An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

Reconstitution Scheme for Windblow 2026

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Amendments

Version	Date of revision	Summary of changes
1	09.02.2026	Correction to Figures 1 & 2 on page 11

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1. Introduction

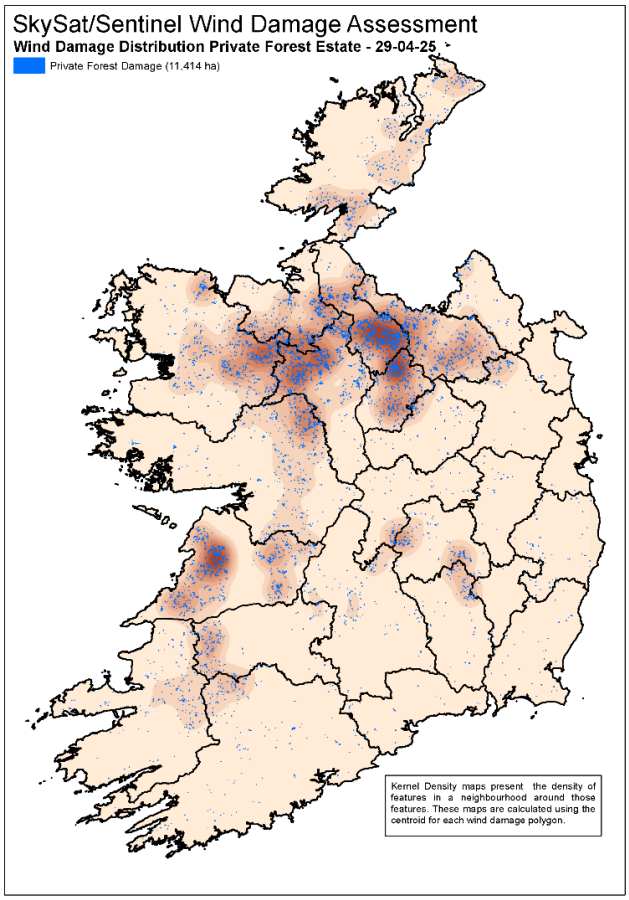
Wind Damage Assessment Exercise

Following Storm Darragh and Storm Éowyn ('the storms') during the winter of 2024/2025, and noting that many forests have been windblown around the country, Minister of State for Forestry, Horticulture and Farm Safety, Michael Healy-Rae, invited key stakeholders to join a Taskforce to ensure that storm-damaged forests were managed safely and appropriately, to quantify forest damage and to identify approaches to facilitate the mobilisation of wind damaged timber.

The detailed assessment of windblow damage and associated delineation of wind damaged forest areas was undertaken using high resolution satellite imagery from SkySat and supplemented with pre- and post-storm Sentinel-2 and PlanetScope satellite data. In addition, drone imagery was also acquired for a number of specific locations.

Figure 1 below, identifies the locations of wind damaged private forest. Just over 26,000 hectares of forest was damaged by windblow, including approximately 13,000 hectares of private forests.

Figure 1. SkySat/Sentinel Wind Damage Assessment



The darker shaded areas identified in Figure 1 represent the components of the private forest estate that were most impacted by the storms.

The Reconstitution scheme outlined in this document will contribute to the cost of restoring forest potential lost as a result of the storms. The scheme itself will be referred to as the Reconstitution Scheme for Windblow or RSW.

2. Outline of Scheme

Through the Reconstitution Scheme for Windblow, financial support can be made available for reconstitution of windblown forests as a result of the storms.

This involves the restoration of wind damaged forest areas following tree clearance.

Accessing the Reconstitution Scheme for Windblow (RSW)

Steps required in order to avail of the Reconstitution Scheme for Windblow (RSW) are as follows:

a) A Forest Owner engages a Registered Forester[1] to apply for the Scheme.
b) The Registered Forester submits an application to the Department for Reconstitution Scheme for Windblow support via the Department's iNET system (on behalf of the Forest Owner).

[1] List of registered foresters & forestry companies

3. Grant Rates

Only for sites that were not insured for the costs of reconstitution, the Reconstitution Scheme for Windblow will provide financial support in the form of fixed rate grants. The following payment rates are available for the Reconstitution Scheme for Windblow:

Reconstitution Type	Replanting Species	Grant per ha
RSW1	Native Forests (as per FT1)	€6,744
RSW2	Broadleaf, mainly oak and beech (As per FT6)	€6,744
RSW3	Diverse Broadleaf (As per FT7)	€4,314
RSW4	Continuous Cover Forestry (As per FT10)	€5,421
RSW5	Mixed high forests: Diverse Conifer (As per FT11)	€4,452
RSW6	a. Mixed high forests with Sitka Spruce (as per FT12) and b. Conifer high forest with Sitka Spruce (<20% broadleaf)	€3,858

The Reconstitution Types (RSWs 1-5) are consistent in terms of species makeup and minimum stocking requirements with the relevant Forest Types (FTs) supported under the Department's Afforestation Scheme (see also Table 4. of the Forestry Standards Manual, 2024). RSW 6 includes (a) forests established in accordance with FT12 (20% or more broadleaves) and (b) conifer high forest (less than 20% broadleaves).

Deer fencing and tree shelter grants are only available for protection against deer, and only where deer are deemed to be an impediment to successfully establishing broadleaf trees. Conifer high forest is not eligible for deer fencing and deer tree shelter grant.

No other fencing grants (e.g. cattle, sheep, rabbit fencing) are available under this scheme.

See Annex 2 for details Deer Fencing and Deer Tree Shelter grant rates.

Note: the level of financial support provided under this scheme depends on whether the forest was insured for the costs of reconstitution or uninsured for the costs of reconstitution at the time of 'the storms'.

The maximum grant payable for sites that were insured for the costs of reconstitution will be the excess applying to the insurance policy or less where overcompensation may occur. Grants will be paid in 2 instalments and all grants paid are exclusive of VAT.

The RSW grant will be paid in 2 instalments as follows:

i. Application for the 1st Instalment Grant may be made after the site has been replanted (approximately 75% payment).
ii. Application for the 2nd Instalment Grant may be made 4 years after the site is successfully reconstituted (approximately 25% payment).

4. Application Procedure

Applications for the Reconstitution for Windblow Scheme (RSW) must be made by Registered Foresters on behalf of eligible landowners via iNET, the Department's online system for administering forestry schemes and licences. Queries can be directed to the Department of Agriculture, Food and the Marine, Johnstown Castle Estate, Co. Wexford. 053 9163425.

Alternatively, you can contact the relevant section by email.

Email Addresses	Queries
Approvals.ForestService@agriculture.gov.ie	Form 1, approvals, application procedures
forestry.1stgrant@agriculture.gov.ie	Form 2, 1st Grant
forestry.2ndgrant@agriculture.gov.ie	Form 3, 2nd Grant
felling.forestservice@agriculture.gov.ie	Felling licences

Form 1 - Application for Approval

Applications submitted in respect of the RSW require the following maps, mandatory scheme information and documentation:

- **Site Location Map**, based on a Discovery Series 1:50,000 map and showing the main access approach into the application area or site. The standard mapping conventions set out in the Department's *Forestry Standards Manual* apply;
- **Certified Windblow Map**, must contain the following:
  a) forest area windblown as a result of 'the storms',
  b) RSW scheme eligible area, This area should be used to support area and grant claim.
  c) total proposed tree clearance and replanting area (these may include ineligible areas).

  Please see below RSW Mapping Standards.
- **Certified Replanting Species Map**. This species map will reflect the species proposed to be replanted and signed and dated by the Registered Forester. A 1:5,000 colour aerial photograph printed from the Department's online mapping system, iFORIS Internet (iNET) is required; the standard mapping conventions set out in the Department's *Forestry Standards Manual* shall apply;
- **A Fencing Map** is required to record the length and location of any proposed fencing requirement for the application area. (See Annex 2 for Deer fencing eligibility criteria). Where deer tree shelter are used a 'X' must mark their location on the site.
- **Tree Felling Licence** application reference number (TFL No.) in respect of the storm damaged area;
- For **applicants with a thinning licence only**, applicants must supply a reforestation map and restock plan consistent with the Felling and Reforestation Standards (2019), Appendix B. This restock plan must include post-felling cultivation and reforestation details including site-appropriate species selection details and operational techniques to be employed at the replanting stage (e.g.

planting methods, ground cultivation type, cultivation direction as well and reforestation site drainage requirements).

- Signed declaration stating that the area subject to the application was not insured for costs associated with reconstitution at the time of 'the storms'. The Department may decide to ask for farm insurance documentation that substantiate that any insurance policies held at the time of 'the storms' did not include reconstitution costs.

or

Documentation showing that the area was insured for costs associated with reconstitution, clearly substantiating the **excess** (i.e. the fixed amount the insured pays out-of-pocket for a claim before the insurer covers the remainder of the loss) e.g. insurance certificate; this documentation should include details and payment records of any claims made to and any payments received from an Insurance Company that relate to such insurance for reconstitution costs. It is up to the applicant in conjunction with the insurance company to substantiate that the excess and the settlement related to reconstitution costs only and not any other costs that may have been incurred e.g. loss of timber value. In other words, the documentation from the insurance company should clearly show that the excess relates to the reconstitution costs and that settlements relate only to the reconstitution costs.

An application for approval must be made using iNET.

Scheme approval is only valid up to and including the expiry date specified in the Department's approval letter.

All scheme works must be completed by the expiry date specified in the Department's letter of approval.

An approval letter issued under this Scheme may include additional conditions as laid down by the Minister. These may be of a silvicultural 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. the Department accepts no responsibility or liability for costs incurred by an applicant on foot of pre-planting approval.

It is the responsibility of the applicant to inform the Department in writing of any proposed material change to the approval issued and to seek approval in writing for any such change before clearance/reconstitution works commence. Failure to obtain approval from the Department for proposed changes may render the approval null and void. There are no guarantees that material changes to existing approvals can be permitted.

RSW Mapping Standards

Certified Windblow Map

The RSW Certified Windblow Map must be drawn on a 1:5,000 scale map using a colour aerial photograph basemap. These PDF maps can be outputted from the Department's online mapping system, iFORIS Internet (iNET) during RSW application creation and submission. As with other documentation required for the scheme the Certified Windblow Map should be scanned and uploaded using iNET as part of the online application submission process.

Orthophoto and satellite imagery data layers are available from the Department's iNET system to facilitate the digitisation and submission of RSW application areas. These orthophoto and satellite imagery layers identify forest areas for large parts of the country before and after 'the storms' and provide a basis for which to map wind damaged forest areas. UAV or drone footage / images, or photos or other information as appropriate may also be submitted with the application to substantiate storm damage claims in respect of RSW. This is particularly important where damaged forest areas are not visible in the imagery layers (i.e. post storm imagery is unavailable for the damaged forest area) or where available imagery is unclear.

Where applicable, a single RSW application should be made up of multiple afforestation contract areas where those contracts comprise a discrete wind damaged forest area or a contiguous block of forest that was affected by 'the storms'. This will minimise the potential numbers of RSW applications to be submitted by applicants and processed by the Department.

The Certified Windblow Map must identify the

a) forest area windblown as a result of 'the storms',
b) RSW scheme eligible area, (see Section 'RSW qualifying criteria for windblow damaged forest')
c) total proposed tree clearance and replanting area (these may include ineligible areas).

The forest area that was windblown should be outlined in blue and the area in hectares clearly recorded in the Certified Windblow Map legend.

The RSW scheme eligible area should be outlined in red and the associated area in hectares recorded in the Certified Windblow Map legend.

The total proposed tree clearance and replanting area should also be recorded on the Certified windblow map. The tree clearance and replanting area is the area digitised during the iNET application process and the associated map can be outputted as a PDF from the Department's online mapping system and therefore used for the creating and annotating the Certified Windblow Map.

Areas for Biodiversity Enhancement (ABEs)

ABEs are defined as area which are or were suitable for afforestation, but where the potential for a commercial forest crop has been foregone for the purpose of retaining habitats and open spaces for biodiversity or management objectives. In general, these areas do not contain planted trees but may have received grant (and may currently receive premium payments) related to the original afforestation area. ABE's can also include areas created to enhance biodiversity such as ponds and water attenuation areas.

The types of unplanted areas and how they are treated are identified in Table 1.

Table 1.RSW - Eligible Areas and ABEs

Site Features / Biodiversity areas	**Eligible areas under RSW***
Hedgerows	Yes - See figure 1 and 2 below
Other woody habitats	No - See figure 3
Unplanted retained habitat setback	No - See figure 3
Unplanted archaeological setback	No - See figure 3
Public road setback	No - See figure 3
Utilised building setback	No - See figure 3
Unplanted landscape setback	No - See figure 3
Water setback (ponds, attenuation areas)	No - See figure 3
Water features developed as part of the afforestation application	No - See figure 3
Railway setbacks	No - See figure 3
Future operational areas left unplanted for planned forest roads, turning bays, ridelines, etc.	No - See figure 3
Unplantable areas (including areas with a R+N score less than 6.0)	No - See figure 3
Unplanted areas due shallow, rocky soil	No - See figure 3
Rock and scree	No - See figure 3
Aquatic zones	No - See figure 3
Rights-of-way held by 3rd parties	No
Areas with turbary or grazing rights held by 3rd parties	No

Major water main pipeline corridors	No
Power line corridors	No
Gas pipeline corridors	No
Public roads / forest roads	No

*Please note some of the area indicated as ineligible above will be eligible if present within 5 metres of an original tree planting position.

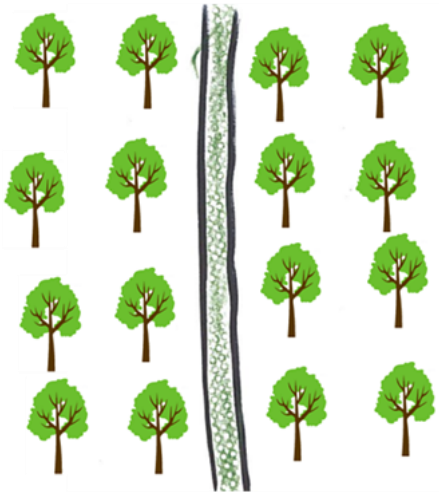
Hedgerows

Figure 1

Hedgerow between two plots

Single tree line hedgerow. (Normal hedgerow scenario.)

Hedgerow retained at planting, originally planted approx. 2 m from drip line.



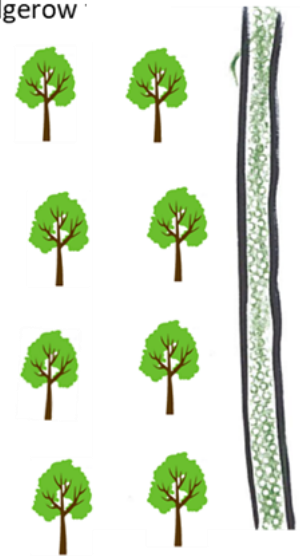
No area reduction due to presence of this hedgerow type.

Figure 2

Hedgerow on plot boundary

Single tree line hedgerow. (Normal hedgerow scenario.)

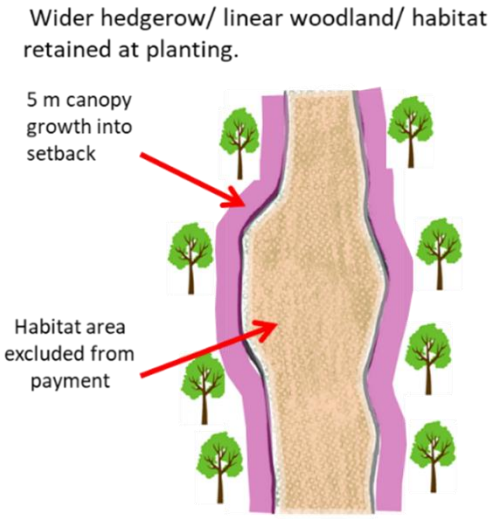
Hedgerow retained at planting, originally planted approx. 2 m from drip line of hedgerow



No area reduction due to presence of this hedgerow type. Digitising of outer plot boundary along centre line of hedgerow.

The RSW claim area claim should include the entirety of the hedgerow area in Figure 1 and 2 above i.e. no reduction to the reconstitution scheme claim area should be made for these common types of hedgerows.

Figure 3



Treated area to extend to 5m beyond the centre of the originally planted trees. Remainder of hedgerow /linear woodland habitat excluded from payment.

Figure 3 includes a significantly wider hedgerow/ linear woodland/ habitat, and as such, the Reconstitution Scheme treated area should extend 5 m from the centre points of the originally planted trees. In such cases the habitat area greater than 5 m from the trees will not form part of the treated area.

For relevant watercourses that have a setback of 5 m there should be no treated area reduction.

Recording RSW eligible areas on pre-approval and grant claim maps

Any undigitisable exclusions forming part of a pre-approval or grant claim area in respect of RSW claims should be entered into the iNET plot screens in the same way as iNET applications made in respect of afforestation pre-approval or first grant applications. Undigitisable exclusion areas will then be deducted from the total digitised area to determine the net area claimable for the plot or plots making up the reconstitution contract. Undigitisable exclusions forming part of the eligible area must also be recorded on the Form 2 certified replanting map. Reconstitution map examples have been provided on pages 92 and 118 of the Forestry Standards Manual (See the Department website). The associated legend template for creation of certified species maps has been previously circulated to Registered Foresters by the Department in respect of the Forestry Programme 2023-2027 and may be requested by writing to approvals.forestservice@agriculture.gov.ie.

iNET Application Process

The iNET application process requires the registered forester to confirm the percentage wind damage that occurred for each RSW application submitted to the Department as well as the associated total forest area to which the wind damage percentage relates. The declared storm damage entered during the iNET RSW application process must be greater than or equal to 20% of the associated forest area in order that iNET applications for RSW can be progressed for submission to the Department.

In most cases there will be a 1:1 relationship between the forest area cleared and replanted and the area(s) eligible to be reconstituted under this scheme (and therefore digitised during the online application process). However, in

the case of forests that will be cleared (or have been cleared) and where parts of the area do not meet the reconstitution scheme for windblow qualifying criteria, the associated ineligible area must be recorded in hectares in the Certified Windblow Map legend. In such instances, the RSW area(s) digitised must be reduced using the appropriate exclusion(s) or deductions (i.e. "RSW Deduction") available from the iNET plots screen during the online application process.

For example, if 8 ha of a 10 ha licenced forest block were damaged by 'the storms' and meet the RSW eligibility criteria (i.e. 8 hectares eligible for RSW), the forest owner may opt to clear the entire 10 ha block for the purposes of efficiency, ease of management and ready access to markets. In this case, the registered forester should digitise the full 10 ha block using iNET and then reduce the digitised area by 2 ha using the appropriate exclusion available in the iNET plots screen. In the above example the total area payable under the RSW is 8 ha on successful completion of all associated reconstitution operations.

Certified Replanting Species Map

The RSW Certified Replanting Species Maps must also be drawn on a 1:5,000 scale map using a colour aerial photograph basemap and uploaded using iNET as part of the online application submission process. The Certified Replanting Species Map boundaries must be consistent with the iNET RSW digitised plot boundaries. The Certified Replanting Species Map legend should include, where appropriate, text annotation describing, planting methods, (re)stocking rates, ground cultivation type, cultivation direction as well and reforestation site drainage requirements. The entirely of the RSW digitised plot boundaries must meet the reforestation standards required under the RSW.

Fencing Map (Deer fencing only)

Where applicants are eligible for deer fencing, and a deer fence is required for successful establishment, and is proposed by the applicant, a fencing map is required to support RSW applications and RSW grant payment applications, in relation to proposed and erected fencing eligible under the scheme.

Annotations and symbols for proposed and erected fencing should be added to a copy of the Certified Replanting Species Map as per the example Fencing Map presented in the *Forestry Standards Manual*. The total length in metres of each eligible fencing type and the plots around which fencing is proposed (Form 1) or erected (Form 2), should be noted in the Fencing map legend. Compliance (or non-compliance) of the fencing erected with fencing standard IS 436:2007 should be clearly indicated on the Fencing map legend. Template map legends for the Certified Windblow Map, Certified Replanting Species Map and Fencing Map are available upon request by email to the approval section of the Forestry Division (ForestryAppEnq@agriculture.gov.ie). This legend template should be used with any Fencing Map submitted in support of a Form 1 or Form 2 RSW application.

All deer fencing must be approved in advance. See Annex 2 for information related to deer fencing and deer tree shelter grants available.

RSW qualifying criteria for windblow damaged forest

RSW is only available for forests that suffered from significant damage from windblow. Windblown areas are areas of uprooted/partially uprooted trees and for the purposes of this scheme this includes area of trees that have had their stems snapped. Significant damage would mean windblow damage **of 20%** or more of the area in the relevant forest.

To be eligible for the RSW an application area must meet the following criteria:

A. At least **20%** of a plot of forest comprising the original grant aided contract(s) has been wind damaged (windblown/windsnap) **and / or 20%** of the total contract(s) area has been wind damaged.

OR

B. At least **20%** of a non-grant aided contiguous forest area (or discrete forest block) has been wind damaged (windblown/windsnap) **and / or 20%** of a single forest holding has been wind damaged.

In addition to windblown trees that satisfy the 20% condition above, in certain situations adjoining standing trees will also be eligible. To be eligible they must satisfy one or more of the following scenarios:

Scenarios where standing adjoining trees are eligible under the RSW.

Scenario 1	Bands of trees adjoining windblown trees that are, on average, less than 50 metres in width
Scenario 2	Islands of standing trees where there has been windblow on all sides or windblow on 70% or greater of the sides
Scenario 3	Standing trees that are within a plot, where there are multiple pockets of windblown trees in a mosaic through the plot where the windblown area makes up 40% or more of the plot area.
Scenario 4	Standing trees adjoining windblown trees, creating a jagged edge that are required to be felled to create a clear straight or smooth divide between the windblown trees and the standing trees, not exceeding 10% of the area.

For illustrations of how the scenarios above may affect individual applications and how such RSW applications should be digitised using iNET see Annex 3.

Applications for aid will be also accepted from forest holders affected by 'the storms' who have already reconstituted the affected area where they had a valid felling licence.

Only forests affected by 'the storms' that are felled or will be felled in accordance with a granted valid thinning or clearfell felling licence or a clearfell felling licence application submitted to the Department are eligible for consideration under this scheme.

Reconstitution Scheme for Windblow Applications and Felling Licences

The RSW application documentation requirements and application process will vary depending on whether a valid felling licence was in place for the wind damaged area at the time of the storms and whether the licence held was for clearfell or thinning (only) operations.

A tree felling licence reference number **must** be supplied with each RSW iNET application. This must refer to a valid felling licence held by the applicant **or** to a felling licence application that has been fully submitted to the Department.

The conditions attached to any felling licence(s) that are spatially coincident with wind damaged forest areas applied for under the scheme will continue to apply to those areas. Areas submitted for support under this scheme which fall outside the approved felling licence area are not eligible until such time as a valid felling licence application is submitted for that area.

Scheme applicants should note that an application for a felling licence must be submitted to the Department in advance of any related submission of an application for the RSW for the same forest area. Scheme applicants should ensure that all relevant areas of their forest property are licenced appropriately for the felling and replanting works comprising their RSW application.

No work in relation to a Reconstitution Scheme for Windblow approval may commence until such time as a valid felling licence is in place.

Applicants who apply for the RSW (with a corresponding thinning licence) will be deemed to have complied with the requirements of Circular 5, 2025.

Form 2- Application for 1st Instalment Grant

Application for payment of the 1st Instalment Grant shall be made following completion of all reconstitution works in the affected area. Application for payment must be made using the Department 's iNET system.

The time limit for receipt of the 1st Instalment Grant application by the Department shall be specified in the letter of approval. An application for an extension of the submission deadline must be submitted before the relevant expiry date. Late applications will be deemed invalid.

Where a 1st Instalment Grant application is lodged with the Department within the required 12 week time-frame but supporting documentation remains to be submitted, the application will be held open for a maximum of 6 years from the date of completion of the reconstituted area. After year 6 the grant will be forfeited, and the contract considered terminated. Non-payment of a forester or forestry company for works carried out will be a matter for resolution between the forest owner and the forester or forestry company and the Minister shall bear no liability.

Payment of the 1st Instalment Grant may be made following completion of all works necessary for the reconstitution of the affected area to the satisfaction of the Minister.

Form 3 - Application for 2nd Instalment Grant

Application for payment of the 2nd Instalment Grant may be made 4 years after the site has been successfully reconstituted. Application for payment must be made using the Department's iNET system.

Payment of the 2nd Instalment Grant may be made following maintenance of the affected area to the satisfaction of the Minister.

Where a 2nd instalment grant for the original Afforestation Scheme contract is due for payment, and the area not being reconstituted has, in the opinion of the Minister, been successfully established, the entire 2nd instalment afforestation grant will be payable.

If the Form 3 is not submitted within 6 years after the date of completion of the works, annual forestry premiums payable under the associated Afforestation Scheme may be suspended. If the Form 3 is not submitted within 10 years after the date of completion of the works, the 2nd instalment grant will be forfeited.

Grant payments will be based on either the area claimed as eligible for payment by the applicant (on Form 2) or the area determined by the Department to be eligible for payment, whichever is the lesser. The Department's computerised mapping and payment system (IFORIS) is used by the Department to capture a digital representation of the payment area based on the applicant's claim map. Capturing the claim map in a digital form allows for the accurate measurement and calculation of the payment area. The process of electronically capturing the claim map is referred to as digitisation. Applicants must familiarise themselves with the terminology as follows;

i. The claimed area is the total area specified in the application as being claimed for payment. The claimed area is calculated by the applicant by deducting any part of the plot that is not eligible to receive a grant payment (refer to Forestry Standards Manual for further details).
ii. The determined area is the area, determined by the Department to be eligible for payment. The determined area is calculated by excluding any ineligible areas (e.g. power line corridors, rock, gas lines).
iii. Whichever is the lesser of the claimed area or the determined area is deemed to be the area eligible for payment, known as the payable area. This is the area on which payments will be based, subject to compliance with the requirements of the scheme.

Where the determined area (i.e. the area determined by the Department) is greater than the claimed area (i.e. the area claimed by the applicant), this is deemed to be an under-claim. In such cases, a new revised claimed area equal to the determined area can be submitted by the applicant in respect of the following and all subsequent payments due under the contract. The onus is on the applicant to satisfy themself that the revised claim that they are submitting is correct. This revised claimed area will then be deemed to be the payable area for the remainder of the grant and premium payments remaining to be claimed/paid under the *afforestation contract*. This revised claim will not be applied retrospectively and no back money will be paid in respect of payments that were made or, in the case of annual premiums, were due to be paid before the revised claim is submitted. (If not already due for payment or paid by the time the revised claim is submitted, the 2nd instalment grant will be calculated and paid on the basis of the revised claim but no back money will be paid in respect of the 1st instalment grant already paid.)

5. Eligibility

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).

Applicants for approval must be the owner, leaseholder or joint manager of the land at the time of the application. Exceptions to this rule will only apply where: (i) the owner is deceased and their legal representative submits the application; or (ii) the owner consents in writing to the submission of the application in the name of a designated third party.

In order to qualify for payment of grants, the applicant must own, lease or be in joint management of the lands. Applicants must provide documentary evidence of ownership and of leasing or joint management where relevant if requested, as detailed in the Department's Forestry Standards Manual, 2024.

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.

Every effort should be made by registered foresters to ensure that multiple spatially coincident scheme applications for the same applicant are not submitted. If more than one application is submitted for the same area of land, the Department may decide to process just one application selected by the applicant within any 12-month period.

Payments shall be made to applicants who make a valid application in accordance with the written approval granted by the Department and have carried out proposed as detailed in their application in accordance with the written approval granted by the Department and in compliance with the current regulatory framework.

Participation in this scheme does not change the conditions of approval associated with an existing original afforestation contract for areas approved and grant-aided under this reconstitution scheme application. However, 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, constitute additional terms and conditions of this existing afforestation contract.

Support will be available to private forest owners and other private bodies and their associations.

Aid provided does not compensate for loss of timber revenue or deterioration in the quality of any of the timber affected by 'the storms'.

Applications for the scheme may be submitted up to 31 July 2027. The final date for submission of grant claims (Form 2) will be on to the applicant's approval letter.

Allowable costs and Grant Rates:

Eligible costs excluding VAT, will be covered up to a maximum of the grant rates specified in Section 3 of this scheme document, Grant Rates.

Grants will be paid in two instalments. The following are the operations eligible for grant aid:

i) Replacement plants
ii) Planting
iii) Ground Preparation (if applicable) e.g. scarification, mounding and windrowing
iv) Vegetation control (1 - 4years, following planting)
v) Shaping (if appropriate)
vi) Drainage (where required)
vii) Pine weevil control, forest protection (if applicable)
viii) Filling in

ix) Management/Supervision: maximum up to 30% of direct costs allowable, including mapping.

6. General Rules

Operational

The Scheme is administered by the Department of Agriculture, Food and the Marine and operates throughout the State. The Scheme shall be operational from 09th of February 2026 for a period to be determined by the Minister for Agriculture, Food and the Marine.

A stop will be placed on any subsequent premium due on the associated afforestation contract where the date of application on the Form 1 for reconstitution is more than 6 months old and the Form 2 has not yet been lodged with the Department. Premiums will be reinstated when the Reconstitution Scheme 1st Grant (Form 2) payment is paid and the cleared forest area has been deemed to be replanted.

A replanting obligation applies for scheme applicants approved under this scheme. Where replanting does not take place within 2 years of site clearance/clearfell, the Department may opt to recoup all payments made under this scheme, the Afforestation Scheme, FEPS, Native Woodland Scheme and the Woodland Improvement Scheme (WIS) scheme, as appropriate.

The Department may also require other forms of technical investigation and reports to be submitted to facilitate its assessment of the project (i.e. the Reconstitution Scheme application). These may include, inter alia, an ecological assessment and report by a suitably qualified ecologist.

All sites must have 90% stocking rate at Form 2 stage and have 90% stocking rate and be free growing from competing vegetation at Form 3 stage.

Participation under this scheme does not alter the conditions of the existing original afforestation contract that exists for the locations that are grant-aided. However, 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, constitute additional terms and conditions of this existing contract.

Grant and Premium Payments

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 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 Manual*. Such mandates are a voluntary arrangement between the applicant and their registered forester or company. Mandates to other parties e.g. Contractors or Foresters not registered with the Department, 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.

Where there are subsequent premiums remaining to be claimed and/or paid under the original afforestation contract then the remaining premiums will continue to be paid at the current rate or adjusted appropriately for a change of species.

If it is subsequently found that any undue payment or overpayment has occurred in respect of any grant or other payment made under the scheme, the applicant will be liable to repay the entire amount of the undue payment or overpayment from the applicant, regardless of how the undue payment or overpayment arose.

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.

Legal Basis

The Legal basis for the Scheme is established under Section 6 of the Forestry Act, 2014.

- The Scheme shall be operational from 09th February 2026 for a period to be determined by the Minister for Agriculture, Food and the Marine. Participation in the Scheme is voluntary.
- The scheme is 100% Exchequer funded under the following legal framework.
- Is operated pursuant to the European Commission's Regulation (EU) 2022/2472 of 14 December 2022 declaring certain categories of aid in the agricultural and forestry sectors and in rural areas compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union.
- The Scheme is administered by the Department of Agriculture, Food and the Marine and operates throughout the State.

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, 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.

Payments will be based on either the area claimed as eligible for payment by the applicant (on Form 2 and associated maps) **or** the area determined by the Department to be eligible for payment, whichever is the lesser.

i. The Department's computerised mapping and payment system (iFORIS) is used by the Department to capture a digital representation of the payment area based on the applicant's claim map. Capturing the claim map in a digital form allows for the accurate measurement and calculation of the payment area. The process of electronically capturing the claim map is referred to as ***digitisation***. The **digitised area** of a contract (i.e. the entire forest) is the sum of the eligible areas of the individual forest plots (excluding biodiversity) comprising that contract number or forest. For each plot contained in an application for payment, the **digitised area** is the entire area of the forest plot within the perimeter boundary of that plot measured by the Department's iFORIS system.

ii. The **determined area** of a contract number or forest is the sum of the areas, determined by the Department to be eligible for payment, of the individual forest plots comprising that contract number or forest. The determined area is calculated by excluding any ineligible areas (e.g. power line corridors, rock, gas lines, ineligible areas of biodiversity).

iii. The **claimed area** is the total area of the forest plots specified by the applicant in the application as being claimed for payment of a reconstitution grant payment. The claimed area is calculated by the applicant by deducting any part of the plot that is not eligible to receive a reconstitution grant (e.g. power line corridors, rock, gas line and eligible biodiversity areas) from the digitised area.

iv. Whichever is the lesser of the claimed area or the determined area is deemed to be the area eligible for payment, known as the payable area. This is the area on which payments of reconstitution grants will be based, subject to compliance with the requirements of the scheme as regards submission of proof of ownership, if requested.

Where an area delineated as the payable area on a map submitted by the applicant differs from the area specified on the species plot table attached to a map or the area specified on the Form 2 the lesser of these areas will be deemed to be the area claimed by the applicant.

Where a notification (i.e. a remedial works letter) is issued to the applicant specifying remedial works required to bring their forest 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 Department will result in a penalty, as set out in the document titled *Forestry Schemes Penalty Schedules)*.

Grants will be paid only when the entire forest is up to the required standard. If part of the forest fails inspection, payment will be withheld on the entire area until remedial works are carried out and the forest is thinned /and or tended to the required standard.

Where the Department decides that it is not possible to bring the forest, or part thereof, up to the required standard, no further payment will be made for that area. Where the grant and/or part thereof, is not to be paid, the Department may also require repayment of the amount paid in respect of the forest or in respect of the area that does not meet the required standard.

Payments shall be made in respect of applicants who make valid applications prepared by a registered forester and who have established or *re-established* their forest in accordance with the approval issued (i.e. both technical and financial) and in compliance with the current regulatory and funding framework.

Consultations and Public Notification Procedure

The Department may consult with relevant consultation bodies including National Parks and Wildlife Service, the National Monuments Service, the Environmental Protection Agency, Inland Fisheries Ireland, and the relevant local authority.

Forestry Licence Viewer (FLV)

To support the forestry licensing and approval system and to aid consultation and public notification of forestry licence developments, the Department has made available on its website, an online portal. This portal or “Forestry Licence Viewer”, details application information and supporting maps, reports, documents, including licences. The Forestry (Miscellaneous Provisions) Act, 2020, allows the Department to publish personal information on documents supporting a forestry licence application as an aid to consultation and public notification.

Applications made to the *Reconstitution Scheme for Windblow 2026* may be advertised on the FLV where it has been determined that additional information received or prepared in relation to the application, i.e. in the form of a Natura Impact Statement (NIS) or an Appropriate Assessment Report (AAR), should be so published. The public may make a submission or observation in writing concerning that application to the Minister within 30 days from the date of publication of the notice. Application documents may therefore be made available in the FLV.

Conditionality

Conditionality sets the baseline requirements for farmers in receipt of CAP payments and replaces the “cross compliance” requirements in the previous CAP. Conditionality consists of Statutory Management Requirements (SMRs) and Good Agricultural and Environmental Condition (GAEC) standards as detailed in Annex III of EU Regulation 2021/2115 in respect of the following specific areas;

- the climate and the environment, including water, soil and biodiversity of ecosystems,
- public health and plant health, and
- animal welfare.

The conditionality requirements are implemented in two ways:

1. Statutory Management Requirements (SMRs) - these refer to the legislative requirements concerning the climate and the environment, public health and plant health, and animal welfare. These are laid down in legislation and are applicable to all farmers - not just those participating in CAP interventions.

2. Good Agricultural and Environmental Condition (GAEC) - these refer to a range of standards concerning soil, climate change mitigation, habitats, and water. There are nine GAECs in the agreed Regulation. These apply to all farmers receiving CAP support and have been tailored to Ireland based on farm size, farm structures and the specific characteristics of the areas concerned, including soil and climatic condition, existing farming systems and land use
Further information in relation to Conditionality in general including the relevant SMRs and GAECs, is available from the Department of Agriculture, Food and the Marine website at gov.ie - Conditionality (www.gov.ie)

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. The forest area submitted under this scheme must be re-established as per operational best practices as set out in the Department's Forestry Standards Manual (2024), related Scheme Circulars, Standards for Felling and Reforestation (2019) and as per the conditions attached to any approval issued,
including those conditions of approval attached to the felling licence issued for the lands to be reconstituted.

Health and Safety are of paramount importance in Forestry operations and particularly in the case of operations carried out on windblown or wind damaged forest areas. The Health and Safety Authority have published a number of guides on Health and Safety in the Forestry Sector which can be found on:
http://www.hsa.ie/eng/Your_Industry/Agriculture_Forestry/Forestry/

Penalties

Failure to comply with the terms and conditions of the Scheme and or circulars amending scheme requirements and the relevant environmental guidelines and requirements may result in an appropriate penalty or sanction being applied.

Penalties which shall apply to certain specific breaches of the Scheme are set out in the document titled *Forestry Schemes Penalty Schedules* 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, any failure to comply with the scheme or any breaches of its terms and conditions may result in a penalty.

Penalties may include the repayment of all or part of the grant.

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.

Penalty amounts may be deducted from future payments due to the Applicant under 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.

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.

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.

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 approval; (ii) a grantor (iii) a penalty. Any applicant dissatisfied with a decision relating to a payment, or entitlement to payment, of a grant or annual premium may request an internal review procedure within the Department of Agriculture, Food and the Marine.

If the applicant is dissatisfied with the decision of the internal review, the person may appeal to the Agriculture Appeals Office (AAO) within three months of notification of the decision under appeal. The appeal must be made in writing and addressed to the Director, Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co. Laois R32DTW5.

Change of Applicant

The Department must be notified in advance if:

i. a grant-aided forest is transferred, sold, leased or otherwise disposed of by the applicant during the term of the reconstitution contract; or

ii. a judgement mortgage or an inhibition or similar restriction is placed on the Folio for the afforested land during the term of the contract.

In the event of the death of the applicant i.e. owner, joint owner or joint manager who was claiming the reconstitution grant, the Department must be notified as soon as possible by the deceased's next-of-kin, legal personal representatives or registered forester.

When notice of a change of ownership is received by the Department, payment will be suspended until a new applicant is registered in the scheme. The new owner will be entitled to apply for the reconstitution grant.

New applicants must submit all necessary documentation as early as possible and no later than one year after the date of the deed of transfer for the land ownership change, or the date that a deceased applicant's estate is settled. Failure to meet these deadlines may result in a new owner not being admitted to the scheme and the contract will, in effect, be terminated.

i. In every case, all documentation relating to change of ownership and applications for payments must be submitted before the expiry of the term of the contract. In exceptional circumstances (e.g. delays in finalising a deceased person's estate), the date by which documents must be submitted may be extended at the discretion of the Minister.

ii. All decisions regarding eligibility for payment of grant will be made by reference to the level of compliance with the conditions of the Scheme, including the completion of outstanding remedial works, on the date of the deed of transfer of a forest or the date that a deceased applicant's estate is settled. For example, where remedial works have not been satisfactorily completed by the date of the deed of transfer, the new owner will be responsible for completion of the remedial works and, once satisfactorily completed, they will be eligible to apply for payment of grants due for the period after the date of the deed if not already paid.

iii. The Minister will refuse payment of grant to the previous owner(s) if they have failed to maintain the forest to the standard required under the Scheme for the period of the reconstitution contract under their ownership.

iv. The Department will not divide grant payments according to ownership for part of a year; individual grant payments will not be split or subdivided. The parties to any sale or transfer should take these payments into account in the timing and terms of their legal arrangements and/or contracts for sale.

v. In exceptional circumstances affecting a change of ownership process, at their discretion, the Minister may extend the closing date of a contract subject to such conditions as may be specified by the Minister.

vi. Where a debt is accrued under a contract for any reason and the cause of the debt has existed and/or continued during the ownership of more than one owner, the debt will be allocated in accordance with the amount of overpayment received by each owner; each owner will be responsible for repaying the overpayment they received.

Further information about the procedures involved when a grant-aided forest is being transferred, sold, leased or otherwise disposed of during the term of the contract is available at: https://www.gov.ie/en/publication/cf6cc-grant-aided-forestry-change-of-ownership-or-applicant/

Joint Management Consent

A landowner may enter into a joint management arrangement with an immediate family member to jointly manage the forest and assign the reconstitution grants to that family member

A joint management arrangement may be made between immediate family members, namely the spouse, children, parents and/or siblings of the landowner or the beneficiary of an anticipated inheritance/gift process completed via BISS. Joint Management Consent forms are available in the *Forestry Standards Manual.*

The owner of the land and the applicant are both liable for the repayment of grants paid if the applicant fails to abide by the conditions of the scheme.

A joint management arrangement may be cancelled at any time provided the owner takes over the obligations of the scheme.

Right of Entry

The Minister reserves the right to carry out inspections at reasonable times on any land submitted for approval or on any land for which reconstitution grants 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.

Responsibility for Forest Management

Responsibility for the successful reconstitution of the forest rests with the applicant. Where an applicant contracts the services of a third party to carry out works, 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 due 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 third party.

The inspection of a forest by the Department shall not relieve the applicant of responsibility for the accuracy of applications submitted, the successful reconstitution of the forest, 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 work by the applicant or their forester. The Department does not guarantee the success of any reconstitution works or bear any liability in respect of any forest for which it has granted approval in any circumstances. It is the sole responsibility of the applicant who submits land for reconstitution that the forest will be successfully reconstituted. If the Department subsequently determines that a forest, or any part thereof, has not been reconstituted/under planted in accordance with the approval issued, the applicant will be required to repay all grants in respect of the works for any part of the forest which has not been reconstituted as approved.

Review of Financial Aids

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

Insurance

Applicants should ensure that their forest has adequate insurance cover against damage from, inter alia, fire, and windblow, etc.

Aid granted will consider any other payments received by the beneficiary, including payments under insurance policies for the same restoration measures.

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 their 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.

Where an applicant or a person acting on their 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.

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.

Overpayments made in relation to a scheme contract

If it is subsequently found that any undue payment or overpayment has occurred in respect of any grant or other payment made under the scheme, The applicant will be liable to repay the entire amount of the undue payment or overpayment, regardless of how the undue payment or overpayment arose.

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.

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.

Procedures

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

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.

Department of Finance Circular 44/2006: Tax Clearance Procedures Grants, Subsidies and Similar Type Payments requires that a person in receipt of grants, subsidies or similar type payments of €10,000 or more in a 12-month period from a government department must produce, for each payment, a valid tax clearance certificate.

VAT

All grants paid under the Fixed Grant Scheme are exclusive of VAT.

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 etc. while continuing to observe the terms of the Data Protection Act.

Under State Aid rules the Department will publish details of beneficiaries that fall within the categories described.

By declaring their eligibility and consent to apply for the *Reconstitution Scheme for Windblow 2026*, 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 forestry training and development and the harvesting of timber.

All information supplied by applicants in respect of a reconstitution 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.

Information in relation to the operation of the General Data Protection Regulation (GDPR), the Department's Data Protection Notice, and general information applicable to all Department of Agriculture, Food and the Marine customers is available on the Department's website gov.ie - Data Protection (www.gov.ie). For further details on the Forestry Division Privacy Notice, please click here.

7. State Aid requirements

Eligibility Criteria

Applications for aid which meet the criteria as outlined in Article 43 - Aid for the prevention and restoration of damage to forests in Commission regulation (EU) 2022/2472 are eligible for support.

This aid aims to restore the damage inflicted on the forests from an adverse climatic event which can be assimilated to a natural disaster or other adverse climatic events.

The aid shall cover the eligible costs of restoring the forestry potential.

An adverse climatic event which can be assimilated to a natural disaster means unfavourable weather conditions such as frost, storms and hail, ice, heavy or persistent rain or severe drought which destroy in the case of forestry, more than 20 % of the forestry potential.

Applications for aid from large enterprises shall be conditional on the presentation of relevant information from a forest management plan or equivalent instrument in accordance with the General Guidelines for the Sustainable Management of Forests in Europe.

'Large enterprises' means undertakings not fulfilling the criteria laid down in Annex I of Commission regulation (EU) 2022/2472

The category of micro, small and medium-sized enterprises ('SMEs') is made up of enterprises which employ fewer than 250 persons and which have an annual turnover not exceeding EUR 50 million, and/or an annual balance sheet total not exceeding EUR 43 million.

Ineligible costs for aid:

- Aid shall not be granted for any loss of income arising from these events.
- The aid intensity to restore forestry potential shall be limited to 100 % of the eligible costs.
- Aid granted for the eligible costs will consider any other payments received by the beneficiary, including payments under other national or Union measures or insurance policies for the same restoration measures.

Incentive Effect

As outlined in Commission regulation (EU) 2022/2472, aid for the restoration of damage to forests in accordance with Article 43(2), point (d), where the conditions laid down in Article 43 are fulfilled are not required to have or shall be deemed to have an incentive effect.

Transparency

Ireland shall publish 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, beneficiary identifier, 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:

(i) EUR 10,000 for beneficiaries active in the primary agricultural production;

(ii) EUR 100,000 for beneficiaries in the sectors of the processing of agricultural products, the marketing of agricultural products, the forestry sector or activities falling outside the scope of Article 42 of the Treaty.

Annex 1

Grant Rates Reconstitution

The following payment rates are available for reconstitution:

Reconstitution Type	Replanting Species	Grant per ha
RSW 1	Native Forests (as per FT1)	€6,744
RSW 2	Broadleaf, mainly oak and beech (As per FT6)	€6,744
RSW 3	Diverse Broadleaf (As per FT7)	€4,314
RSW 4	Continuous Cover Forestry (As per FT10)	€5,421
RSW 5	Mixed high forests: Diverse Conifer (As per FT11)	€4,452
RSW 6	a. Mixed high forests with Sitka Spruce (as per FT12) and b. Conifer high forest with Sitka Spruce (<20% broadleaf)	€3,858

Information on species composition of Forest Types can be found in the *Forestry Standards Manual.*

Annex 2

Deer tree shelter, deer fencing rates

Deer Fencing Rates

Fence Type	€ per metre	Max metres per hectare		€ per metre	Max metres per hectare
	IS436			Non IS436	
Deer	*	*		*	*
Upgrade to deer	*	*		*	*

* Afforestation Scheme 2023-2027 Deer Fencing and Upgrade to Deer Fencing and payment rates and caps to apply

Deer fencing is available for RSW 1 – 5.

Deer Tree Shelter Rates

RSW plot type	% cover	Stocking rate (with spacing at 4m x 4m)	Grant /hectare
RSW 1	100%	625 / ha	€1,600
RSW 2	100%	625 / ha	€1,600
RSW 3	100%	625 / ha	€1,600
RSW 4	20%	125 / ha	€625
RSW 5	20%	125 / ha	€625
RSW 6*	20%	125 / ha	€625

*RSW 6 with Mixed high forests with Sitka Spruce (as per FT12, 20% or more broadleaf) is eligible for DTS but not deer fencing to a maximum of 5 hectares.

*RSW 6 with Conifer high forest with Sitka Spruce (<20% broadleaf) are not eligible for deer tree shelter grants or deer fencing grants.

Annex 3

RSW eligibility scenario examples

20% wind damage condition

A. At least 20% of a plot of forest comprising the original grant aided contract(s) has been wind damaged (windblown/windsnap) and / or 20% of the total contract(s) area has been wind damaged **or**

B. At least 20% of a non-grant aided contiguous forest area (or discrete forest block) has been wind damaged (windblown/windsnap) and / or 20% of a single forest holding has been wind damaged.

Scenarios where standing adjoining trees are eligible under the RSW.

Scenario 1	Bands of trees adjoining windblown trees that are, on average, less than 50 metres in width.
Scenario 2	Islands of standing trees where there has been windblow on all sides or windblow on 70% or greater of the sides.
Scenario 3	Standing trees that are within a plot, where there are multiple pockets of windblown trees in a mosaic through the plot where the windblown area makes up 40% or more of the plot area.
Scenario 4	Standing trees adjoining windblown trees, creating a jagged edge that are required to be felled to create a clear straight or smooth divide between the windblown trees and the standing trees, not exceeding 10% of the windblown area.

Examples of forest plots partly windblown and associated eligibility under the RSW

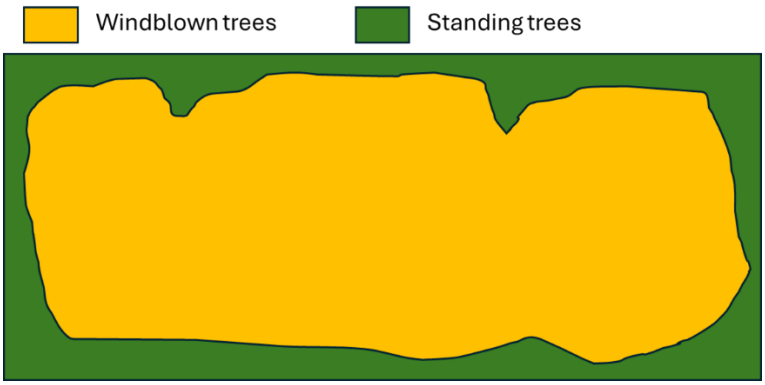


Figure 1. Full area above is eligible for RSW as per scenario 1. When digitising the application area using iNET, the entire forest block (windblown area and standing trees area) should be digitised and will be considered eligible under the RSW for reconstitution payments.

Figure 2. No areas are eligible for the RSW as the total area blown is less than 20% of the plot.

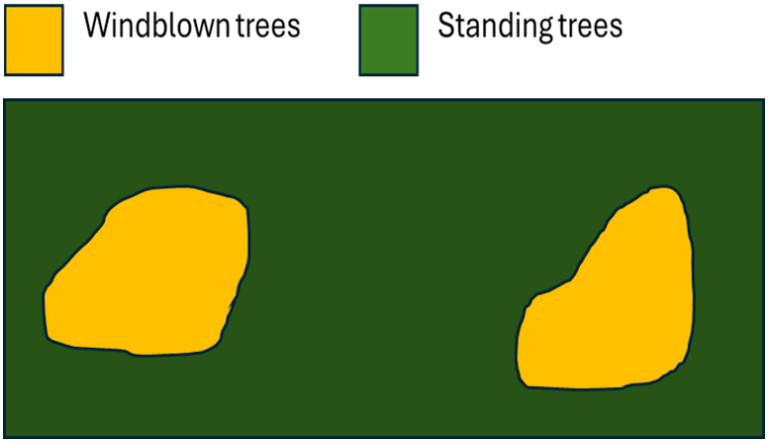


Figure 3. Area above of windblown trees in a plot is occupying between 20% and less than 40% of the plot area. Eligible area for RSW is only the area occupied by the windblown trees. When digitising the application area using iNET, the windblown areas of trees should be digitised. The digitised area will be considered eligible under the RSW for reconstitution payments.

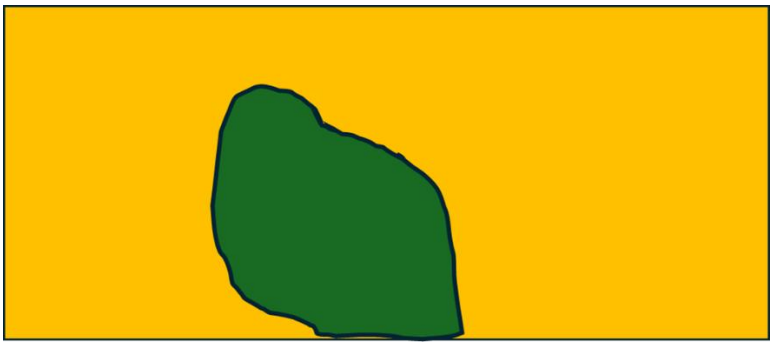


Figure 4. Full area above is eligible as per scenario 2. When digitising the application area using iNET, the entire forest block (windblown area and standing tree area) should be digitised and will be considered eligible under the RSW for reconstitution payments.

Figure 5. Full area above is eligible as per scenario 3. When digitising, the application area using iNET, the entire forest block (windblown area and standing trees area) should be digitised and will be considered eligible under the RSW for reconstitution payments. Therefore, no deduction for scheme ineligible areas will need to be made during the online application process.

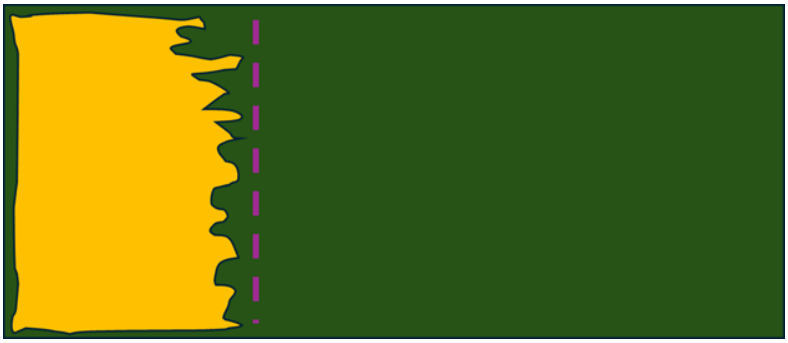


Figure 6. Windblow area eligible plus up to 10% as per scenario 4, as trees that create a jagged edge are required to be felled to create a defined boundary delimiting the windblown trees and the standing trees. Eligible area may therefore be the area to the left of the purple hashed line. In such cases, when digitising the application area using iNET, the windblown area up to the purple hashed line should be digitised. The digitised area will be considered eligible under the RSW for reconstitution payments and no deduction for scheme ineligible areas needs to be made during the online application process.

In the case of the example presented in Figure 6. and where the landowner opts to clear the entire forest block for the purposes of efficiency, ease of management etc., the full extent of the forest block should be digitised using iNET. The iNET digitised area must then be reduced using the appropriate exclusion (i.e. “RSW Deduction”) available from the iNET plots screen during the online application process to account for any non-eligible scheme areas. In the above example the total area payable under the RSW is the area to the left of the purple hashed line.

Annex 4

Definitions

For the purposes of this Scheme:

- **'Applicant'** means a person who has applied for Approval under the Scheme or has carried out reconstitution work to a forest following an Approval under the Scheme;
- **'Approval**' means a Pre- Approval for the *Reconstitution Scheme for Windblow 2026* granted by the Minister;
- '**Application, Pre-Approval – Form 1'** shall mean an application for the Minister's approval to carry out site clearance works and reconstitute a forestry forest under the terms of all current legislation, guidelines and the conditions of this scheme;
- '**Application – Site Clearance Grant – Form 2'** shall mean an application to receive a grant following the removal of trees in accordance with the terms of the written approval granted by the Department
- '**Application – 1st Instalment Grant – Form2(a)'** shall mean an application to receive a 1st instalment grant following the reconstitution (replanting) of a forestry forest within the terms of the written approval granted by the Department
- '**Application – Second Instalment Grant – Form 3'** shall mean an application to receive a 2nd instalment grant, 4 years after the completion date of the reconstitution of the forest;
- **'Appropriate Assessment"** means an assessment in accordance with the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011);
- **'Completion Date'** shall mean the date the reconstitution works are completed to the required standard. This date shall be the base line date by which all subsequent payments are based;
- **'Coupe'** As defined for the purpose of this scheme A small area of forest within a compartment that is harvested in a single operation;
- **'DBH'** Diameter at breast height;
- **'The Department'** means the Department of Agriculture, Food and the Marine;
- **'Disposal Notice'** shall mean a direction under Regulation 5 of S.I. No. 411/2012;
- **'Environmental Impact Assessment (EIA)'** means an assessment in accordance with the Forestry Regulations 2017 (S.I. No. 191 of 2017), as amended;
- **'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 Forestry Act, 2014, - "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"; and/ or "means a plot or number of plots on the same holding, planted in a single planting season and the subject of a single application";
- **'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', Environmental Requirements for Afforestation. The Minister may, from time to time, amend the guidelines or add further guidelines to this definition;
- **'Immediate Family Member'** means Spouse, Parent, sibling, or child
- **'Joint Management Consent'** means consent submitted by the owner of specific lands consenting to the payment of grants and/or premiums to an immediate family member who jointly manages the forest;
- **'Lease'** means a term of years absolute in possession for at least the term of the Scheme 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*" document;
- **'Plot'** means an area of one species or a species mix;
- **'Reconstitution'** Clear the windblown stand and replace with appropriate alternative species.

- **‘Merchantable timber** ‘As defined for the purpose of this scheme is timber at 7cm DBH to the timber height or the spring of the crown;
- **‘Registered Forester’** means a qualified person named on the Register of Foresters and Forestry Companies, available from the Department
- ‘**Scheme’** shall mean the *Reconstitution Scheme for Windblow 2026*;
- **‘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.
- **‘the storms’** means Storm Darragh and Storm Éowyn.
- **‘Windblown areas’** areas of uprooted/partially uprooted trees and for the purposes of this scheme this includes area of trees that have had their stems snapped.