



**Woodland Expansion Advisory Group first consultation¹ –
response by the Royal Society for the Protection of Birds Scotland², January 2012**

RSPB Scotland welcomes the opportunity to respond to this initial consultation by the Woodland Expansion Advisory Group. We look forward to subsequent dialogue on the group's draft proposals.

Summary

The RSPB supports woodland expansion in Scotland of the right type, in the right place, that protects and enhances biodiversity and produces other public benefits. This includes improving the biodiversity condition of Scotland's priority native woodland habitats under the UK Biodiversity Action Plan and Scottish Biodiversity Strategy – Caledonian pinewood, upland oakwood, wet woodland, upland mixed ashwoods, upland birchwoods and lowland mixed deciduous – and improving native woodland and forestry plantations for priority bird species such as capercaillie and black grouse, as well as for other priority animal, plant species and habitats.

There is also a need to protect and restore priority open habitats such as peatland, moorland, semi-natural grassland, sites for breeding wading birds and areas for golden eagles and other raptors. This requires the careful location, design and scale of forest expansion combined with the restoration and management of these important open ground habitats.

Scotland's woodland cover needs to be reconfigured to better produce public benefits as well as expanding it in a sustainable manner – this would help to deliver Scotland's domestic, UK, EU and international biodiversity commitments³, but also other policy aspirations in the Land Use Strategy.

RSPB Scotland recognises that there have been high quality native woodland expansion schemes carried out under positive policy and grant initiatives, as well positive woodland management and some peatland restoration to improve priority biodiversity on state and private land. But further targeted and extensive work is required by the Scottish Government, its delivery bodies and by landowners and managers for the wildlife of native woodland and open ground habitats to thrive in Scotland.

The RSPB, and other environmental organisations, were concerned about the scale, quality and location of new planting driven by earlier government forestry expansion programmes in Scotland⁴. Although policy, regulation and practice guidance has improved, the RSPB remains concerned about the continuing environmental legacy of inappropriately located afforestation on areas of important open ground habitats which are still restorable, but instead are being further biologically degraded by

¹ [http://www.forestry.gov.uk/pdf/AndrewBarbourletter.pdf/\\$FILE/AndrewBarbourletter.pdf](http://www.forestry.gov.uk/pdf/AndrewBarbourletter.pdf/$FILE/AndrewBarbourletter.pdf) (info on group: <http://www.forestry.gov.uk/weag>); deadline: 6th January 2012, submitted to: weag@forestry.gsi.gov.uk.

² The RSPB is a registered charity: Scotland no. SC037654; England and Wales no. 207076. The RSPB speaks out for birds and wildlife, tackling the problems that threaten our environment. We have over a million members. We own and manage about 8,800 hectares of woodland in the UK, a quarter of which is in England. Our UK forestry-related work includes advocating changes to devolved country and local policies, providing advice on conservation management to woodland owners and managers, and undertaking research into birds and other biodiversity affected by forestry practices. A summary of our forestry policy work is at: <http://www.rspb.org.uk/ourwork/policy/forestry/> including responses to recent government consultations. Contact: Mike Wood, UK Forestry Policy Officer, RSPB, Ground Floor Miller Building, Lochside View, Edinburgh Park, Edinburgh, EH12 9DH; tel: 0131 317 4100; e-mail: mike.wood@rspb.org.uk.

³ Under the EU Birds and Habitats Directives, Ramsar Convention, UK Biodiversity Action Plan, Scottish Biodiversity Strategy and Scottish Forestry Strategy.

⁴ For example see:

- Bainbridge, I.P., Housden, S.D., Minns, D.W. & Lance, A.N. (1987) *Forestry in the Flows of Caithness & Sutherland. Conservation Topic Paper 18*, June 1987. RSPB, Edinburgh & Sandy.
- NCC (1986) *Nature Conservation & Afforestation in Britain*. Nature Conservancy Council, Peterborough;
- RSPB (1991) *Forests for the Future – integrating forestry & the environment*. RSPB, Edinburgh.
- Stroud, D.A., Reed, T.M., Pienowski, M.W. & Lindsay, R.A. (1987) *Birds, Bogs & Forestry*. Nature Conservancy Council, Edinburgh.
- Tompkins, S.C. (1986) *Theft of the Hills*. Rambler's Association, London.

successive forestry rotations on state and private land. Such forestry restocking on important open ground habitats continues under Forestry Commission consent and Scottish Government funding, and is likely to continue as part of the policy and industry push for increased forest area.

The RSPB remains concerned about pressures for woodland expansion which may result in a new wave of inappropriately located forestry in sensitive areas, either through a relaxation of regulatory oversight, or new sources of funding that side-step the conventional forestry consenting regime that is tied to land management grants.

Enthusiasm for 'climate change mitigation' and the protection of softwood supply chains, novel species and forest management for short rotation forestry for biomass, does not obviate the need to carry out woodland expansion sustainably such that it protects and enhances biodiversity and other public benefits. We note that restoring Scotland's peatland habitats that are currently forested is a real contribution that could be made to meeting the climate change mitigation as well as biodiversity targets in Scotland⁵.

Habitat restoration and management work is needed to help Scotland native woodlands, open ground habitats and priority species adapt to climate change – the current policy and regulatory focus of maximising the area of new woodland expansion misses this key point about woodland types and improving the biodiversity quality of existing native woodland remnants.

We urge the Scottish Government and its delivery bodies – Forestry Commission Scotland, Scottish Natural Heritage and the Scottish Environment Protection Agency - not to repeat the woodland expansion mistakes of the past, and to actively reverse the biodiversity damage created by inappropriate afforestation. This is an opportunity to enhance the wildlife of Scotland.

Woodland expansion in Scotland must be carried out sensitively to ensure the protection and enhancement of important biodiversity – priority species, priority habitats and designated sites.

This includes:

- enhancing the biodiversity of existing priority native woods, in addition to their targeted native woodland expansion to benefit priority species, priority habitats and designated sites;
- Keeping woodland expansion away from important open ground wildlife sites: priority non-woodland habitats and sites for key wildlife species; &
- Developing a policy framework for restoring priority open ground habitats, including peatland habitats which can offer climate change mitigation as well as wildlife benefits. This would be based on an improving understanding of the direct and indirect impacts of forestry on those wildlife habitats and related species.

(a) Where you see opportunities for woodland expansion that are not currently being taken up. What do you think is stopping such woodland expansion?

There is scope to expand and better link existing priority native woodland blocks both as a habitat enhancement and creation measure, but also to help the linkage of isolated populations of priority species, for example capercaillie, into ecologically functioning 'meta-populations'.

It is important that native woodland expansion is appropriately located both to benefit priority woodland wildlife, but also to protect the biodiversity of open ground habitats and species. Improving the biodiversity condition of existing priority native woodland remnants must be a key

⁵ Note that the International Union for the Conservation of Nature (IUCN) in their recent UK *Commission on Inquiry on Peatlands* commented on the importance of restored peatland habitats as carbon stores as well as a key biodiversity resource, and how damaged peat bogs, such as those retained or restocked with forestry plantations, can be sources of greenhouse gases; see: <http://www.iucn-uk-peatlandprogramme.org/sites/all/files/IUCN%20UK%20Commission%20of%20Inquiry%20on%20Peatlands%20Summary%20of%20Findings%20spv%20web.pdf> & <http://www.iucn-uk-peatlandprogramme.org/sites/all/files/IUCN%20UK%20Commission%20of%20Inquiry%20on%20Peatlands%20Full%20Report%20spv%20web.pdf>

part of national and regional strategies for native woodland expansion. This means considering the condition of native woodland remnants and its enhancement when designing nearby large-scale planting schemes, both individual proposals but also those under different ownerships under multiple proposals. This requires well thought out and effective implementation of regional forestry and woodland strategies, targeting of grants, fostering collaborative action between landowners as well as encouraging owners to consider woodland management as well as planting proposals within coherent forest plans. The assessment of significant environmental impacts of woodland expansion must be done both at a site level and cumulatively across landscape scales and nationally.

There also needs to further work to encourage collaborative deer management to result in natural regeneration in native woods in Scotland, with a reduction in the reliance on deer fencing. Continuing reductions in deer fencing will help populations of woodland grouse of high conservation concern through reducing mortality rates from collision.

It can reasonably be expected that proposed forest expansion will result in larger deer populations in Scotland. Increased woodland cover will probably benefit roe deer populations in both the lowlands and uplands, and it is possible at a more practical level that red and sika deer will become more difficult to manage in the upland open range than at present. It might also be anticipated with larger forests that red deer will expand their range into more lowland woodland areas than at present, and non-native deer species, such as fallow deer, may have the opportunity to expand their ranges.

Damage by deer through browsing and trampling in some areas of Scotland, is identified by Scottish Natural Heritage as one of the key issues affecting the favourable condition of the notified features of upland and woodland protected areas. A programme of joint agency working, including Forestry Commission Scotland, has been established to reduce deer numbers in affected designated sites. The Code of Sustainable Deer Management Practice, recently approved by the Scottish Parliament, under the Wildlife and Natural Environment Act 2011, now applies to all landowners with deer on their land. The Code encourages active management of deer populations in circumstances where there will be damage to the public interest, including the protection of designated sites.

Recent research has also shown that increased deer browsing in the woodland under-storey may be one of the factors causing declines in some woodland bird populations. Any increased use of deer fencing to manage deer populations to protect woodland establishment may have negative consequences for black grouse and capercaillie populations in certain areas where there is a risk of fence strikes. In this context, we consider that Forestry Commission Scotland should be modelling the consequences of increased woodland cover for deer populations against a range of factors, and in particular the consequences for designated sites. This work could perhaps be done in conjunction with James Hutton Institute, who have some experience with modelling deer populations, as well as Scottish Natural Heritage, who now hold the brief for sustainable deer management. It should be noted that there may be costs attached to any requirement for increased deer management arising from forest expansion, and a clear understanding as to how these costs will be attributed would be helpful.

The RSPB is concerned that the current native woodland models in land management grants for woodland expansion are not properly targeted for priority native woodland habitats or priority species needs, and also do not fully support natural regeneration and appropriate tree stocking densities. There needs to be scope both within the grant scheme rules and their application through inspections and RPAC approval of grants to incentivise lower stocking densities for native woodland establishment to meet the requirement of priority habitats, priority species across both within and outside designated wildlife sites. We note that the Scottish Forestry Strategy, the UK Forestry Standard as well as practice guidance such as *Forestry Commission Bulletin 112*⁶ all favour native woodland establishment by natural regeneration where there are suitable seed sources and tree protection. This unfortunately does not seem to be fully realised through woodland planting grant proposals.

⁶ Patterson, G. (1994) Creating New Native Woodlands, *Forestry Commission Bulletin 112*. Forestry Commission, Edinburgh.

The RSPB has concerns that the promotion of models of 'forest habitat networks' have been too focused on theoretical so called 'target species' rather than real priority species and priority habitats actually present, or with the potential to be restored. This is a failing of Forest Research's 'BEETLE' model and its application in Scotland. Woodland expansion also needs to take account of maintaining and enhancing open ground habitat networks, including improving the ecological quality and biodiversity value of existing habitat patches for priority species and priority habitats.

(b) Examples of where woodland expansion comes into conflict with other land management objectives. We are particularly interested to hear where current regulatory and consultation mechanisms do not seem able to prevent such conflict.

The Scottish Government must retain and improve the environmental effectiveness of existing regulatory mechanisms and procedures to ensure sustainable forestry that protects and enhances biodiversity. This includes Environmental Impact Assessment (EIA), Strategic Environmental Assessment (SEA), Appropriate Assessment, the UK Forestry Standard and prior public consultation of planting proposals on FC's Public Registers for EIA and grant proposals. This is not 'gold-plating'.

The RSPB has concerns that Forestry Commission Scotland may already not be properly assessing significant environmental impacts of woodland expansion, both at a site level and the cumulative impacts across a number of planting schemes at landscape, regional and national scales, and on individual priority species and habitats, such as raptors, breeding waders, peatland habitats and native woodland. There appears to be a tendency for Environmental Impact Assessments for afforestation not to be requested by Forestry Commission Scotland, even for sites which fall within the thresholds under the Environmental Impact Assessment (Forestry) (Scotland) Regulations 1999. The RSPB also has concerns about the consistency of application of these EIA regulations across Scotland by Forestry Commission Conservancies.

The RSPB is also concerned about the prospect of 'compensatory planting' for woodland loss being poorly located from a biodiversity perspective and consented with insufficient regulatory rigour. Regardless of which competent authority compensatory planting comes under – either the Forestry Commission Scotland, the local planning authority or the Scottish Government Energy Consents Unit - this new woodland must be appropriately located, designed and managed to protect and enhance biodiversity and other public benefits. Compensatory planting must undergo a full environmental assessment and be required to meet the UK Forestry Standard – these minimum sustainability requirements may not being asked for, or being compliance checked for compensatory planting, for example in wind farm development.

The development of renewable energy on the National Forest Estate must be done in a sustainable manner, including the appropriate location and design of compensatory planting, and the assessment of site and cumulative environmental impacts. The RSPB would expect Forestry Commission Scotland to carry out a full Strategic Environmental Assessment of its renewable energy expansion programme, including of any compensatory planting and changes to the management of the remaining forests.

We note that Forestry Commission Scotland has a duty under the Climate Change (Scotland) Act 2009 to carry out climate change mitigation works on the National Forest Estate, including in joint partnerships and via seconded staff, in a sustainable manner and in accordance with its biodiversity duty under the Nature Conservation (Scotland) Act 2004. This must include ensuring habitat and species restoration and management continues within its Forest Design Plans which are subject to revision for renewable development, as well as ensuring an environmentally rigorous and robust regulatory approach to ensure the sustainability of any compensatory planting proposals (and promoting and advising on such an approach when it is not the competent authority). Implementing

the Scottish Government's *Policy of Control of Woodland Removal*⁷ must be done in a sustainable manner that protects and enhances biodiversity and other public benefits.

Forestry Commission needs to improve the effectiveness and operation of the Forestry Commission Scotland's all Scotland 'Regional Advisory Committee' so that it ensures the protection and enhancement of public benefits, including biodiversity. It should be taking an interest in environmental compliance issues under its statutory and non-statutory roles defined under the Forestry Act 1967. It needs to meet and be effective to ensure the protection and enhancement of biodiversity, ensure sustainable forest management and ensure climate change mitigation and adaptation actions are done sustainably. This RAC should not be abolished, but made more a more effective voice with mechanisms to ensure sustainability of forestry practice, regulation and policy across Scotland for all woodland types and ownerships.

(c) The way that conflicts between woodland expansion and other land management objectives could be better resolved in future. We are looking for practical and constructive suggestions which respect the diversity of land uses in Scotland.

The RSPB already has concerns about how Forestry Commission Scotland (FCS) may not be asking for Environmental Impact Assessment when it should be. There may be scope to make the EIA process work better – including better FCS advice and guidance of how to carry out EIA and what needs to be in an Environmental Statement – but not the apparent current practice of FCS often not asking for an EIA.

The Scottish Government, including Forestry Commission Scotland, Scottish Natural Heritage, Scottish Environment Protection Agency and RPACs must ensure:

- the careful location of all new woodland away from priority non-woodland habitats and sites for priority species, including blanket and raised bog, semi-natural grassland, moorland, sites for breeding wading birds and raptors, both on and off UK, EU and Internationally designated nature conservation sites (SSSI, NNR, SPA, SAC and Ramsar). This includes woodland for biomass, flood attenuation, water management as well as commercial forestry, native woods, farm and amenity woodland and woodland planting to meet planning conditions e.g. 'compensatory planting' for development. *Forestry Commission Guideline Note 1 – Forests & Peatland Habitats*⁸ still needs to be applied. NB the climate change mitigation as well as biodiversity benefits of restoring peatland habitats and Forestry Commission Scotland's research⁹ recommending the redefinition of 'deep peat' as 45cm, not 50cm.
- the biodiversity of existing priority native woodland habitats are protected, restored and enhanced, as well as considering the expansion of native woods to meet UK Biodiversity Action Plan and Scottish Biodiversity Strategy targets;
- that species work through woodland restructuring and creation grants and National Forest Estate management needs to continue for black grouse and capercaillie;
- that peatland habitat restoration work on the National Forest Estate and via SRDP land management grants need to continue and be extended. The SRDP grants for open ground habitat restoration through tree removal, hydrological restoration and onward management need to be available beyond the current 20% limit of forest area, as well as the measures improved to include a range of appropriate ecological techniques¹⁰;
- the UK Forestry Standard and its associated Forest Guidelines is properly and fully applied, including auditing and ensuring compliance, as well as making sure it applies to all woodland expansion, including via agricultural grants and the planning system;
- the General Binding Rules under the Controlled Activities Regulations¹¹ about cultivation and use of fertilisers and pesticides next to water bodies also need to be applied as well as the UK

⁷ Policy: [http://www.forestry.gov.uk/pdf/fcfc125.pdf/\\$FILE/fcfc125.pdf](http://www.forestry.gov.uk/pdf/fcfc125.pdf/$FILE/fcfc125.pdf); guidance:

[http://www.forestry.gov.uk/pdf/WRpolicyguidance17March2010.pdf/\\$FILE/WRpolicyguidance17March2010.pdf](http://www.forestry.gov.uk/pdf/WRpolicyguidance17March2010.pdf/$FILE/WRpolicyguidance17March2010.pdf)

⁸ [http://www.forestry.gov.uk/pdf/fcgn1.pdf/\\$FILE/fcgn1.pdf](http://www.forestry.gov.uk/pdf/fcgn1.pdf/$FILE/fcgn1.pdf)

⁹ [http://www.forestry.gov.uk/pdf/FCS_forestry_peat_GHG_final_Oct13_2010.pdf/\\$FILE/FCS_forestry_peat_GHG_final_Oct13_2010.pdf](http://www.forestry.gov.uk/pdf/FCS_forestry_peat_GHG_final_Oct13_2010.pdf/$FILE/FCS_forestry_peat_GHG_final_Oct13_2010.pdf)

¹⁰ See: [http://www.forestry.gov.uk/pdf/openhabitatrestorationguidance.pdf/\\$FILE/openhabitatrestorationguidance.pdf](http://www.forestry.gov.uk/pdf/openhabitatrestorationguidance.pdf/$FILE/openhabitatrestorationguidance.pdf)

¹¹ <http://www.legislation.gov.uk/ssi/2011/209/contents/made>

Forestry Standard, Forests and Water and Biodiversity Forest Guidelines, as they relevant to anyone undertaking new woodland planting;

- that woodland expansion grants are for public benefits, including targeted grants for priority species and habitats. This includes the work of RPACs and SEARS case officers, as well as by Forestry Commission Scotland Conservators;
- that high quality indicative forestry strategies are used to target expansion in the right places and of the right types to deliver public benefits, including biodiversity – not reduce these benefits or quality of them. These optional non-statutory planning strategies are being revised as ‘regional woodland and forestry strategies’ by local authorities and Forestry Commission Scotland in-line with revised guidance for local planning authorities¹²;
- that new short rotation forestry is located, designed and managed in an environmentally sustainable manner, both in terms of location, but also use of species of uncertain biodiversity impacts. NB Forestry Commission Scotland (FCS) has been grant aiding eucalyptus outside the existing Forest Research (FR) trial plots. The RSPB is concern that FCS as well as FR may have not carried put a proper non-native invasive species risk assessment, as well as need for proper Environmental Impact Assessment and Strategic Environmental Assessment of both trials and grant aided short rotation forestry using novel species;
- that it retains and improves the environmental effectiveness of existing regulatory mechanisms and procedures to ensure sustainable forestry, including Environmental Impact Assessment (EIA), Strategic Environmental Assessment (SEA), Appropriate Assessment, the UK Forestry Standard and prior public consultation of planting proposals on FC’s Public Registers for EIA and grant proposals. These are not ‘gold-plating’. We already have concerns about how Forestry Commission Scotland (FCS) may not be asking for EIA when it should be. There may be scope to make the EIA process work better – including better FCS advice and guidance of how to carry out EIA and what needs to be in an Environmental Statement – but not the apparent current practice of FCS often not asking for EIA (except for open ground habitat restoration);
- improve the effectiveness and operation of the Forestry Commission Scotland’s all Scotland ‘Regional Advisory Committee’ so that it ensures the protection and enhancement of public benefits, including biodiversity. It should be taking an interest in environmental compliance issues under its statutory and non-statutory roles defined under the Forestry Act 1967. It needs to meet and be effective to ensure the protection and enhancement of biodiversity, ensure sustainable forest management and ensure climate change mitigation and adaptation actions are done sustainably. The RAC should not be abolished, but made more a more effective voice and mechanism to ensure sustainability;
- they meet their statutory duties to biodiversity, sustainable forestry and carrying out climate change mitigation and adaptation in a sustainable manner, under the Section 1 of the Forestry Act 1967, Section 1 of the Nature Conservation (Scotland) Act 2004 and under Sections 44 & 59 of the Climate Change (Scotland) Act 2009;
- that any woodland opportunity mapping takes account of biodiversity sensitivities. The Macaulay map used in the development of the Scottish Forestry Strategy¹³ does not properly consider impacts on priority non-woodland habitats and species – an issue that the subsequent Scottish Forestry Strategy recognised in terms of the location and design of woodland expansion to be done in a sustainable manner to protect and enhance multiple benefits, including biodiversity. The RSPB has already supplied information on bird sensitivity mapping to the group; &
- the Scottish Native Woodland Survey data is used to identify opportunities and priorities to target action to improve the biodiversity condition of existing priority native woods, as well as new native woods – both to meet UKBAP native woodland types and UKBAP and SBS targets. This must be done in a way that does not damage priority non-woodland habitats, sites for priority species, or networks of priority open ground habitats.

END of consultation response

¹² [http://www.forestry.gov.uk/pdf/fcfc129.pdf/\\$FILE/fcfc129.pdf](http://www.forestry.gov.uk/pdf/fcfc129.pdf/$FILE/fcfc129.pdf)

¹³ <http://www.forestry.gov.uk/website/forestry.nsf/byunique/infid-6mgfky>