



Effective EIA in Scotland

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Prologue



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"To deliver an effective Environmental Impact Assessment (EIA) is to deliver insight, value and a living document which evolves as the development evolves taking the user through the baseline of the site to the description of the development and its embedded mitigation, its likely significant impacts and into operational monitoring. It's quite a journey."

Stuart McAleese, 2017

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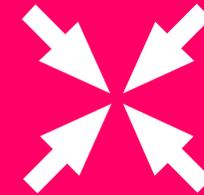




When is EIA required
(new potential for
confusion &
inconsistency)?



What should be
included (FOMO to
FOMS)?



How are the new EIA
topics bedding down?



Quality and related
competency

- preparation and review
- digital EIA



Delivery
'on the ground'



Summary of key
messages

When is EIA required?



Screening under the new Regs – can consider mitigation/might take a bit longer but thresholds have not changed.

However...

Projects change due to emerging technology/commercial realities – when should this trigger a requirement for EIA (e.g. wind farms)?:

- pre-construction tip height increase?
- change in location or design of a substation?
- introduce battery storage?

What about extension of time limited consents?



What should be included (FOMO to FOMS)?



Scoping critical to the delivery of effective EIA - still short of good examples of topics being scoped out?

If scoped out from full assessment, where do they go? Will planning conditions still capture all the required good practice and mitigation measures?

Has greater weight on Scoping Opinions ('based on') discouraged formal scoping?

Perhaps not but a perception that EIA is being requested unnecessarily may do? Implications further down the line?



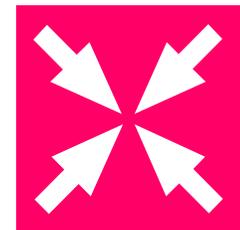
How are the new EIA topics bedding down?



"Nothing new under the sun

*The new EIA Regulations now specifically require an environmental statement to describe the likely significant effects of the development on the environment resulting from the risks to human health and cultural heritage, as well as the development's vulnerability to risks of major accidents and disasters. **If these risks and their associated effects were relevant to a scheme they should be dealt with anyway. Developers should simply sign-post authorities to where these issues are considered in the usual chapters** on (for example) air quality, noise and vibration, contamination, socio-economics, archaeology and built heritage.*

*Just because these matters are independently referred to in the new EIA Regulations should not be a pretext for potentially unnecessary assessments. **Where applicable, it should therefore be clarified at the scoping stage that there are not likely to be significant effects over and above those to be considered in standard chapters.**"*



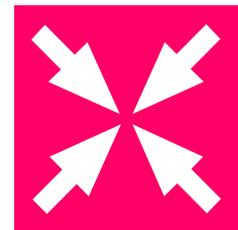
How are the new EIA topics bedding down?



Climate:



- 'scoped out' (but not that simple)
 - baseline conditions affected by climate change?
 - are mitigation measures resilient to climate change?
 - if 'scope out' for renewable energy developments, missing the point!
- danger of trotting out standard text that has no real influence
- overlap with other assessments/documents being submitted



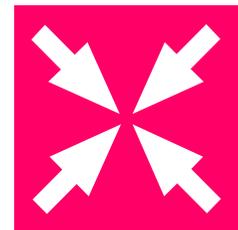
How are the new EIA topics bedding down?



Health:



- know it is different but not quite sure how...
- if 'health' is a state of complete physical, mental and social wellbeing, and not merely the absence of disease or infirmity, shouldn't we be addressing the anxiety that a development proposal may be causing?
- duplication of text already included and or overlap with other assessments/documents being submitted?



How are the new EIA topics bedding down?



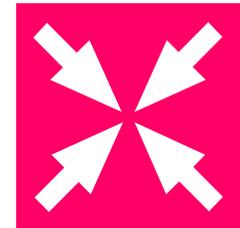
Major accidents and disasters:



The 'MAD' chapter...

- debate over whether or not we should be asking the local authority if the risk of a terrorism attack should be considered in the EIA
- wondering if we needed to worry about severe space weather (solar flares, solar energetic particles and coronal mass ejections)

Reminding ourselves that looking for **potentially significant adverse effects on the environment** deriving from the vulnerability of the development to risks of major accidents and/ or disasters



Quality and competency



Important but how do we avoid 'CV overload' as a consequence of the new Regulations?

What is competency?

- training future EIA Project Managers

Quality of end result that matters?

Retaining experienced EIA project managers –not always a popular long term career choice!?

Resources available to planning authorities?



Digital EIA – the 'living document'?



Not just a PDF version of the EIA Report supplied on a disc!

From valuable aid to public consultation.....

.....to replacement for paper EIA Report

Benefits (and perils) of a 'search function'

Cost implications (compared to a PDF on a disc...)?

Engage with a wider range of stakeholders?

Collaboration (need for guidelines/a standardised approach?) and not competition



Delivery on the ground



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"(6) Directive 2011/92/EU should also be revised in a way that ensures that environmental protection is improved"

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(35) Member States should ensure that mitigation and compensation measures are implemented, and that appropriate procedures are determined regarding the monitoring of significant adverse effects on the environmentto identify unforeseen significant adverse effects, in order to be able to undertake appropriate remedial action"

???

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Key messages



- ✓ Effective EIA is 'quite a journey' (digital pathway or otherwise)

Need to:

- ✓ do EIA for the right projects (distinctions blurring?)
- ✓ include the right assessments (not FOMS)
- ✓ address the new topics in a meaningful fashion and not as a tick-box exercise
- ✓ get to grips with 'competency' including training, accreditation and access to EIA review skills
- ✓ not lose sight of the purpose of EIA and, ultimately, deliver better environmental outcomes on the ground





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