



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

Native Tree Area Scheme

Frequently Asked Questions

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1. What is the legal basis for the NTAS?

The provisions of Part 3 of the Animal Health and Welfare and Forestry Act 2022, aim to increase native forest area as part of a scheme by removing the requirement for an afforestation licence when planting small native forests. Key dates include:

- The Animal Health and Welfare and Forestry Act 2022 was signed into law on the 4th April 2022.
- On the 5th September 2023, the Minister commenced Part 3 of the Animal Health and Welfare and Forestry Act 2022.
- On the 29th September 2023, the Minister signed into law the Forestry (Native Tree Area Scheme) Regulation (SI484 of 2023).
- The Native Tree Area Scheme opened on the 4th Oct 2023.

2. Why were these legislative changes made?

The changes were made to remove a legislative barrier to small-scale native tree planting. The inclusion of small-scale tree planting measures in agriculture and forestry schemes is currently constrained by the 0.1ha size limit imposed by the forest definition in the Forestry Act 2014.

The aim is to re-engage farmers in afforestation and play a part in meeting the ambitious roadmap towards climate neutrality, as outlined in the recently published Climate Action Plan, which aims to afforest 8,000ha annually to 2030. This target is ambitious when compared to recent afforestation rates and will be challenging to meet in the next decade.

The changes allow the Minister to make Regulations to facilitate small scale planting of native forests as part of a scheme by removing the requirement for an afforestation licence. However, the statutory changes provide a nuanced approach by clearly defining the areas which can be afforested as land under trees:

(a) with—

- (i) an area of not less than 0.1 hectare and not greater than 1 hectare, or
- (ii) an area of not less than 0.1 hectare that is not greater than 20 metres in width,

and

- (b) where the trees concerned are native tree species only, of which not more than 25% are Scots pine;

3. What are the benefits of the legislative changes?

Clearly more needs to be done to substantially increase our afforestation rates over the next decade, including achieving greater integration between the measures in the National Forestry Programme.

Forests and trees provide a wide range of benefits that include social, environmental and economic values. Ireland has 11% forest cover in addition to the many individual trees found growing in hedgerows, parks and fields. Trees play an important role in climate change mitigation and biodiversity.

In particular, creating new native woodlands and undisturbed water setbacks that can be used to deliver meaningful ecosystem services that protect and enhance water quality and aquatic ecosystems. The creation of these permanent semi-natural landscape features alongside streams, rivers and lakes will protect and enhance water quality and aquatic habitats into the future.

4. How will these legislative changes comply with environmental law?

This exemption is an enabling proposal that allows forests to be created through initiatives, other than the afforestation scheme. Importantly, the requirement to comply with environmental law is not undermined by making this change as all works are controlled by Regulation through a Departmental scheme. A scheme was finalised following the completion of a Strategic Environmental Assessment and Appropriate Assessment. Eligibility criteria are incorporated into the scheme to ensure that all tree planting works are undertaken in a legally compliant and sustainable manner.

5. Are non-farmers eligible for the Native Tree Area Scheme?

To be eligible to enter the NTAS the applicant may be a farmer or non-farmer and must be the sole freehold owner of the lands in question.

6. What does the scheme requirement of including only lands which have been used for farming actually mean?

The lands proposed for inclusion in the NTAS must be currently used for farming purposes including dairy farming; livestock production; cultivation of fodder or tillage crops or the growing of horticultural crops.

7. Why is there a focus on native species only in the NTAS?

The scheme is targeted at native tree species due to the important environmental role they play in relation to climate change, biodiversity and water quality. The afforestation scheme is available to fund the establishment of other forest types.

8. Why are Registered Foresters required to submit applications?

Landowners are accustomed to engaging with advisory services with forestry and other agricultural schemes. The input of Registered Foresters is required to ensure the eligibility criteria associated with scheme Terms and Conditions are adhered to. The successful establishment of these native woodlands will require the know-how of professional foresters to ensure these forests are correctly sited and managed to free-growing stage.

9. Are there different planting options available to landowners under the NTAS?

Two different interventions are available to applicants in the NTAS:

- **NTA 1 - Creation of Small Native Forests**
Supports the establishment of new native forests on farmed land thereby contributing to Ireland's targets in relation to a wide range of environmental priorities particularly climate change and biodiversity.
- **NTA 2 - Creation of Native Forests for Water Protection**
Creating new native forests and undisturbed water setbacks that can be used to deliver meaningful ecosystem services that protect and enhance water quality and aquatic ecosystems. The creation of these permanent, semi-natural landscape features alongside aquatic zones will protect and enhance water quality and aquatic habitats into the future. These forests also provide wider biodiversity functions by protecting and expanding existing native forests. Through the creation of these green corridors, existing native forests can be reconnected thereby addressing the negative effects of fragmentation.

10. What native species can a landowner plant as part of the NTAS?

At pre-application stage, two Native Tree Area Scenarios are used to identify the most appropriate forest type to promote onsite. A Registered Forester appraises the site in terms of its location, soil and main habitats and vegetation, and matches it to one of two scenarios: Scenario 1 - Dry Mineral Soil and Scenario 2 - Wet Mineral Soil.

Two scenarios may apply to different areas of the same site, each with its own planting mixture and planting pattern. Where this occurs, each forest scenario must be treated as a separate plot during the application process.

Scenario	Planting Mixture
Scenario 1 Dry Mineral Soil (i.e. podzols, brown podzols & brown earths)	Oak (30%), birch (30%) Scots pine (25%) and other native species (15%). Oak to be planted in predominantly pure groups, with birch scattered intimately throughout. Scots pine planted in small pure groups, focusing on parts of the plot and away from any watercourses adjoining or crossing the plot. The remainder of the birch to be planted in pure groups. (Changes + or – 25% for each species will be accepted. A maximum of 25% Scots pine may be planted).
Scenario 2 Wet Mineral Soil (i.e. gleys)	Alder (50%), birch (30%), oak (15%) and other native species (5%). Alder and birch to be planted in pure groups (30-40 trees), with groups interspersed alternately. Oak to be planted in small pure groups, focusing on the dryer parts of the plot. (Changes + or – 25% for each species will be accepted.).

11. What level of financial support can landowners expect under the NTAS?

An establishment grant is available to applicants and is payable in two instalments, as detailed in the table below. The first instalment may be claimed immediately after planting. The second instalment can be claimed at least 4 years after planting has been established. All grant payments are conditional on the forest being successfully established and maintained in compliance with Scheme requirements. Support for fencing is also available and details on these rates can be found in the [Scheme document](#).

Native Tree Area Scheme Grant Rates.

NTA	Establishment Grant (€/ha)		Deer Tree Shelter Grant Max. allocation (€/ha)
	1st Grant	2nd Grant	
NTA 1	5,058	1,686	€1,600
NTA 2	5,058	1,686	€1,600

Forestry premiums will be payable only for new forests which qualify for a Native Tree Area grant from the Department and will be payable for a maximum period of 10 years. The premium rates are specified in the table below. There is no difference in payment rates between farmers and non-farmers.

Category	Annual Premium (€/ha)	Total premium (€/ha)
NTA 1	2,206	22,060
NTA 2	2,284	22,840

12. What are the size limitations on the land that can be afforested under this scheme?

For the purpose of this Native Tree Area Scheme the maximum tree planting area for both interventions (i.e. NTA 1 and NTA 2) has been set at 2.0 ha (excluding open spaces).

- a. NTA 1: The tree planting area must not be less than 0.1 hectare and not greater than 1.0 hectare. The area may consist of multiple smaller blocks (such as the corners of fields) provided these smaller blocks are not less than 0.1 hectare.
- b. NTA 2: While there is no statutory limit on the maximum area that can be planted under this Scheme, an upper limit on the tree planting area is set at 1.0 hectare for the purpose of this scheme.

In relation to width,

- c. For NTA1, all parcels must be 20 metres or greater in width, as measured tree-to-tree (i.e. excluding open spaces such as aquatic buffer zones and public road setbacks). In certain situations, e.g. to cater for landscape design and existing features, 30% of a proposed plot area can be less than 20 metres in width to a minimum of 10m in width.
- d. For NTA 2 the tree planting area must not exceed the statutory requirement of 20m in width. For the purpose of this Scheme, when open spaces are also included, the maximum width is 25m.
- e. Where a NTA 1 plot is adjoining an NTA 2 plot then the minimum width thresholds apply to the combined parcel being created.

For payment purposes those open spaces which are integral to the forest being created are eligible for inclusion (such as aquatic buffer zones). These features are referred to as Areas of Biodiversity Enhancement (ABEs). The type of features eligible for inclusion as an ABE are listed in the [Forestry Standards Manual](#). The maximum allowable area to be claimed as ABE is 15% of the Native Tree Area. Therefore, the maximum payment area is set at 1.15ha for NTA 1 and 1.15ha for NTA 2.

13. Is it possible to plant multiple small blocks in different fields or does the forest need to be planted in one block?

Multiple small blocks may be planted once their individual size is not less than 0.1ha and the maximum area threshold of 1.15ha is not exceeded for either NTA 1 or NTA 2.

14. Is it possible to plant NTA 1 and NTA 2 directly adjacent to one another?

NTA 1 and NTA 2 may be planted adjacent to one another. In that case the application will consist of two plots, one for NTA 1 and a second for NTA 2. From an operational viewpoint, the siting of these areas adjacent to one another may make most sense when designing the forest layout, particularly in relation to fencing.

15. Where an applicant wants to plant NTA 1 and NTA 2, should the associated parcels form part of the same application or should a separate application be submitted for each intervention?

The land parcels being proposed for planting under NTA 1 and NTA 2 should form part of the same application. This is particularly important when it comes to fencing, as where parcels are adjacent to one another the combined area can be used to calculate the fencing allocation.

16. My farm consists of two different blocks of land which are 10 miles apart. Do these separate blocks have separate area thresholds allowing me to plant 4 ha in total?

The thresholds referred to must be adhered to at a farm holding level for the duration of the CAP Strategic Plan (i.e. 2023-2027). For the purpose of this scheme a Farm Holding is defined as all the production units in the State that are under the control of the applicant. Therefore, the maximum area that can be afforested on your farm is 2 ha.

17. Where a landowner has planted land under the NTAS, is the land now tied to forestry beyond the duration of the scheme or is there an option to return to farming activity after the 10 year period has passed?

Native forests created under the NTAS will play an important role in climate change mitigation and biodiversity. To maximise the benefits that these forest will deliver they must be retained long-term. The NTAS is part of the Forestry Programme 2023 – 2027 for which Ireland received state aid approval from the European Commission. One of the considerations noted by the Commission in its decision to issue state aid approval was that the land will remain under forestry indefinitely. The felling or removal of trees established under the NTAS will be subject to the requirements of Forestry Act 2014.

18. Will landowners be allowed to harvest timber from their native forests?

The removal of some trees through thinning is considered good forest practice as it creates more growing space for the remaining trees. These small areas of native species lend themselves to small-scale harvesting methods and landowners will need to apply for a tree felling licence before they undertake any thinning. However, it is not mandatory that landowners carry out a thinning, however it may be desirable for the optimum development of the native forest.

19. I currently have a small field that is covered in gorse, hawthorn and elder. Can I clear this scrub and then gain entry to the NTAS?

No, this field is not eligible. The applicant must ensure that the area proposed for planting has not been disturbed or the land-cover changed in preparation for gaining entry to the Scheme. This would represent a net loss of biodiversity and for that reason the applicant must ensure that area proposed for planting is currently used for farming.

20. I have some land that is low-lying with a layer of peat present. Is this land suitable for inclusion in the NTAS?

No, soils that include peat are not eligible for inclusion in the scheme. Only mineral soil with good to moderate drainage will be considered for inclusion in the scheme.

21. I contacted a Registered Forester to submit a NTAS application. However, my lands occur outside of the area that have been deemed eligible for inclusion in the NTAS. Why are my lands excluded and does this mean I cannot afforest these lands?

The NTAS does not follow the pre-approval process of the Afforestation Scheme. Pre-emptive measures are used to ensure that tree planting works are undertaken in a legally compliant and sustainable manner. These measures are applied in the form of two distinct stages - Stage 1: Scheme Eligibility Map and Stage 2: Scheme Pre-Emptive Measures.

The purpose of Stage 1 was to design a Scheme in a way that minimises the potential impacts from the outset by creating an eligibility map identifying areas for inclusion in the Scheme. Details of the areas deemed ineligible for inclusion in the scheme when creating the eligibility map are outlined in Table 1 of the [scheme document](#).

An application for the NTAS cannot be made for lands that occur outside of the NTAS eligibility map. However, these lands may be considered for planting under the other forest creation options of the Forestry Programme 2023-2027 and you can contact a Registered Forester to discuss this.

22. How long does approval issued under the NTAS last for?

According to the provisions of the Forestry (Native Tree Area Scheme) Regulation (SI484 of 2023) approval to join the scheme will be valid for such period as the Minister decides but shall not exceed 3 years.

23. If lands are afforested as part of the NTAS, are these lands also eligible for other Schemes?

Basic Income Support for Sustainability (BISS) Scheme

Lands afforested under the Afforestation Grant and Premium Scheme and Native Tree Area Scheme are considered an eligible hectare.

If you are in receipt of aid under the Afforestation Grant and Premium Scheme (including the FEPS, the Native Woodland Establishment Scheme, the Agroforestry or the Forestry for Fibre Scheme) or the Native Tree Area Scheme you are obliged to declare all the land parcels on your holding on your 2024 BISS application.

All land parcels in receipt of payment under the Afforestation Grant and Premium Scheme (including the FEPS, the Native Woodland Establishment Scheme the Agroforestry or the Forestry for Fibre Scheme) or the Native Tree Area Scheme are registered on the Department's Land Parcel Identification System (LPIS) with a unique identification number. Failure to declare afforested parcels under these schemes on LPIS could affect future forestry grant/premium payments.

Following changes to the EU Regulations land which was afforested since 2009 and land which will be afforested under the NTAS will be eligible to draw down a BISS payment provided that the afforested land meets the following requirements:

- i). The area must have given a right to payment under the Basic Payment Scheme (2015 to 2022)
- ii). Farmers who wish to benefit from the BISS Payment on afforested land, must be the person or persons named as forestry scheme beneficiary, or joint beneficiary. This means that you must be the person or persons eligible for payment of the forestry premium in the relevant year. Please note this also applies to members of the same family.
- iii). The afforested land meets all the requirements of the Afforestation Grant and Premium Scheme (including the FEPS, the Native Woodland Establishment Scheme the Agroforestry or the Forestry for Fibre Scheme).
- iv). Eligible Forestry parcels that are declared on BISS applications to activate entitlements will also be subject to conditionality requirements.

Farmers who plant land parcels under an Afforestation measure before submitting their annual BISS application should declare the land as Forestry including the reference to the BISS application year. Lands afforested in the spring of 2024 are declared as Forestry 2024.

Once the period of premia payments under the NTAS has concluded, these parcels will remain eligible for BISS once you maintain your mandatory commitment to that particular afforestation measure by complying with the provisions set out in the Forestry Act 2014.

Agri-Climate Rural Environment Scheme

Afforestation is fully compatible with Agri-Climate Rural Environment Scheme (ACRES) and is recognised as contributing to the creation of a valuable landscape mosaic at farm-level. As ACRES measures are specified on a land parcel basis, the whole farm is generally not included in the scheme. Applicants considering participating in ACRES are recommended to explore the opportunities afforded by the afforestation when planning for the scheme as it is not possible to obtain payments under the NTAS and ACRES on the same parcel of land. However, a parcel on which an ACRES action is situated may subsequently be split to facilitate afforestation.

Organic Farming Scheme

Parcels which are included in an Organic Farming Scheme (OFS) contract can be converted to forestry during the OFS contract period without penalty. It is not possible to obtain payments under the NTAS and OFS on the same parcel of land.

24. When submitting a NTAS application, does the fertility (i.e. R+N score) of the lands need to be assessed and submitted?

Typically a R+N score is only assessed where there are concerns about site fertility which could make the lands ineligible, as outlined in the Land Types for Afforestation policy document. Mineral soils which are being used for farming generally would not need an assessment as these sites are fertile. But if there is any doubt regarding site fertility, the forester may undertake the assessment and submit it with their application.

25. To qualify for *NTA2-Creation of Native Forests for Water Protection* what type of water feature needs to be present on the site?

Water features are defined as those features set out in Table 1 of the [Environmental Requirements for Afforestation](#) (i.e. aquatic zones, relevant watercourses, hotspots and drinking water abstraction points).

26. Does the NTAS scheme include measures that protect the trees against deer damage?

Given the small size and linear perimeter-area ratio of the NTAS interventions deer fencing will not be eligible for grant aid. The use of tree guards will be more appropriate for the NTAS. As well as protecting against grazing, tree guards also highlight the location of individual trees, for follow-up maintenance. All protective measures should be inspected on a regular basis, with maintenance carried out, as required.

When submitting an application for the NTAS, the area of land to be planted with trees which will be protected by the deer tree shelters is specified. Areas for biodiversity enhancement are excluded as there are no trees present that require protection.

27. If my lands are included in the NTAS scheme eligibility map, am I guaranteed entry to the scheme?

The inclusion of an area in the Scheme Eligibility Map does not mean that an application for the scheme is guaranteed to receive approval to join the scheme. The Stage 2: Pre-Emptive Measures detailed in tables 2 and 3 detailed in the [scheme document](#) must also be adhered to. These further measures are required to ensure that tree planting works are undertaken in a legally compliant and sustainable manner.



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