

## EIA: The Use of Thresholds and Criteria

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### Art. 4.1 of EIA Directive (85/337)

- ☐ MSs to determine whether projects in Annex II shall be subject to EIA, through:
  - (a) a case-by-case examination, or
  - (b) thresholds or criteria set by MSs
- ☐ MSs may apply both (a) and (b)

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## UK statutory requirements

- ☐ Exclusive thresholds, plus
- ☐ Case by case consideration
- ☐ Thresholds do not apply in “sensitive areas”

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## Current UK Screening Guidance

- ☐ 3 Significance Criteria
- ☐ Indicative Thresholds & Criteria

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## UK possible changes

### Options include:-

- ☐ Remove Significance Criteria
- ☐ Remove Indicative Thresholds & Criteria
- ☐ Expand Annex 3 Selection Criteria

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## Current UK Significance Criteria

- ☐ Major projects of more than local importance
- ☐ Projects in particularly environmentally sensitive or vulnerable locations
- ☐ Projects with unusually complex and potentially hazardous environmental effects

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## Possible Removal of Significance Criteria

Concern that there could be projects which could be likely to have significant environmental effects but do not readily fall within these 3 criteria

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## Thresholds & Criteria: Example - Wind Farms

- ☐ Exclusive (statutory):- more than 2 turbines OR hub height of turbine/other structure exceeds 15m
- ☐ Indicative:- effects depend on scale, visual impact & potential noise; EIA more likely if 5+ turbines OR more than 5MW new generating capacity

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## Example 2: Intensive Livestock Installations

- ☐ Exclusive (statutory):- over 500 square metres new floor space
- ☐ Indicative:- effects depend on levels of odours, increased traffic & arrangements for waste handling; EIA more likely if designed for more than 750 sows, 2000 fattening pigs, 60,000 broilers or 50,000 layers, turkeys or other poultry

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## Possible Removal of Indicative Thresholds

- ☐ Confusion between exclusive & indicative
- ☐ Used as trigger mechanisms
- ☐ Difficult to establish appropriate levels

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## Option: expand Annex III Selection Criteria

- ☐ Focus on process
- ☐ Use of checklists

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## Relevance to IMP(3) draft report

- ☐ UK thinking similar to Option 2, but ...
- ☐ ... for guidance rather than amendments to Directive, and
- ☐ we are removing, not including, “determination of significance”

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## Relevance to IMP(3) draft report

- ☐ Option 5 proposes indicative/guidance thresholds & criteria
- ☐ UK option is to remove indicative thresholds & criteria
- ☐ Evidence base for change – need for consultation