a class of development covered by the Environmental Impact Assessment Directive (2011/92/EU as amended by 2014/52/EU), the proposal would not be likely to give rise to significant effects on the environment of itself or cumulatively with other permitted projects. The FAC considered that the consultant's EIA examination accurately identifies the nature and extent of likely effects on the environment arising from the proposed development, both alone and cumulatively. The FAC agrees with and adopts the consultant's report and concluded that the proposed clear-felling and replanting by itself, or cumulatively with other projects would not be likely to give rise to significant effects on the environment.

In deciding to confirm the licence the FAC concluded that the proposed clear-felling and replanting would be consistent with Government policy and Good Forestry Practice.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Pat Coman', written over a horizontal line.

Pat Coman on behalf of the Forestry Appeals Committee

FAC Case Ref: 383/2019

DAFM Case Ref: LM08-FL0143

Details of application:

The proposal is to clear fell an area of 14.90 hectares of coniferous trees in the townland of Lisgarveen in a rural area in Co Leitrim and to replant the lands with Sitka Spruce trees. (The documentation indicates that the lands are in the townlands of Lisgarveen and Lugmeeltan. The OS maps however indicate that all the lands indicated are in Lisgarveen and Lugmeeltan townland is a short distance away to the east). The application indicates that the area to be replanted would be 14.16 hectares and 0.75 hectares would remain as open space. There is no reference to the open space area in Schedule 3 of the licence which requires the re-planting of the lands. The plans submitted indicate an area within the forest having no trees for felling (Plot 9).

The application documentation included copies of [REDACTED] Harvesting and Establishment Environmental Rules and its Harvesting Site Safety Rules. The documentation also included a pre-screening assessment of the need for Appropriate Assessment.

Location and details of project lands:

The project lands are located in a rural area about 3 kilometres northwest of the village of Drumkeeran and 7 kilometres southeast of the town of Dromahaire. The lands are located on the lower northern slopes of the Corry Mountains and about 2 kilometres to the south of Belhaven Lake.

The land uses in the area are a mixture of agriculture and forestry. Forestry does not dominate the local land use but there are several relatively small coniferous plantations in the area. There is forestry in the lands to the north west of the project lands and there is some additional forestry to the north, northeast and southeast. There is an open strip of lands separating the project forest from that to the northeast and southeast. There is also a small forested area immediately to the south of the project lands. There is a relatively large Wind Farm located on the higher lands a short distance to the south of the project lands. (The Garvagh Glebe Wind farm is located about 2/3 kilometres to the south of the project lands) There is also another wind farm (Tullynamoyle Wind Farm) located about 4/5 kilometres away to the northeast.

A local public road cuts across the southwestern end of the project lands which extend to both sides of this road. There appears to be a forest road towards the southwest along the southeast edge of the lands on the south side of the public road and there appears to be another forest road serving the section of lands on the north side of the public road. There are 2 houses on the southside of the public road on the west side of the location where the road cuts across the project lands.

The lands rise upwards towards the south from the northern end. The 400-foot contour crosses the lands near their northern end. The 500-foot contour crosses towards the southern end of the section of lands north of the public road. A spot height on the public road at the land frontage indicates a height of 532 feet AOD. The lands rise fairly steeply to the south of the public road and the southwestern end of the lands is above the 600-foot contour. The screening for Appropriate Assessment carried out by the Department indicates that the soils in the lands are a mixture of gleys and peats.

The BIO map submitted by the applicant indicates a stream from the southwest running along the northern end of the lands. Another stream also generally from the southwest runs along the northeast corner of the lands and joins that referred to above at the northern end of the lands. The combined stream flows northwards and flows into Belhaven Lough about 2 kilometres away to the north. This lake drains towards the Bonet River to the northwest. Drainage is then to Lough Gill and the Garavogue River, through Sligo town, to Sligo Bay.

Apart from the main streams referred to in the previous paragraph the O.S. maps indicate a drain or stream on the east side of the project lands on both sides of the public road. This flows north-eastwards and links in to the main stream located to the southeast referred to above and indicated on the BIO map.

Decision of DAFM:

The Department decided to grant a licence subject to 32 conditions. The conditions are generally of a standard variety requiring compliance with the Forest Service's standard requirements for such developments. The conditions also require that the applicant consults with Leitrim Co. Council. Leitrim County Council had stated that it had no objection subject to compliance with various requirements. Condition (I) of the licence requires a 10-metre wide setback on both sides of any aquatic zone(s) and excludes all machine traffic from these zones. Condition (v) requires that loading areas are at least 50 metres from any aquatic zone and 20 metres from the nearest relevant water course. None of the conditions contained in the licence appear to have been designed to mitigate or reduce effects on any Natura 2000 site.

Grounds of appeal:

It is submitted that, based on the information submitted, it is not possible to make a decision which would be in compliance with the requirements of the EU Habitats and EIA Directives.

The appellant refers to a High Court decision given by Ms Finlay Geoghegan on 25 July 2014. He submits that the test for Appropriate Assessment in Irish law is set out in this judgement. The judgement quotes from a European Union Advocate General's Opinion which states that for Appropriate Assessment to be a mandatory requirement there is no need to *establish* that there would be a significant effect on a Natura 2000 site. It is merely necessary to determine that there *may* be such an effect. A further quotation, from the EU Advocate General's Opinion, referred to in the judgement, states "It follows that the possibility of there being a significant effect

on the site will generate the need for an appropriate assessment for the purposes of Article 6(3)".

The appellant submits that if mud was to enter the lake it could have an effect on the SAC/SPA. He submits that the fact that the distance is over 15 kilometres has no relevance to the fact that there may still be an effect. (The appellant does not state which lake or Natura site he is referring to).

DAFM response to appeal:

It is submitted that Appropriate Assessment screening was carried out by DAFM for European sites within 15 km of the clear-fell and reforestation project submitted for licencing. Felling licence application information submitted by [REDACTED] in the form of maps, harvesting and establishment operational procedures, as well as an Appropriate Assessment Pre-screening Report and associated Pre-screening Report methodology document were considered. Having reviewed the details of relevant European sites, their qualifying interests and conservation objectives, DAFM deemed that the project, when considered in combination with other plans and projects as identified in the pre-screening report, will not give rise to the possibility of a significant effect on the relevant screened European sites. As such, the clear-fell and reforestation project was screened out and an Appropriate Assessment deemed not required in relation to the European sites considered during the screening exercise.

For the purposes of 42(16) of S.I.477 / 2011, DAFM has determined that the project will not adversely affect the integrity of any European sites. A felling licence was issued for the clear-fell and reforestation project having considered the comments and observations of referral bodies who submitted information to DAFM in respect of the licence application.

The Department carried out a revised screening for Appropriate Assessment and submitted this with the response to the grounds of appeal. This screening is based on the 2020 version of its screening procedure but it is not dated. The Department also submitted a revised list of planning permissions considered and it also submitted details of various provisions in the County Leitrim development plan which it considers relevant to considering in-combination effects. The list of planning permissions considered totals 20 cases. 6 of the permissions listed refer to extensions to houses, modifications to previous permissions relating to houses or upgrading waste water treatment facilities, 5 relate to new houses, 3 relate to modifications or extensions to the wind farm to the northeast, 2 are for accesses from forest roads to public roads, 2 relate to telecommunication masts, 1 is for a farm yard development and 1 is for a meteorological mast. The submission also contains a list of various licenced forestry developments in the general area but there are no maps indicating the locations of these. (The information submitted indicates that Coillte has licences for clear-felling of forest areas of 14.90, 5.14 and 15.95 (Total of 35.99) hectares planned for 2021 in the vicinity).

Appropriate Assessment screening:

There are 6 Natura 2000 sites located, at least in part, within 15 kilometres of the project lands. The Natura sites in question are:

Lough Arrow SAC located, at the nearest point, about 13.8 kilometres from the project lands.

Lough Arrow SPA located, at the nearest point, about 13.8 kilometres from the project lands.

Unshin River SAC located, at the nearest point, about 13.4 kilometres from the project lands.

The Cuilcagh-Anierin Uplands SAC located, at the nearest point, about 13.3 kilometres from the project lands.

Lough Gill SAC located at the nearest point about 6.4 kilometres from the project lands.

Boleybrack Mountain SAC located, at the nearest point, about 5.6 kilometres from the project lands

Lough Arrow SAC is located in the Ballysadare catchment. It has as its qualifying interests "Hard oligo-mesotrophic waters with benthic vegetation of *Chara* spp. [3140]". The project lands are located in the Garavogue catchment. There is no hydrological connectivity from the project lands to this SAC. In the absence of any potential impacting pathway and having regard to the distance to the SAC the proposed development would not be likely to have any significant effect on the Lough Arrow SAC.

Lough Arrow SPA has as its qualifying interests Little Grebe (*Tachybaptus ruficollis*) [A004] Tufted Duck (*Aythya fuligula*) [A061] and Wetland and Waterbirds [A999]. A mature forest is not a suitable or desired habitat for the wetland and water-bird species in question. The SPA is also over 13 kilometres from the project lands. Having regard to these circumstances the proposed development is not likely to have any significant effect on the Lough Arrow SPA.

The River Unshin SAC is at the nearest point about 13 kilometres from the project lands. The Unshin River drains to the northwest and it is in the Ballysadare catchment. There is no hydrological connection from the project lands to this SAC. The qualifying interests for the SAC are

Water courses of plain to montane levels with the *Ranunculus fluitans* and *Callitriche-Batrachium* vegetation [3260]

Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*) (* important orchid sites) [6210]

Molinia meadows on calcareous, peaty or clayey-silt-laden soils (*Molinia caerulea*) [6410]

Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) [91E0]

Salmo salar (Salmon) [1106]

Lutra lutra (Otter) [1355]

Having regard to the absence of any hydrological connection or any other potentially impacting pathway and to the distance from the project lands the proposed development is not likely to have any significant effect on the River Unshin SAC.

The Cuilcagh-Anierin Uplands SAC is also located over 13 kilometres from the project lands. This SAC is located to the east and southeast (on the opposite side of Lough Allen). The SAC is located in the catchment of the River Shannon. There is no hydrological connection from the project lands to this SAC. The qualifying interests of the SAC are

Oligotrophic waters containing very few minerals of sandy plains (*Littorelletalia uniflorae*) [3110]

Natural dystrophic lakes and ponds [3160]

Northern Atlantic wet heaths with *Erica tetralix* [4010]

European dry heaths [4030]

Alpine and Boreal heaths [4060]

Species-rich *Nardus* grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230]

Blanket bogs (* if active bog) [7130]

Transition mires and quaking bogs [7140]

Petrifying springs with tufa formation (*Cratoneurion*) [7220]

Siliceous scree of the montane to snow levels (*Androsacetalia alpinae* and *Galeopsietalia ladani*) [8110]

Siliceous rocky slopes with chasmophytic vegetation [8220]

Hamatocaulis vernicosus (Slender Green Feather-moss) [6216]

Having regard to the absence of any hydrological connection or any other potentially impacting pathway and to the distance from the project lands the proposed development is not likely to have any significant effect on the Cuilcagh-Anierin Uplands SAC.

The Lough Gill SAC is located to the north and at a minimum distance of over 6 kilometres from the project lands. The nearest part of the SAC to the lands is in the vicinity of Dromahaire where the Bonet River is part of the designated area. The qualifying interests for the Lough Gill SAC are

Natural eutrophic lakes with *Magnopotamion* or *Hydrocharition* - type vegetation [3150]

Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*) (* important orchid sites) [6210]

Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0]

Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) [91E0]

Austropotamobius pallipes (White-clawed Crayfish) [1092]

Petromyzon marinus (Sea Lamprey) [1095]

Lampetra planeri (Brook Lamprey) [1096]

Lampetra fluviatilis (River Lamprey) [1099]

Salmo salar (Salmon) [1106]

Lutra lutra (Otter) [1355]

In its screening the Department states that there is no direct hydrological connection from the project lands to the SAC in question. The drains or streams indicated on the BIO map and on the O.S. maps indicate that there is direct hydrological connection to the Lough Gill SAC. I note, however, that the distance along the hydrological pathway is considerably longer than the shortest distance to the SAC. I estimate that the distance along the hydrological pathway from the north end of the project lands to the SAC is about 9.9 kilometres. The hydrological route also goes through Belhaven Lough, which would help in the precipitation of any suspended solids which might enter the stream. The lands are also relatively flat along the route to the SAC. At the distance involved I consider that any mud which might be released into the streams in the vicinity of the project lands would be deposited well before the main stream enters the SAC. In the circumstances I consider that it is not likely that the tree felling and re-planting proposed would have any significant effect on the Lough Gill SAC.

The Boleybrack Mountain SAC is located to the northeast and at a distance of about 5.6 kilometres from the project lands. The mountainous area in question drains in part to the Erne catchment (northern section), in part to the Shannon catchment (southern section) and in part to the Garavogue catchment (west and northwest section). The streams to the Garavogue catchment join the Bonet River upstream of the location where the drainage from the project lands join. There is no hydrological connection from the project lands to this SAC. The SAC has as its qualifying interests

Natural dystrophic lakes and ponds [3160]

Northern Atlantic wet heaths with *Erica tetralix* [4010]

European dry heaths [4030]

Molinia meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*) [6410]

Blanket bogs (* if active bog) [7130]

Having regard to the absence of any hydrological connection or any other potentially impacting pathway and to the distance from the project lands, the proposed

development is not likely to have any significant effect on the Boleybrack Mountain SAC.

The latest submission from the Department lists 20 planning permissions granted in the area. I have given a breakdown of the developments referred to above in setting out the Department's response to the grounds of appeal. I note in studying the location of permissions granted (myplan.ie) that none are in close proximity to the project lands. The nearest permission is for the upgrading of a waste water treatment on a site about a kilometre away to the southeast (17233). The next nearest is to the north where a connection to the national grid is proposed along a public road from a wind farm extension (1926). This grid connection would be about 1 kilometre from the project lands. The 2 forest road accesses onto the public road referenced by the Department are to a road some distance away to the northwest. None of these permissions would have any in-combination effect with the tree felling and re-planting now proposed. I do not consider that there would be any in-combination effects on any Natura 2000 site from the proposal and the developments referred to. I also consider that the development would not have any significant effect on Natura 2000 sites in-combination with developments envisaged by the County Leitrim development plan. The plan contains provisions to protect such designated sites.

I do not have details indicating the locations of other forestry related developments but as I consider that the development of itself would have no significant effect on any of the Natura sites and the projects would be self-contained and probably carried out at different times, I do not envisage any significant in-combination effects. (I note that the Department states in the screening form, that there are licences for clear-felling of 5.46 hectares in the vicinity. In the most recent screening however reference is made to Coillte having licences for clear-felling of 35.99 hectares planned for 2021).

In the above assessment I have not considered the normal good felling practices referred to in the documentation and in the licence in forming my conclusions. I consider, however, that compliance with the various guidelines etc referred to would re-enforce my conclusions. I also consider that the practices referred to are designed to protect the local environment, as they are general standards for all felling, and are not designed to prevent any significant effect on the Natura 2000 sites.

The proposal is clearly not necessary to or connected with the management of any Natura 2000 site. I conclude that the proposed felling and replanting, of itself or in-combination with any other plans or projects, is not likely to have any significant effect on any Natura 2000 site. In these circumstances the carrying out of an Appropriate Assessment as referred to in Article 6(3) of the EU Habitats Directive is not required.

Screening for Environmental Impact Assessment (EIA):

In my screening for EIA I have regard to the requirements contained in the EU Directive (Directive 2011/92/EU as amended by Directive 2014/52/EU), in Irish regulations transposing the Directive into Irish law and to the Guidance for Consent Authorities regarding Sub-threshold Development published by the Department of the Environment in August 2003. I have had regard to the characteristics of the project, the location of the project (including the environmental sensitivity of the area) and the types and characteristics of potential impacts of the development as referred

to in Annex 11 of the Directive. I have also taken account of my conclusions, set out above, in relation to the likely impact of the development on any Natura 2000 site.

The EU Directive sets out, in Annex 1 a list of projects for which EIA is mandatory. Annex 11 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 1. Annex 11 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 11). 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. It appears to me that felling of trees 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 is similarly not covered by the Irish regulations (S.I. 191 of 2017). I will, however, consider the likely effects of the proposal on the environment.

The site is located in an area where the land uses locally are a mixture of forestry and agriculture. Forestry by its nature involves afforestation, thinning, clear-felling and re-planting. Such activities are normal and not out of character visually or otherwise in an area such as that in question. The area is not designated as being of exceptional or special visual amenity value in the current Co. Leitrim development plan. The trees in the project lands are not prominent or significant features in the wider landscape although they are locally prominent when seen from the local road which crosses the southern part of the lands. I consider that they are not of such exceptional visual significance or value as to be considered essential or vital components of the landscape. I consider that the felling and replanting proposed would not have a significant impact on the landscape of the area.

The felling will give rise to the transport of timber on the local roads. This will cause some inconvenience in the short term but this is an inevitable consequence of the afforestation and would not of itself result in such likely significant effects on the environment as to require compliance with the full Environmental Impact Assessment process. (Leitrim Co Council requests that a timber transport scheme be submitted for the agreement of the District Engineer). I also consider that the tree felling and re-planting proposed, in compliance with the standard conditions referred to, would not be likely to give rise to significant effects on the environment due to any localised water or air pollution.

There are no National Monuments located within the project lands. The nearest such monument is a ring fort located, in a forested area, to the northeast of the northern end of the lands at a distance of about 200 metres. The next nearest monuments are a rath and house site, located about 300 metres to the southeast on the north side of the public road which crosses the southern end of the lands. These monuments are

in an open area surrounded by forestry. The proposed tree felling and re-planting would have no effect on the monuments in question.

I consider that the felling proposed does not come within the classes of project covered by the EU EIA Directive. I also consider that the proposed development would not be likely to give rise to significant effects on the environment of itself or cumulatively with other permitted projects. I consider that the possibility of significant effects on the environment can be ruled out on the basis of this preliminary screening.

Overall conclusion:

I conclude that the proposed project would not be likely to have significant effects on the environment and the carrying out of EIA is not required. I also conclude that the project individually, or in combination with other plans or projects, is not likely to have any significant effect on any Natura 2000 site, having regard to the reasons for designating the sites and their conservation objectives.

Padraic Thornton

12 July 2020

