

# *Forest Roads Scheme 2014-2020*



19/3/2015

Edition 2/2015



## **1.1 Introduction**

This scheme provides opportunities to forest owners to improve access to forests to facilitate forest management and the harvesting of timber. Forest roads also provide additional biodiversity opportunities by increasing the amount of open space, forest edges and facilitating thinning which can open up the canopy. Increased light levels on the forest floor contribute to the development and enhancement of ground floor native plants. The interface between the forest edge and the forest road provides many opportunities for biodiversity enhancement throughout the rotation.

This document should be read in conjunction with the, *Code of Best Forest Practice – Ireland*, the current suite of environmental guidelines as published by the Forest Service and *The Forest Roads Manual (COFORD)* in conjunction with the Forest Service and any relevant circulars issued .

## **2.1 General Outline and Legal Basis**

The Scheme shall operate for a period to be determined by the Minister.

The scheme is 100% Exchequer funded under the following legal framework;

- European Union guidelines for State aid in the agriculture and forestry sector and in rural areas 2014 – 2020;

2.2 The Scheme is administered by the Department of Agriculture, Food and the Marine and operates throughout the State. The Scheme shall be operational from 1<sup>st</sup> January 2015 for a period to be determined by the Minister for Agriculture, Food and the Marine. Participation in the Scheme is voluntary.

2.3 In accordance with *European Communities (Forest Consent and Assessment) Regulations 2010* (S.I. No. 558 of 2010), as amended (by S.I. No. 442 of 2012), all forest road construction projects (whether availing of grant aid or not) must obtain prior written approval from the Department of Agriculture, Food and the Marine, hereafter referred to as an approval.

2.4 For non grant aided applications a technical approval of the project is required. Forest Roads constructed without prior approval will not be eligible for grant assistance. Furthermore, persons who undertake forest road construction without prior approval may be required to remove the road and to restore the land to its condition prior to the commencement of the development within a specified timeframe, and/or be liable to prosecution.

## **3.1 State Aid requirements**

The detailed State Aid requirements are set out in Annex 6. The main elements that require input by the applicant are:

### **3.2 Incentive Effect**

This applies only where the applicant is a small/medium enterprise SME. The applicant/enterprise must indicate on the application form for aid that “The work described herein would not have been undertaken without the financial support provided under State Aid rules. Without this aid there would be no change to current activities.” For large companies documentary evidence must be submitted in relation to the counterfactual for each of the measures proposed (i.e. what would happen without the aid?).

### **3.3 Proportionality of the aid**

Large companies must provide documentary evidence that the aid is proportionate. Only applications which are deemed proportionate will be grant-aided by the Forest Service.

### **3.4 Transparency**

Ireland must publish on its website at national level certain information on the State Aid schemes.

## 4.1 Objectives of the Scheme

The objectives of the scheme are as follows:

- Stimulate the mobilisation of roundwood from forests and thereby contribute to employment and economic activity;
- Provide funding for the construction of forest roads and associated infrastructure such as bell-mouths, turn-tables, drains, culverts and bridges;
- Improve the economic value and competitiveness of the forest resource;
- Provide access for emergency vehicles;
- Provide access for equipment and transport vehicles to facilitate harvesting operations;
- To increase the forest road infrastructure by 150 - 180 km per year thereby servicing 30,000 to 40,000 ha of forest area for harvesting operations;
- Encourage harvesting in line with the “*All Ireland Roundwood Production Forecast 2011-2028*”;
- Achieve net realisable volume production of 4.6million m<sup>3</sup> per annum by 2020 and 7-8 million m<sup>3</sup> by 2028;
- Increase the biodiversity value of commercial forests by increasing open space, forest edge and increased forest floor light levels following harvesting;

## 5.1 Eligibility

A Forest Road Grant may be paid in respect of applicants who make a valid application and the road in question has been constructed in compliance with the European Communities (Forest Consent and Assessment) Regulations 2010 (S.I. No. 558 of 2010), as amended (by S.I. No. 442 of 2012). Applications submitted in compliance with this regulation will be approved but the length eligible for grant aid is subject to the criteria outlined below:

- 5.2 Individuals applying for participation in the scheme must be over 18 years of age and hold a Personal Public Service Number (PPSN). Companies must provide their company registration details (CRO number).
- 5.3 All private owners of forests are eligible to apply. Lands owned by Public authorities and state owned companies will not be eligible to receive grant aid for forest road development unless construction is part of an agreed cooperative venture.
- 5.4 The applicant has Pre- Approval issued by the Minister. An Approval under this Scheme may be issued subject to additional conditions as laid down by the Minister. Each approval will be given a completion date subject to that contract. The Minister may extend an approval where it is beneficial to construct a road on a phased basis e.g. to allow the road base time to settle, subject to availability of funding. All written requests to extend an approval will be considered on a case-by-case basis, work on such roads must have already commenced.

- 5.5 Applications for grant aid is for the construction of harvesting roads under this Scheme.
- 5.6 The terms and conditions of this Scheme as set out in this document and associated application forms have been adhered to

## 6.1 Grant Aid Rates

Grants of up to 100% of eligible costs incurred in the construction of a forest road are available subject to the maximum described at Annex 1 and are paid in two instalments at a ratio of 90:10. The Minister reserves the right to alter these rates from time to time. Grant aid may not exceed 20 metres of road per hectare of forest served. The Minister reserves the right to alter these rates from time to time.

- 6.2 The length of a forest road for consent will be the linear length between two points and measured from the edge of the public road, where applicable, along the centre of the alignment to the end of the metalled surface. The length of a forest road for the purposes of grant aid will be measured as above with additional equivalent lengths added as outlined in the Forest Road Manual (COFORD 2005) section B8. All lengths and equivalent lengths for grant aid cannot exceed the maximum density threshold of 20 metres per hectare.

For example a 30 hectare forest ready for harvesting requires a 300 metre road with a standard bellmouth at the entrance to the public road and a standard internal turning circle at the end. Although the total length is 300 metres for approval, for grant aid purposes the applicant is claiming 300 metres but includes an additional equivalent length of 140 metres for the extra stone used for the turn table and entrance. In this case the applicant can claim grant aid on 440 metres as the maximum eligible density for the plantation has not been exceeded. In this example the road will be approved for 300 metres but the maximum grant aided length is 440 metres. It is essential that the approved linear length is not exceeded. The additional equivalents relates only to widening of the carriage way to construct features such as entrances, bellmouths and turntables.

### ***Example:***

<b><i>Forest Road</i></b>	<b><i>Road Length</i></b>
<i>Road A-B measured for consent is the linear length measured from where it adjoins the public road. A standard bellmouth (Annex 5:Figure 13) at the entrance is required. It has a standard turning circle at the end (Annex 5: Figure 17).</i>	<i>300 metres</i>
<i>Grant Claimed length at Form 2 stage</i>	<i>300 m + (30m bellmouth) + (110 turning area) = 440 metres</i>

## 7.1 Conditions of Aid

Where an applicant makes an application for aid that is deemed valid and is approved by the Department, a contract then exists under the Scheme between the applicant and the Minister. The terms and conditions of this Scheme as set out in this document (which may be revised from time to time by the Minister), any circulars amending the scheme requirements, all application forms including Form 1, letters of approval and, where appropriate, remedial works notifications, form the terms and conditions of this contract. The contract will be identified by the contract number (CN) assigned to it by the Department when the application for approval (Form 1) is received.

- 7.2 Payments will be based on either the length claimed as eligible for payment by the applicant (on Form 2 or Form 3 and associated maps) **or** the length determined by the Department to be eligible for payment, whichever is the lesser.
- 7.3 Where a notification (i.e. a remedial works letter) is issued to the applicant specifying remedial works required to bring his/her road up to standard, the date specified in that letter by which the works must be completed is binding on the applicant. In exceptional circumstances, the Minister may grant an extension to that date. Requests for such extensions must be submitted in writing by the applicant and registered forester at least 30 days before the expiry of the original deadline for completion. Failure to complete the specified works to the satisfaction of the Forest Service will result in a penalty, as set out in the document titled Forestry Schemes Penalty Schedules (DAFM 2015).
- 7.4 Grants will be paid only when the entire road submitted for grant aid is up to the required standard. If part of the road fails inspection, payment will be withheld on the entire grant aided road until remedial works are carried out and the road is constructed as approved to the required standard.
- 7.5 Where the Forest Service decides that it is not possible to bring the grant aided road, or part thereof, up to the required and or acceptable standard, no payment will be made for that road. Where the grant, or part thereof, is not to be paid, the Forest Service may also require repayment of the amount paid in respect of the road or in respect of the section that does not meet the required standard.
- 7.6 Payments shall be made in respect of applicants who make valid applications prepared by a registered forester and who have constructed their forest road in accordance with the pre-approval and in compliance with:
- i. All relevant EU requirements and national legislation for the time being in force including,
  - ii. The terms and conditions of this Scheme as set out in this document (and any revisions thereof), any circulars amending the scheme requirements, the application forms, letters of approval and, where appropriate, remedial works notifications;
  - iii. *Forestry Standards and Procedures Manual*;
  - iv. *Forest Road Manual (COFORD 2005)*;
  - v. *Code of Best Forest Practice – Ireland*;
  - vi. *National Forest Standard*;
  - vii. *Forest Service Environmental Guidelines*.

- 7.7 The forest road constructed complies with the specifications as approved, amended and / or any conditions attached
- 7.8 In cases where a proposed forest road will connect to an **existing forest road network** in a public, state owned or private forest, grant aid will be considered on a case by case basis. However the maximum length of road required connecting the private forest road to an existing forest road network must be along the best and the shortest route possible. Grant aid for “connecting roads” through a neighbouring forest will be limited to a length not greater than was constructed on the private forest(s) accessing the existing road network on lands owned by public authorities or state owned companies e.g. 300 metres of a proposed road within a private forest needs an additional 1000 metres of road to reach an existing road network on an adjoining property, grant aid will be limited to 600 metres in total (300m in the private forest and 300m in the adjoining forest). Where both adjoining forests and lands are owned privately the connecting road will be based on the area served and existing road network for the block served. Grant aid in any circumstance cannot exceed 20 metres per hectare based on the existing and proposed road network. Where the road includes access to a public road, compliance with Section 17 of the Environment (Miscellaneous Provisions) Act, 2011 is necessary. If there is any doubt on whether planning permission is required the applicant must seek clarification from the relevant Local Planning Authority. If planning permission is required, the application under this Scheme should not be submitted until it has been granted by the relevant local authority or evidence of application for planning permission submitted e.g. planning permission number or other confirmation from the local authority that an application has been submitted.
- 7.9 Applications will be approved for grant aid solely on a “just-in-time, just-enough” basis – i.e. approvals will be restricted to applications for roads in plantations where thinning/harvesting is imminent and will take place within the next three years. In the calculation of area served by any proposed harvesting road where 50% or greater of the area is due for harvesting in the next 3 years the entire area of the planted forest can be deemed eligible; otherwise only the area harvested within that timeframe is eligible. For co operative road building (joint applications) this can extend to 5 years. Broadleaves can be considered in the area calculation where they are suitable for tending and/or thinning and where the average height is at least 8 metres at the time of application. Where a proposed forest road connects to an existing forest road network in a public forest there will be no requirement attached to the harvesting of the public forest.
- 7.10 A Felling Licence number for the area to be thinned/ harvested must be included with the application.
- 7.11 Roading density will be limited for grant aid– only the minimum amount of roadway required, not necessarily the current maximum of 20m per hectare. The maximum forwarding distance should normally not be less than 500m.
- 7.12 Grant aid of road density will not exceed 20m/ha in the forest served which includes existing road networks. There will be no discretion above 20m/ha.
- 7.13 No development / management roads will be grant aided



- 7.14 All roading expenditure must represent value for money and claims submitted for grant aid must represent the actual costs incurred.
- 7.15 Breakdown of costs must be provided in advance at the pre-approval and payment stages.
- 7.16 A road map must be submitted showing clearly which plots are within 3 years of harvesting for single applications and 5 years for joint applications. Plot inventory details and proposed road specifications must also accompany each road application on the templates provided in Annex 2 and 3.
- 7.17 A forest management plan must be submitted in support of all forest road applications at the time of approval
- 7.18 Where co-operative road applications are more cost effective and sustainable, road grants on a single application may be refused.
- 7.19 The use of felled poles or loose stumps from the road site as a base for suitable formation material or gravel for “build on top” roads is not acceptable, except on deep peat sites, and that such construction will not be eligible for grant aid
- 7.20 Where feasible, co-operative ventures involving joint or shared access between adjoining forests is encouraged.
- 7.21 It is a basic principle of this scheme that any infrastructure funded should be open to the public for recreational use without charge. However, such access may be restricted for a specified period where it is necessary to protect sensitive areas, or where vandalism or dumping is an issue, or to ensure the proper and safe use of the infrastructure. Where measures have been taken to protect any infrastructure from animal trespass, pedestrian access must be provided by a gate or stile or other means. Public access does not confer any permanent rights to individual members of the public and does not extend to access off the forest road. Applicants will not be eligible for grant aid where they do not allow public access to the proposed or built infrastructure.
- 7.22 If it proves necessary to restrict access to any forest infrastructure works undertaken under this Scheme, the beneficiary must notify the Department in writing of the reason for the restriction and must specify the requested duration of the restriction.
- 7.23 Roads, or part of a road application submitted for approval where no grant aid is required must be clearly indicated and labelled on the application form and associated maps. The approval letter issued will state the total road length approved and the length eligible for grant aid. Forest owners must note that the total approved length can include sections of road not eligible for grant aid. The length eligible for grant aid is subject to the conditions outlined above and cannot exceed 20 metres per hectare.
- 7.24 The Department will refuse applications for grant aid where it is found that an application was made by a person other than a person that meets the above criteria
- 7.25 Special Construction Works:

- a. Special construction works (SCW) will be eligible for grant aid at a maximum value of €5,000 per application or 50% of the cost of the SCW whichever is the smaller. The objective of this provision is primarily aimed at facilitating the construction of forest roads in environmentally sensitive sites to limit any potential adverse impact from harvesting activities. All proposals to fund special construction works must adequately demonstrate in the application that the works are required to facilitate the harvesting and extraction of timber on routes that minimise the potential for silt run off and potential adverse environmental impact. Where it is shown that such works do not have a positive environmental benefit, aid will be refused and consent for construction work will be considered without grant aid.
- b. Funding for special construction works is subject to availability of funds in any financial year. All SCWs must represent value for money and satisfy the following criteria where applicable:
  - Crossing required to protect watercourses e.g. fisheries considerations, freshwater pearl mussel
  - Protection of Natura 2000 sites
  - Required to prevent siltation and erosion
  - Environmental benefit to works proposed
- c. Grant aid for SCW will be limited to the following construction types:
  - Permanent bridges
  - Large culverts greater than or equal to 1 metre in diameter
  - The forest areas served exceeds 5 ha
- d. Multiple SCW works can be included on the one application form but cannot receive in total more than €5000 or 50% of the cost of the SCW whichever is the smaller. SCW works must be specified, drawn up and supervised by a qualified civil engineer. Form 1 applications must specify that the application includes a SCW component and the total cost of that SCW must be given in the application. Only one grant allocation for SCW is payable per forest plantation irrespective of the number of road lengths constructed. For the purpose of eligibility, grant aided plantations includes all plots and parcels previously grant aided under the same contract number and adjoining contract numbers owned by the same applicant.
- e. All SCWs whether grant aided or not must satisfy the requirements of the Forest Service Environmental Guidelines.
- f. The Department may decide to fund additional categories of special construction works in subsequent versions of the Forest Road Scheme over the duration of the programme subject to funding availability.

- 7.26 Where existing tracks/roads within a plantation require upgrading or extending to 20m/ha at the time of harvesting, application for grant aid towards the cost of upgrading or extending may be made. Upgrading does not include repairs of roads that have previously been used for harvesting purposes.
- 7.27 Where appropriate, all or part of the forest road may be external to the plantation. For grant aid purposes, there is no difference between access roads and internal roads.
- 7.28 The cost of bellmouths, lay-bys, drying areas and non grant aided special construction works etc. is covered out of the overall road grant allocation for the site (i.e. at harvesting stage 20m/ha x Forest area). There is no additional payment for these features. Where a bellmouth is constructed 30 m (15 m for each “wing”) can be included as part of the road length for grant purposes. Where a lay-by is constructed the length of the lay-by may be included as part of the road length for grant purposes. The construction of a “Standard back in type loading bay” or a “Standard loading bay with internal turning area” may be grant aided where the area allows. Apart from a loading bay, only the minimum amount of roadway required will be grant aided to ensure forwarding distances do not exceed a maximum of 500 metres.
- 7.29 In cases where the proposed forest road is lower than the public road by at least 2 metres in the first 5 metres an additional 30 metres will allowed per forest entrance to contribute towards the cost of additional stone required. This means that bell mouths in this situation can include an additional 30 metres of road length for grant purposes in excess of the 20 m/ ha threshold if required.
- 7.30 All grant aided forest road designs must be constructed in accordance with section B.7 of the *Forest Road Manual* unless a different road specification is proposed and approved. *Annex 5 Forest Road Design, Junctions and Bellmouths* outlines the geometric design standards for some of the more common designs and must be adhered to unless otherwise approved.
- 7.31 This grant scheme is cost-based. As a result, evidence of costs expended and receipts for items and services purchased must be retained and produced by the applicant or his/her agent on the request of the Minister. All invoices submitted in support of a Forest Road grant application must clearly indicate details of works and materials provided to construct the section of road for which grant-aid is being sought. Also, the invoice must clearly show the total length of road that has been constructed. In cases where an applicant has incurred costs for a consented road development, which includes both grant aided and non-grant aided sections, the invoice submitted must clearly differentiate between the costs associated with the grant aided and non-grant aided sections and give the length of each road section. In these cases, the cost for the total road length constructed should be included on the invoice. In cases where different contractors have completed the grant aided and non-grant aided sections of the forest road, a cover letter must be provided setting out the lengths of road completed by each contractor and explaining that the invoices submitted only apply to the grant aided section of forest road. Invoices which do not differentiate between grant aided and non grant aided sections, and where no cover letter is provided, will be taken to relate to the entire road length constructed and assessed on an average cost per linear metre.

- 7.32 An applicant shall be entitled to receive no more than €500,000 in grant aid under this Scheme in any calendar year, other than as may be approved by the Minister.
- 7.33 Registered foresters who are required to submit engineers and/or surveyors reports for the Forest Road Schemes must ensure that engineers professional title abbreviations, name and contact details are displayed clearly on the required application form e.g. *John Engineer B.Eng., C.Eng, M.I.E.I.* If additional engineers/surveyors reports are submitted in support of a specification these must be on headed paper with relevant contact and professional details displayed clearly. This requirement is to ensure that the consulting engineer and/or surveyor can be contacted if required and to ensure that they have the required professional competency to support an application under the Departments schemes
- 7.34 Inspection paths must be put in along the route of the proposed road in circumstances where pedestrian access is not possible. Forest Road specifications are required on all sites at Form 1 stage as specified in Annex 2.
- 7.35 A Registered Forester is required to prepare applications where the total road lengths specified in the application is less than 500 metres. A qualified Civil Engineer or Engineering Surveyor must prepare specifications and carry out appropriate works supervision where the road application contains grant aided special construction works, lengths in excess of 500 metres, or sections of roads due to site conditions or difficult constructions design.
- 7.36 All road construction works shall be undertaken in compliance with the Forest Road Manual (COFORD) unless the Forest Service has approved otherwise.
- 7.37 Annex 1 details the grant and premium rates payable under the Scheme. The Minister reserves the right to alter these rates at any time. Beneficiaries of grant aid under this Scheme are required to retain all receipts and invoices relating to road construction works for a period of 6 years following payment of the 1<sup>st</sup> instalment grant. The Minister may, at his or her discretion, require the submission to the Department of such receipts and/or invoices at any time during this period.

## **8.1 Application Procedure**

All application forms are available from the Forest Service, Johnstown Castle Estate, Co. Wexford. Lo-call 1890 200 509. Alternatively you can contact the relevant section by email.

<b>Email Addresses</b>	<b>Queries</b>
forestryappenq@agriculture.gov.ie	Form 1, approvals, application procedures
1stgrant@agriculture.gov.ie	Form 2, 1 <sup>st</sup> Grant and 1 <sup>st</sup> premium
ForestPremiums@agriculture.gov.ie	Form 3, 2 <sup>nd</sup> Grant and subsequent premiums
felling.forests@agriculture.gov.ie	Felling licences

**a) Roads Form 1 - Application for Approval. (Grant Aid)**

Application for approval to undertake works under this Scheme must be made using the Roads Form 1. The applicant and a Registered Forester must complete the application. The application form sets out the requirements to be met to make a valid application. This form may also be used for non grant aided road applications where consent is required as outlined in the European Communities (Forest Consent and Assessment Regulations (S.I. No. 558 of 2010), as amended (by S.I. No. 442 of 2012)). Registered Foresters may also submit applications on the Department's online system iNET.

Note: An approval confirms only that the proposed forest road detailed in the application complies with the design and environmental requirements of the Scheme and the approval provides permission to construct all or part of the road specified, as long as the works undertaken do not lead to a material change in the project for which the pre-approval was granted and the proposed road meets scheme requirements. The issuing of a pre-approval **does not guarantee** that a road proposed or amended by conditions applied by the Department will be constructed successfully or that any part of the road or entrance is exempt from planning requirements. Responsibility for the successful construction of a road rests solely with the applicant and the Department will not accept any liability if the road constructed fails during harvesting and transport. Nor can the registered forester and applicant rely upon inspection by the Department to ensure that the standards required of him or her are achieved. Failure to construct a road to the required standard may give rise to recovery by the Department of all grants paid to the applicant under this scheme. The Department accepts no liability for costs incurred by an applicant at this stage or at all.

**b) Roads Form 2 – Application for 1<sup>st</sup> Instalment Road Grant.**

Application for 90% of the grant payment or 1<sup>st</sup> Instalment of the grant must be made using the „Roads Form 2. The applicant and a Registered Forester must complete the application. The application form sets out the requirements to be met to make a valid application. Only costs incurred on the length to construct the road are eligible for grant aid as part of total costs.

### **c) Roads Form 3 – Application for 2<sup>nd</sup> Instalment of Road Grant**

Application for payment of the 2<sup>nd</sup> Instalment must be made using the „Roads Form 3“. The applicant and a Registered Forester must complete the application. The application form sets out the requirements to be met to make a valid application. Following receipt of a Form 3 and associated documentation, the 2<sup>nd</sup> instalment grant will be paid when the harvesting operation is completed in those areas due for thinning/harvesting. This area harvested must be at least 20% of the approved eligible area served by the road and indicated on a map accompanying the Form 3. The built road must continue to facilitate the objectives of the Road Scheme and facilitate access for timber haulage, management and emergency vehicles. It is accepted that minor repair works, which do not result in preventing vehicular access, will not result in non-payment of the 2<sup>nd</sup> Instalment grant. The thinning/harvesting associated with this payment must be carried out in accordance with the environmental guidelines and the harvesting conditions of the felling licence and in particular any environmental protection measures related to archaeology, water quality and biodiversity.

Where less than 20% of the eligible area approved is thinned/harvested within 3 years of the date of 1<sup>st</sup> instalment payment, the 10% final payment will be forfeit.

### **d) Forest Road Mapping Conventions**

All applications for approval and grant aid must comply with the Forest Service mapping standards described in the *Forestry Standards and Procedures Manual*. These standards outline in detail the required mapping conventions to make a valid application. In addition to these standards applicants must clearly indicate and label sections of road lengths where approval is required to carry out construction but which are not eligible for grant aid i.e. sections of road in excess of the maximum 20 m/ha.

## **9.1 Environmental Considerations**

All applications for forest road approval under the *Forest Road Scheme* will undergo an environment assessment procedure to ensure that proposed projects are compatible with the protection and enhancement of the environment, including, inter alia, water, biodiversity, archaeology and landscape. The cost of supplying any additional information (e.g. EIS, NIS, ecological report) that is required by the Forest Service in order to enable it to further assess the application must be borne by the Applicant, as the proponent of the proposed road construction.

## **9.2 Environmental Impact Assessment**

Where a new forest road involves a length 2 kms of greater, the application for approval must be accompanied by an Environmental Impact Statement (EIS) to

enable the Department to undertake an Environmental Impact Assessment (EIA). For the purposes of determining EIA thresholds the length of a forest road will be determined by the linear distance between two or multiple points. Additional equivalent lengths for features such as bellmouths are only used to determine the level of grant aid.

- 9.3 All new forest roads less than 2 km will be subject to an environmental impact assessment screening process undertaken by the Department at pre-approval stage to determine if the project is likely to have a significant effect on the environment either alone or in combination with other forest roads, forest-related and non-forest related projects. If the Department determines that a new forest road is likely to have a significant effect on the environment, the applicant will be required to submit an EIS to enable the Department to undertake an EIA.

#### **9.4 Appropriate Assessment**

As required under the Birds and Habitats Regulations (S.I. No. 477 of 2011), all applications submitted to the Department under the Scheme will be subject to an appropriate assessment screening process undertaken by the Department to determine if there is a possibility of the project, either individually or in combination with other plans and projects, having a significant effect on a Natura 2000 site, i.e. a Special Area of Conservation (SAC) or a Special Protection Area (SPA). If the Department determines that a project is likely to have a significant effect on a Natura 2000 site, or the possibility of a significant effect is uncertain, the applicant will be required to submit a NATURA Impact Statement (NIS) to enable the Department to undertake an Appropriate Assessment (AA). The Department can only issue approval where it is satisfied that no significant effect on a NATURA site will occur. See the *Forest service Appropriate Assessment Procedure Information Note* (consolidated version, March 2013) for details.

#### **9.5 Other Information**

The Department may also, at its discretion, require other forms of technical investigation and reports to be submitted to facilitate its assessment of the project. These may include, in alia, an ecological assessment and report by a suitably qualified ecologist.

#### **9.6 Consultations and Public Notification Procedure**

When the Department receives an application under the Scheme, a public notice of the application will be placed on the Departments website detailing (i) the contract number of the application; (ii) the location of the proposed road (Townland and County); and (iii) length of the proposed road project. Applications which require the submission of an EIS to enable the Department to undertake an EIA may also have notices of the application, the EIS, and any significant additional information submitted, placed in one or more local newspapers.

- 9.6.1 Any member of the public may make a submission or observation in writing to the Department within 4 weeks of the date of the relevant notice.
- 9.6.2 The Department may also consult with relevant consultation bodies including National Parks and Wildlife Service, the National Monuments Service, Inland Fisheries Ireland, the relevant local authority. Other bodies may also be consulted with, as required.
- 9.6.3 Detailed information on the environmental protection and controls consultation process that apply to this Scheme are contained in the *Forestry Standards and Procedures Manual* and relevant Forest Service circulars. These set out the environmental standards governing forestry and the consultative processes undertaken by the Department when determining whether or not a proposed project is compatible with the objectives of the scheme and the protection and enhancement of the environment.
- 9.6.4 All materials used in the construction of a road must comply with the Waste Management Act 1996 and European Communities (Waste Directive) Regulations 2011 (S.I. No 126 of 2011). Applications for grant aid for roads constructed with materials not in compliance with the Act/Regulations will not be grant aided and remedial works may be required.

## **9.7 Pre-Approval**

An approval issued under this Scheme may be subject to additional conditions as laid down by the Minister. These may be of a construction, design or environmental nature, or may relate to other requirements. It is the responsibility of the applicant to ensure that all works are undertaken in compliance with the requirements of the Scheme. Pre-approval does not guarantee eligibility for entry into or funding under the Forest Road Scheme. The Department accepts no responsibility or liability for costs incurred by an applicant on foot of pre-approval or at all.

- 9.8 **NOTE:** It is the responsibility of the applicant to inform the Forest Service in writing of any proposed material change to the approval issued and to seek approval for any such change before construction commences. Failure to obtain approval from the Department for proposed changes may render the pre-approval null and void.

## **10.1 Construction Standards**

An applicant must comply with all scheme requirements as detailed in the specifications approved, *Forestry Standards and Procedures Manual and the Forest Road Manual, Guidelines for the design, construction and management of forest roads (COFORD 2005)*.

## **11.1 Good Practice and SFM**

Adherence to good forestry practice and the principles of sustainable forest management (SFM) is mandatory and applies across all operations of the



Scheme. Guidance on how forestry operations should be carried out so as to ensure compliance with SFM is provided in the *Code of Best Forest Practice – Ireland*, which can be downloaded from the Department’s website at <http://www.agriculture.gov.ie/forests-service/publications/>

## **12.1 Payment**

As the contract under this Scheme is between the applicant and the Department, payment is made to the applicant. However, applicants may mandate grant payments (not premiums) to a registered forester or forestry company using a mandate document that satisfies the requirements of the Minister as set out in the *Forestry Standards and Procedures Manual*. Such mandates are a voluntary arrangement between the applicant and his/her registered forester or company. Mandates to other parties e.g. Contractors or Foresters not registered with the Forest Service, will not be facilitated. In the event that a payment fails to be made in accordance with a valid mandate no liability shall be attached to the Minister.

- 12.2 If it is subsequently found that any undue payment or overpayment has occurred in respect of any grant, premium or other payment made under the scheme, the Department will recover the entire amount of the undue payment or overpayment from the applicant, regardless of how the undue payment or overpayment or arose.
- 12.3 The Department may offset the amount owed from any other monies due to the applicant by the Department. The Department may also recover the monies as a simple contract debt in a court of competent jurisdiction.

## **13.1 Penalties**

Failure to comply with the terms and conditions of the Scheme, incorporating The *Code of Best Forest Practice – Ireland*; *Forestry Standards and Procedures Manual*; circulars amending scheme requirements; and the relevant environmental guidelines and requirements may result in an appropriate penalty or sanction being applied.

- 13.2 Penalties which shall apply to certain specific breaches of the Scheme are set out in the document titled *Forestry Schemes Penalty Schedules* (DAFM 2015) which are a condition of grant aid. Other breaches of the Scheme not specified in the Scheme Penalties Schedules may also incur a penalty. However, all or any failure to comply with the scheme or any breaches of its terms and conditions may result in a penalty.
- 13.3 Penalties may include the repayment of all or part of the grant(s).
- 13.4 Monetary penalties shall include interest payable at the rate provided for under *S.I. No. 13 of 2006*. Interest shall be calculated for the period elapsing between a date specified in a notification to the applicant of the repayment obligation and either repayment or recovery by deduction.

- 13.5 Penalty amounts may be deducted from future payments due to the Applicant under the forestry schemes or from payments due under other schemes administered by the Department. Where monetary penalties are not paid or recovered within the period requested, the Department may take whatever action is deemed necessary for their recovery. The Department may also recover the monies as a simple contract debt in a court of competent jurisdiction.
- 13.6 The principle of proportionality will apply. Penalties may be imposed that are, in the opinion of the Minister, proportionate to the alleged breach of the Scheme.
- 13.7 The imposition of a penalty shall not relieve an Applicant of an obligation to comply with an instruction from the Minister to undertake remedial works in respect of a forest.

#### **14.1 Appeals**

The applicant, or a registered forester acting on behalf and with the written permission of the applicant, may appeal against a decision of the Department regarding (i) an application for a pre-approval; (ii) a grant; (iii) a premium or (iv) a penalty.

- 14.2 In the course of re-examining a decision by a deciding officer, the Appeals Committee shall not be confined to the grounds on which the decision of the deciding officer was based, but may decide the question as if it were being decided for the first time.
- 14.3 A person who made a submission to the Department in relation to an application for approval may appeal the Department's decision to approve or refuse the application.
- 14.4 Appeals should be made in writing, giving detailed grounds for the appeal, to the Appeals Section, Forest Service, Department of Agriculture, Food and the Marine, Johnstown Castle Estate, Co. Wexford. Appeals are currently considered by the Forestry Appeals Committee. The issue of appeals is currently under review.

#### **15.1 Management Plans**

Applicants must provide a standard management plan at the time of application for pre-approval for areas 5 ha or greater and in the standard templates provided by the Department which must include the area served by the forest road. Management plans previously prepared as a condition of the Afforestation Scheme which are still current may be submitted in support of an application under the Forest Roads Scheme. However when the Forest Management Plan template agreed by the COFORD Management Plan working group is made available online by the Department in the near future, this will become the template for all road applications under this scheme.

#### **16.1 Right of Entry**

The Minister reserves the right to carry out inspections at reasonable times on any land submitted for pre-approval or on any land for which afforestation grants or premiums have been paid or claimed under this Scheme or any other forest-related Scheme. Applicants are obliged to ensure that, where required, adequate access to the land and forests is provided to allow inspections by the Department.

### **17.1 Responsibility for Forest Management**

Responsibility for the successful construction and use of a forest road rests with the applicant. Where an applicant contracts the services of a third party to construct a forest road, and to prepare and submit claims, it is the applicant's responsibility to ensure that the third party contracted has sufficient insurances to indemnify the work undertaken. Any issue arising under this contract to the detriment of the applicant, such as inadequate work or preparing an inaccurate claim, etc., is a matter for the owner to resolve with the forester.

- 17.2 The inspection of a forest road by the Department shall not relieve the Applicant of responsibility for the accuracy of applications submitted, the successful construction and or maintenance of the forest road, or any responsibility to meet the required standards or terms and conditions of the scheme. The Department is not liable for errors (or financial loss) as a result of inaccurate claims or faulty workmanship by the applicant or his/her forester. The Department does not guarantee the success of any road construction or bear any liability in respect of any plantation served by the road for which it has granted pre- approval in any circumstances. It is the sole responsibility of the applicant who submits a road for approval and grant aid that the road will successfully constructed. If the Department subsequently determines that a road, or any part thereof, has not been constructed in accordance with the approval given, the applicant will be required to repay all grants in respect of the road or any part of the road which has failed.

### **18.1 Insurance**

Applicants should ensure that their forest has adequate insurance cover.

### **19.1 Failure to abide by the terms and conditions of the scheme**

Where, for the purposes of obtaining payment under this Scheme, the applicant or a person acting on his/her behalf knowingly makes a false or misleading statement or withholds essential information, the applicant's participation in the Scheme may be terminated and all or part of the aid paid shall be repaid.

- 19.2 Where an Applicant or a person acting on his/her behalf fails to abide by the terms and conditions of the Scheme, or there is any material change in the circumstances of the applicant which would be in conflict with the letter or the spirit of the Scheme, the applicant's participation in the Scheme may be terminated and all or part of the aid paid shall be recovered by the Department. The Department may offset the amount owed from any other monies due to the applicant by the Department or it may seek to recover the amount as a simple contract debt in a court of competent jurisdiction.

- 19.3 The obtaining of aid under the Scheme by fraudulent means by the applicant or others acting alone or together may render such persons liable to prosecution.

## **20.1 Overpayments made in relation to a scheme contract**

Where any overpayment is made due, inter alia, to over claim or over declaration by the applicant or his/her agent, or to error or miscalculation by the applicant, his/her agent, or the Department, the money overpaid may at the discretion of the Minister be recouped from the applicant who received the overpayment. Such recoupment will be decided on a case by case basis, taking into account any mitigating factors, including culpability.

- 20.2 Amounts to be recouped may be deducted from future payments due to the Applicant under the forestry schemes or from payments due under other schemes administered by the Department. Where debts are not recovered within the period specified, the Department may take whatever action is deemed necessary for their recovery. The Department may also seek to recover the amount as a simple contract debt in a court of competent jurisdiction.

## **21.1 Review of Financial Aids**

The Minister reserves the right in his absolute discretion to vary, where occasion so demands, the amount of financial aid wherever specified in the Scheme.

## **22.1 Procedures**

The Minister reserves the right to alter from time to time the procedures to be followed in the operation of this Scheme.

## **23.1 Tax Clearance Requirement**

It is a condition of this Scheme that all grant-aided activities shall be conducted in compliance with the laws of the State relating, inter alia, to tax and employment. Proof of compliance, such as the provision of Tax Clearance Certificates, may be required by the Department.

## **24.1 Value Added Tax:**

All grants paid are exclusive of VAT.

## **25.1 Information and Data Protection**

The Minister reserves the right to make information available to the public regarding the areas covered by the Scheme including the number of participants, farms, historical and archaeological sites, hectares covered, forest location, forest road lengths etc. while continuing to observe the terms of the Data Protection Act.

- 25.2 Under State Aid rules (see Section 4 and Annex 5) the Department will publish details of beneficiaries that fall within the categories described.
- 25.3 By declaring their eligibility and consent to apply for the Forest Road Scheme, applicants must agree to the release of non-personal information supplied by them in respect of their application to comply with current environmental consultation procedures. Furthermore, applicants consent to be contacted by the Department in respect of approved forestry training courses. Applicants must also consent to the release of their details to Teagasc and Timber Producer Groups who may subsequently communicate with applicants in relation to the forestry training and development and the harvesting of timber.
- 25.4 All information supplied by applicants in respect of a Forest Road approval and/or grant claim and any supporting documentation shall be made available to any other Department or Agency or Local Authority for the purposes of consultation, Audits, Cross Compliance Controls and all Rural Development measures, and, as appropriate, in accordance with the requirements under the Freedom of Information Acts.

## **26.1 Further Conditions**

The Minister may at any time lay down further conditions under this Scheme.

## **27.1 Forestry Act, 1946**

All plantations are protected by the Forestry Act, 1946 (and any Act that succeeds or replaces that Act), which controls felling of trees. Under this Act, with certain exceptions, it is illegal to cut down any tree, grant-aided or not, unless a Felling Licence has been obtained from the Forest Service.



## Annex 1

<b>Category</b>	<b>Maximum Rate € / Linear metre  (Excl VAT)</b>	<b>Maximum Density (metre/ ha)</b>
<b>Harvesting Road</b>	€40	20
<b>Harvesting Upgrade or Extension as defined.</b>	€40	20*
<b>Special Construction Works</b>	Up to €5000	

\* 13m applies where the applicant previously received a management road grant for 7m per ha or 10m applies where the applicant previously received a management road grant for 10 m per ha under a previous forest road scheme

## Annex 2

### FOREST ROAD SPECIFICATION

Applicant \_\_\_\_\_ Townland \_\_\_\_\_ OS No. \_\_\_\_\_ Ref: \_\_\_\_\_  
 General - forest road specification. (delete/amend as appropriate to this site)

Feature	<i>Dimensions and Comment</i>
<b>Tree Clearance</b>	15 metres
<b>Interceptor Drains</b>	2 or 3 excavated drains minimum of 3m from upper edge of formation
<b>Gradient</b>	Maximum 1 in 10 on straight sections and max. 1 in 12 on curves.
<b>Horizontal curves</b>	Minimum radius 20 metres, wider carriageway width (Figure 33, FRM*)
<b>Formation Width</b>	Minimum 5.5 m on flat cross sections. Variable on side slopes with proviso that at least 4 m of total width is on solid parent material. (Figures 3,4,5 & 6, FRM)
<b>Camber</b>	200-300 mm for mineral soils and shallow peats. Min. 300 mm for deep peats
<b>Formation Work</b>	(i) Strip organic/ peat soil over a minimum width of 5.5m (ii) Excavate and camber sub-grade material (iii) Grade and compact with a vibrating roller (iv) Provide stream and formation run-off culverts at 40-100 m intervals
<b>Carriageway Width</b>	3.4 metres with a 100 mm camber minimum
<b>Pavement</b>	Base course & surfacing or combined single course
<b>Bearing Capacity</b>	Must be able to withstand fully laden timber haulage vehicle traffic.
<b>Turning circle for bell mouths, internal T-junctions, Back-in loading bay, Curves</b>	Turning circle adequate for timber truck minimum 12m radius turning circle with additional forest road width required, tapering gradually back to 3.4m. (Figure 34, FRM). Internal Junctions (Figure 36, FRM), Back-in loading bay (Figure 38, FRM) Additional width for curves (Figure 33, FRM),

#### Section Specific - Forest road specification (Map Enclosed)

	Section Location (on map)	A-B	B-C	C-D		
<b>1</b>	<b>Distance (m)</b>					
<b>2</b>	<b>Peat depth (mm)</b>					
<b>3</b>	<b>Formation (type)</b>					
<b>4</b>	<b>Well drained (Yes or No)</b>					
<b>5</b>	<b>Culvert (No. X size (mm))</b>					
<b>6</b>	<b>Pavement (total depth (mm))</b>					
<b>7a</b>	<b>Pavement base material type</b>					
	<b>Pavement base material depth</b>					
<b>7b</b>	<b>Pavement surface material type</b>					
	<b>Pavement surface material</b>					
<b>8</b>	<b>Road Gradient (% or ratio)</b>					
<b>9</b>	<b>Cross slope (% or ratio)</b>					
<b>10</b>	<b>Construction type</b>					

Comments:

**NOTE:** Section Location, Give a column to each road section (a-b, b-c, c-d, etc.).

Item 3, select the formation type that best matches from Table 12, FRM

Item 4, a well drained site is one where the water table is more than 600 mm below formation level.

Item 5, for guidance on appropriate culvert sizing and layout – see section 11, Streams and Water Crossings, FRM.

Item 6, depending on item 3 and item 4 determine pavement depth from Table 12, FRM.

Item 7, see Section C.7. Construction Material and Appendix E.6 Specification for Road Material, FRM.

Item 10, e.g. excavate" formation or „build on top" etc. See section C.3 Forest Road formation methods, FRM.

\*FRM = Forest Road Manual. Guidelines for the construction and management of forest roads. Second edition. Authors Tom Ryan, Henry Philips, James Ramsay and John Dempsey. Published by COFORD, 2005

\*\*A qualified Civil Engineer or Engineering Surveyor must prepare and sign the specifications submitted and carry out appropriate works supervision where the road application contains grant aided special construction works, lengths in excess of 500 metres, or sections of roads due to site conditions or difficult constructions design.

<b>Signed Registered Forester/Engineer**</b>		<b>Date</b>	
<b>Print Name</b> (and status if Engineer e.g.C Eng MIEI)			
<b>Signed Applicant</b>		<b>Date</b>	



### Annex 3

## **FOREST ROAD SCHEME REQUIRED INFORMATION**

<b>Planting Year (s)</b>		
<b>List Afforestation Contract Number(s)</b>		Contract number(s) of plantation previously grant aided if applicable
<b>Total Forest Area served (ha)</b>		
<b>Management Plan Required</b>		Management plan must be submitted in support of all forest road applications where the total forest area served is 5 ha or greater
<b>Harvest Area (ha)</b>		State area (ha) proposed for thinning/harvesting within the next 3 years. These areas must be clearly highlighted on the road map
<b>Year(s) of Harvesting (yr)</b>		Applications will be approved solely on a “just-in-time, just-enough” basis – i.e. approvals will be restricted to applications for roads in plantations where thinning/harvesting is imminent and will take place within the next 3 years
<b>Harvest Type</b>		State whether clear fell and/or thinning
<b>Estimated Harvest Volume (m3)</b>		An estimate of proposed timber volume is required where thinning and harvesting is imminent
<b>Proposed Road Density m/ha</b>		Grant is not eligible for additional road lengths in excess of 20m/ha. Road density should include any existing roads serving the forest area
<b>Road Length eligible for Grant Aid (m)</b>		Length of road requiring grant aid up to maximum of 20m/ha
<b>Road Length proposed without Grant Aid(m)</b>		Lengths requiring approval but where no grant aid is sought should be stated here. Note all lengths in excess of 20 m/ha must be recorded if approval to construct is required

<b>Estimated Costs (€)</b> (for lengths eligible for grant aid only)	<b>Est. Tonnes</b>	<b>€</b> (excl VAT)	Breakdown of costs must be provided in advance. All road expenditure must represent value for money and claims submitted for grant aid must represent the actual costs incurred.
Gravel and Stone			Comment ( if applicable)  *SCWs must include detailed drawings and specifications and itemised costs at Form 1 and 2 stage, including a business case as to why works will have a positive environmental impact
Culverts			
Formation Works			
Tree Clearance			
Special Construction Works*			
Other(specify)			
<b>Total Direct Costs</b>			
Management/Supervision			Maximum up to 30% of direct costs allowable
<b>Total Costs</b>			

<b>Road Map and Inventory Details</b>	A road map must be submitted showing clearly which plots are within 3 years of harvesting with the road alignment clearly mapped. All maps must comply with the Forestry Schemes Mapping Standards
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#### **Inventory Details (attach extra page if required)**

<b>Plots Number</b> (within 3 yrs of Harvesting)	<b>Area ha</b>	<b>Species</b>	<b>Planting Year</b>	<b>DBH cm</b>	<b>Top Height (m)</b>	<b>Yield Class</b>
<b>Total</b>						

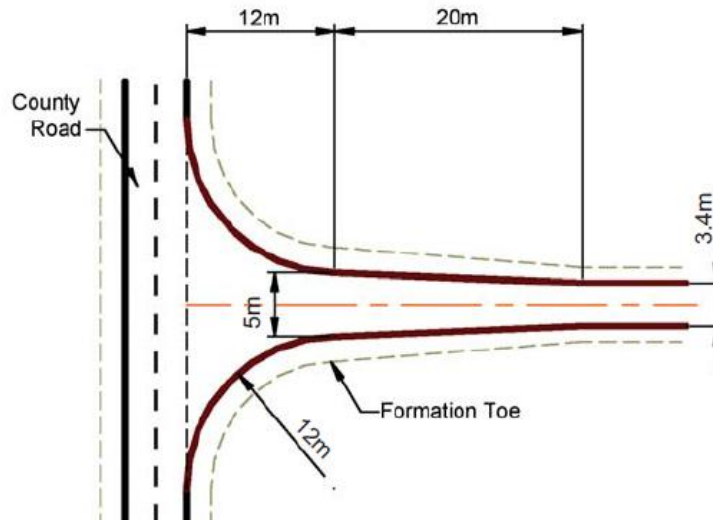
<b>Signed Registered Forester</b>		<b>Date</b>	
<b>Signed Applicant</b>		<b>Date</b>	

## **Annex 4**

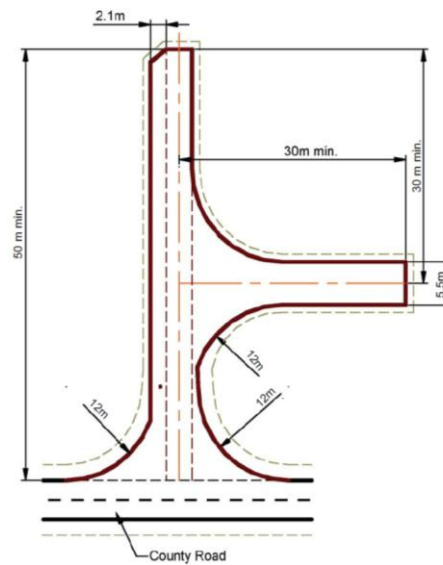
### **Penalties**

Penalties are described in the *Forestry Schemes Penalty Schedules (DAFM 2015)* and are a condition of this scheme.

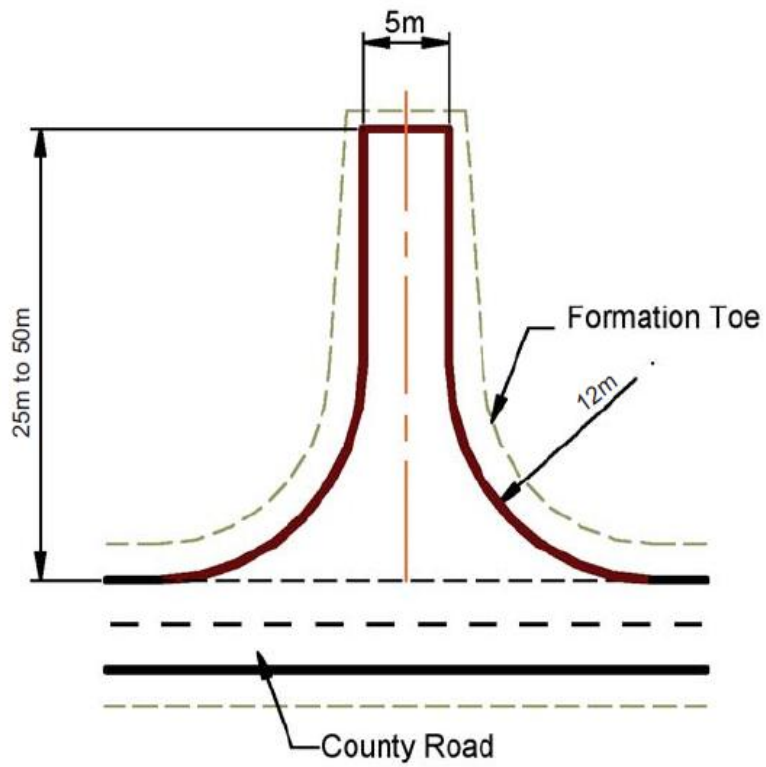
**Annex 5**  
**Forest Road Design junctions and bellmouths**  
**(Forest Road Manual COFORD 2005)**



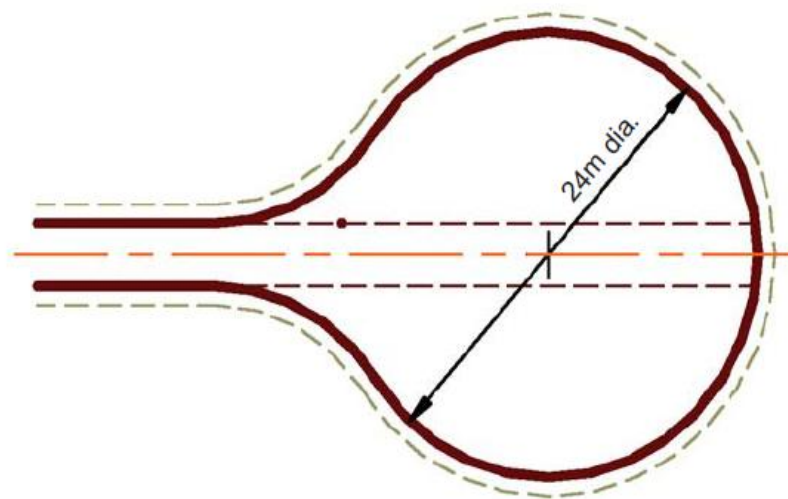
**Figure 13: Standard forest road bellmouth**



**Figure 15: Standard loading bay with internal area**



**Figure 16: Standard back in type loading bay**



**Figure17: Standard circle turning area**

## Annex 6

### State Aid Requirements

#### 1. The incentive effect

SMEs and beneficiaries must indicate on the application form for aid under the measures proposed that “The work described herein, would not have been undertaken if it wasn’t for the financial support provided under state aid rules. Without this aid there would be no change to current activities.” For large companies documentary evidence must be submitted in relation to the counterfactual (what would happen without the aid) for each of the measures proposed. This involves a credibility check of the counterfactual to establish that the company would not construct a road for example if aid wasn’t available. A counterfactual is credible if it is genuine and relates to the decision-making factors prevalent at the time of the decision by the beneficiary regarding the activity. Large companies must submit an internal company document (separate to the application form) showing that the company has analysed the viability of the project – with and without aid – and showing the “incentive effect”. The document must clearly state what would have happened without the support available under this scheme. That means that the documentation (internal report) produced by the company must establish that the aid will cause at least one of the following:

- i. A material increase in the size of the project, or
- ii. A material increase in the scope of the project, or
- iii. A material increase in the total amount spent on the project,

#### 2. The Forest Service will require that the company document shows a credible analysis and demonstration of the incentive effect. The document should contain an analysis which answers the following questions:

- i. Would the project proceed without State Aid assistance?
- ii. Would the level of project expenditure be less without State Aid support? If so, indicate by how much?

#### 3. This information should indicate changes in the project size, scope and total spend. This incentive effect document should be submitted with the Form 1. The application will only be deemed to have been accepted as valid once the company has been advised by the Forest Service that the incentive document meets the requirements set out above and is fully compliant with the European Union Guidelines for state aid in the agriculture and forestry sector and in rural areas 2014 – 2020.

#### 4. Proportionality of the aid

Large Companies must provide documentary evidence that the aid is proportionate. This can be achieved by submitting an Internal Rate of Return (IRR) and Net Present Value (NPV) analysis of the investment with aid and without aid with the Form 1. Only applications which are deemed proportionate will be grant aided by the Forest Service.

#### 5. Transparency

Ireland shall publish on its website at national level the following information on the State aid schemes: the full text of the notified aid scheme and its implementing provisions, the granting authority, the names of the individual beneficiaries, the form (in particular the aid instrument) and amount of aid granted to each beneficiary, the date of granting, the type of undertaking (SME/ large enterprise), the region (at Nomenclature of Units for Territorial Statistics or NUTS level II) in which the beneficiary is located and the principal economic sector in which the beneficiary has its activities, at NACE group level. This requirement only applies to individual aid awards greater than €60,000 for beneficiaries active in primary agriculture production and €500,000 for others.

6. The beneficiaries table for the previous calendar year will appear on this Department's website and will be replaced annually with the updated table. This will be done before March of that year.

## Annex 7

### Definitions

For the purposes of this Scheme:

- **‘Applicant’** means a person who has applied for Approval under the Scheme or has constructed a road following an Approval under the Scheme;
- **‘Approval’** means an Forest Road Scheme Pre-Planting Approval granted by the Minister;
- **‘Pre- Approval’ – Roads Form 1’** -This is an application for the Minister’s approval to construct a Forest Road under the terms of all relevant current legislation and guidelines. The application is to be prepared and counter signed by a Registered Forester as defined below and where applicable a Civil Engineer or Engineering surveyor. The Forest Service must approve the application before any work commences.
- **‘Application, Payment – Roads Form 2 – 1<sup>st</sup> Instalment Grant’** – This is an application to receive the first instalment of a cost-based Forest Road Grant following the construction of an approved Forest Road within the terms of the Pre- Approval. The application to be prepared and counter signed by a Registered Forester as defined below and where applicable an Civil Engineer or Engineering Surveyor and forest road approved by the Forest Service.
- **‘Application, Payment – Roads Form 3- 2<sup>nd</sup> Instalment Grant’**- This is an application to receive the second instalment of a cost-based Forest Road Grant following the construction of an approved Forest Road within the terms of the Pre-Approval. The application to be prepared and counter signed by a Registered Forester as defined below and where applicable an Civil Engineer or Engineering Surveyor and forest road approved by the Forest Service.
- **‘Appropriate Assessment’** means an assessment in accordance with the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011)
- **‘Bell- Mouth’** – is a tapered entrance to facilitate safe entry/egress and off road parking.
- **‘Bridge’** – is a structure to facilitate the crossing of a stream/river/ravine
- **‘Culvert’** – is one or more adjacent pipes or enclosed channels for conveying a watercourse or stream below formation level
- **‘Completion Date’** means the date the forest road works are completed.
- **‘Department’** means the Department of Agriculture, Food and the Marine.
- **Development/Management Road’** – is a forest road constructed to enable vehicle access for managing forests and includes a development road which is normally constructed before planting although some may be built prior to canopy closure.
- **‘Direct Costs’** are the cost of materials, labour and machinery employed in the construction of the road, but excluding supervision, design, surveying and layout costs
- **Drain’** – is the provision of a channel to remove excess water or to lower the water table to a level below the road and to prevent the ingress of water in the future.
- **‘Environmental Impact Assessment (EIA)’** means an assessment in accordance with the European Communities (Forest Consent and Assessment) Regulations 2010 (S.I. No. 558 of 2010), as amended.
- **‘Engineer’** means a civil engineer and a member of Engineers Ireland
- **‘Engineering Surveyor’** is a surveyor registered with the Minister with extensive experience of forest road surveying, design and construction.
- **‘Farm’** or **‘Holding’** means all the land parcel production units in the State (owned, leased or rented) that are under the control of the applicant.
- **‘Farmer’** is defined as a person who carries out an agricultural activity such as ‘the rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animal for farming purposes’.
- **‘Forest’** is as defined in the European Communities (Forest Consent and Assessment) Regulations 2010 (SI 558 of 2010) - *“land under trees with (a) a minimum area of 0.1 ha, (b) tree crown cover of more than 20% of the total area, or the potential to achieve this cover at maturity”*.

- **‘Forestry Environmental Guidelines’** means the following publications as amended from time to time: ‘Forestry and Water Quality Guidelines’; ‘Forestry and Landscape Guidelines’; ‘Forestry and Archaeology Guidelines’; ‘Forest Biodiversity Guidelines’; ‘Forest Harvesting and the Environment Guidelines’; ‘Forestry and Aerial Fertilisation Guidelines’; ‘Forestry and Forest Protection Guidelines’; Otter Guidelines and ‘Forestry and Freshwater Pearl Mussel Requirements’. The Minister may, from time to time, amend the guidelines or add further guidelines to this definition.
- **‘Forest Service’** means the Forestry Division of the Department of Agriculture, Food and the Marine.
- **‘Harvest Road’** – is a forest road constructed to facilitate the transport of timber out of the forest and onto the public road.
- **‘Harvesting Upgrade/Extension’** – means the upgrading and/or extension of an existing management road to harvesting road standard. Restoring a road to its previous condition is not eligible for grant aid under the scheme.
- **‘Lease’** means a term of years absolute in possession for at least 40 years from the commencement date of the contract under the Scheme.
- **‘Minister’** means the Minister for Agriculture, Food and the Marine
- **‘Penalty Schedules’** means the schedules outlined and described in the “*Forestry Schemes Penalty Schedules (DAFM 2015)*” document.
- **‘Plantation’** means a plot or number of plots on the same holding, planted in a single planting season and the subject of a single application.
- **‘Plot’** means an area of one species or a species mix.
- **‘Registered Forester’** means a qualified person named on the Register of Foresters and Forestry Companies, available from the Department.
- **‘Scheme’** means the *Forest Roads Scheme 2014-2020*.
- **‘Special Construction Works’** – for the purposes of grant aid works are permanent bridges and large culverts greater than or equal to 1000 mm
- **‘Sustainable Forest Management’** means the stewardship and use of forests and forest lands in a way, and at a rate, that maintains their biodiversity, productivity, regeneration capacity, vitality and their potential to fulfil, now and in the future, relevant ecological, economical and social functions, at local, national and global levels and that does not cause damage to other ecosystems.
- **‘Turntable’** – is an area of road which facilitates the turning of vehicles.
- **‘The Forest Road Manual’** is the Forest Road Manual as published by COFORD, setting out guidelines for the design, construction and management of forest roads. This Manual may be downloaded from the COFORD web site: [www.coford.ie](http://www.coford.ie).

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