
**VOLUME 11 ENVIRONMENTAL
ASSESSMENT**
**SECTION 2 ENVIRONMENTAL
IMPACT ASSESSMENT**

PART 4

HA 204/08

**SCOPING OF ENVIRONMENTAL
IMPACT ASSESSMENTS**

SUMMARY

This Advice Note provides guidance for the scoping of environmental impact assessment for any type of trunk road project.

INSTRUCTIONS FOR USE

1. Remove Contents pages from Volume 11 and insert new Contents pages for Volume 11 dated August 2008.
2. Insert the new Advice Note HA 204/08 into Volume 11, Section 2.
3. Please archive this sheet as appropriate.

Note: A quarterly index with a full set of Volume Contents Pages is available separately from The Stationery Office Ltd.



THE HIGHWAYS AGENCY



SCOTTISH GOVERNMENT



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

WELSH ASSEMBLY GOVERNMENT
LLYWODRAETH CYNULLIAD CYMRU



THE DEPARTMENT FOR REGIONAL DEVELOPMENT
NORTHERN IRELAND

Scoping of Environmental Impact Assessments

Summary: This Advice Note provides guidance for the scoping of environmental impact assessment for any type of trunk road project.

REGISTRATION OF AMENDMENTS

Amend No	Page No	Signature & Date of incorporation of amendments	Amend No	Page No	Signature & Date of incorporation of amendments

REGISTRATION OF AMENDMENTS

Amend No	Page No	Signature & Date of incorporation of amendments	Amend No	Page No	Signature & Date of incorporation of amendments

**VOLUME 11 ENVIRONMENTAL
ASSESSMENT**
**SECTION 2 ENVIRONMENTAL
IMPACT ASSESSMENT**

PART 4

HA 204/08

**SCOPING OF ENVIRONMENTAL
IMPACT ASSESSMENTS**

Contents

Chapter

1. Scoping a Project
2. References
3. Enquiries

1. SCOPING A PROJECT

1.1 Scoping seeks to decide which environmental topics are to be examined in statutory Environmental Impact Assessments (EIA) and non-statutory environmental impact assessments and how much effort should be expended – either a Simple or Detailed assessment. Therefore scoping should be considered the initial assessment level in the environmental impact assessment process (refer to SECTION 2, Part 1, Chapter 2). It is a tool that can be used to determine the

data and survey needs to inform the assessment process and to determine the appropriate assessment levels. Scoping can be an on-going activity that is re-activated at key stages in the project planning process as new information or available alternatives are narrowed to a preferred approach to the project. It can also be a useful exercise to carry out on projects that have not been developed for a period of time. Figure 1.1 represents the scoping process within the environmental impact assessment process.

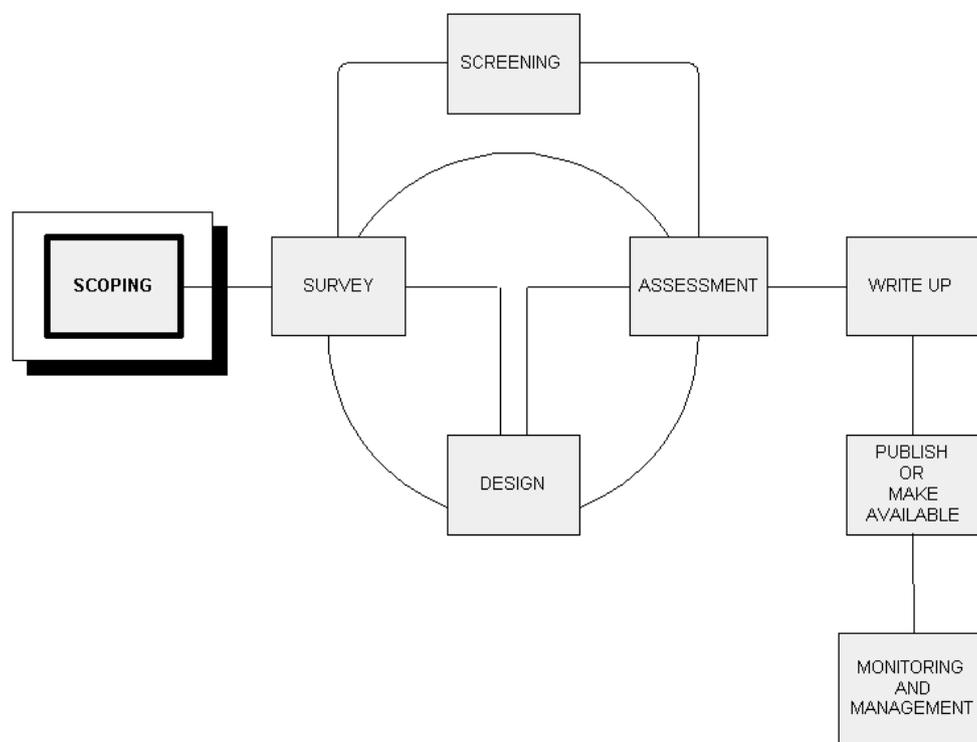


Figure 1.1 Scoping Within the Context of the Environmental Impact Assessment Process

1.2 Scoping can be carried out for any type of project, including new construction, improvement or maintenance projects.

1.3 Scoping can be an internal process and an external activity in which stakeholders are engaged in defining the assessment activities. The Overseeing Organisation should be equipped with an appreciation of those issues that are likely to have an important bearing on project delivery (for example, in England reference should be made to EnvIS). While the scope

of project assessment is set in the context of individual environmental topics, the scoping exercise should also recognise the interrelationships between topics and other projects, and also other priorities that may emerge from consultation with stakeholders and local communities.

1.4 Scoping should be undertaken ahead of any Simple or Detailed Assessment that is to be used to inform a project decision and the results of the scoping exercise reported appropriately (refer to SECTION 2,

Part 6, Chapter 2). The Designer must agree the scope of the EIA or non-statutory environmental impact assessment for that stage in the delivery process with the Overseeing Organisation.

1.5 These scoping results should be used to provide the basis for further assessment throughout the project design. The consequential approach to assessment introduced in SECTION 2, Part 1, Chapter 1 advocates that the level, and corresponding detail, of the coverage of the assessment should:

- inform option, design and planning decisions;
- be appropriate to the level of environmental risk, and type of conclusions and decisions that can be reasonably taken;
- provide the public with accessible reporting which reflects the assessment that has been carried out and gives due weight to significant effects; and
- clearly identify how assessment should progress beyond the scoping phase by determining data, survey and assessment needs.

1.6 For the purposes of scoping, the level of environmental risk associated with a project should be explored, and potential significant environmental effects should be identified. For example, there should be an appreciation of whether the project would require the disturbance of land for any of the works. Such disturbance may be temporary (e.g., trenching to introduce new cabling) or permanent (e.g., to construct foundations for a communications mast or gantry) and vary in scale from temporary topsoil storage to land use change with a new trunk road alignment. Environmental issues are often amongst the key issues affecting project delivery. These may relate to matters of scheduling of works, such as where breeding birds are concerned or where archaeological excavations need to be completed. They may relate to matters of principle on whether the scheme can proceed, for example as in relation to a Special Protection Area or Special Area of Conservation for nature conservation, an Air Quality Management Area, or a National Park or an Area of Outstanding Natural Beauty. All environmental effects that are likely to be significant, or risk being significant, should be assessed and reported.

1.7 There is no general definition of what constitutes significance in this context. Significance criteria are introduced generically in SECTION 2, Part 5, Chapter 2, and specifically in the SECTION 3 topic-

specific assessment guidance. The following factors should be considered:

- i. the characteristics of the project in terms of its size and activities, use of natural and man made resources, production of waste, risk and consequence of pollution incidents, and risk of accidents;
- ii. the importance of the receiving environment, i.e., of international, national, regional, county or local importance, or sensitivity or value. Designations reflect existing land use, abundance, protected status, quality, population density, ability to absorb the project and regenerative capacity of natural resources. Undesignated land may also be important;
- iii. the likely scale of the change following mitigation e.g., the land area, number of people affected and degree of change from the existing situation;
- iv. duration of any potential significant effects, whether they are permanent or temporary, and positive or negative, as a result of direct, indirect, secondary, cumulative, short, medium and long-term effects;
- v. the study area, particularly in considering the boundaries for cumulative effects, which may have to be defined beyond the project boundary and also the spatial boundary of the valued receptor/resource with potential to be affected directly or indirectly;
- vi. the time period within which significant effects may arise; and
- vii. consideration of past, present and reasonably foreseeable actions and trends that are having or will have a major influence on a valued receptor/resource (refer to SECTION 2, Part 5, Chapter 1).

1.8 A formal Scoping Opinion is not a requirement under the Highway EIA Regulations. However, the statutory environmental bodies, local authorities, and other public authorities with environmental responsibilities, and other key stakeholders are likely to have views on the scope of environmental impact assessments and it is good practice, particularly in the case of EIA, to consult with these interests to ensure that the issues to be addressed are appropriate. In addition, the local community and other non-statutory consultees may initially be more knowledgeable

about local conditions than those responsible for the assessment. Consequently, the opportunity to engage in dialogue with such groups, bearing in mind the individual groups' interests, has the potential to minimise the risk of unforeseen effects and to better focus the assessment upon those topics of significance. Similarly, where it is appropriate to supplement the topic guidance in SECTION 3, their advice can also be provided on surveys and data. Any dialogue should be directed towards establishing:

- a) whether and where there are existing resources or receptors that may need further investigation;
- b) whether existing environmental problems occur in the locality that may be ameliorated or potentially made worse by the proposed project;
- c) whether opportunities exist to improve environmental conditions which may coincide with delivery of the project;
- d) whether any trends or intermittent events occur that would be of relevance to the assessment, such as seasonal flooding or an activity occurring under some circumstances such as a large public events, diverted traffic, exceptional loads; and
- e) forthcoming events, activities, developments and land use changes that may have a bearing upon the future state of the environment.

1.9 The results of any scoping exercise should be recorded (refer to SECTION 2, Part 6, Chapter 2). Scoping Reports can range from a many page document down to just a few pages. The Overseeing Organisation will have established procedures for recording the results of the scoping process. Where a scoping exercise has been carried out and most of the effects have been found to be insignificant, it is likely that the reporting of this can be a simple document. For example, the scoping exercise associated with a simple road maintenance pavement renewal project may be reported in a few pages. Similarly, where a potential effect has been fully investigated but is found to be of little or no significance, it is sufficient to validate the level of assessment by recording:

- a) the work that has been done, e.g., a desk-top study and walkover survey by a qualified specialist;
- b) what this has shown, i.e., what effect, if any, has been identified; and
- c) why the effect is not significant.

1.10 Further guidance on reporting the results of the scoping exercise is presented in SECTION 2, Part 6, Chapter 2.

2. REFERENCES

Legislation:

- Council Directive 85/337/EEC: Council Directive of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment, *Official Journal No. L 175*, 05/07/1985.
- Council Directive 97/11/EC: Council Directive 97/11/EC of 3 March 1997 amending Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, *Official Journal No. L 073*, 14/03/1997.
- Council Directive 2003/35/EC: Council Directive of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC, *Official Journal No. L 156/17*, 25/06/03.
- Environmental Assessment (Scotland) Act 2005, *The Stationery Office Limited*, ISBN 0105900893.
- Highways Act 1980.
- New Roads and Street Works Act 1991.
- Roads (Scotland) Act 1984.
- Scottish Statutory Instrument 1999 No. 1 The Environmental Impact Assessment (Scotland) Regulations 1999, *The Stationery Office Limited*, ISBN 0 11 0591070.
- Scottish Statutory Instrument 2004 No. 520 The Environmental Information (Scotland) Regulations 2004, *The Stationery Office Limited*, ISBN 0110693566.
- Scottish Statutory Instrument 2006 No. 614 The Environmental Impact Assessment (Scotland) Amendment Regulations 2006, *The Stationery Office Limited*, ISBN 0110714725.
- Statutory Instrument 1988 No. 1221 (S.122) The Environmental Assessment (Scotland) Regulations 1988, *The Stationery Office Limited*, ISBN 0110872215.
- Statutory Instrument 1988 No. 1241 The Highways (Assessment of Environmental Effects) Regulations 1988, *The Stationery Office Limited*, ISBN 011087241X.
- Statutory Instrument 1993 No. 3160 The Roads (Northern Ireland) Order 1993, *The Stationery Office Limited*, ISBN 0110342895.
- Statutory Instrument 1994 No. 1002 The Highways (Assessment of Environmental Effects) Regulations 1994, *The Stationery Office Limited*, ISBN 0110440021.
- Statutory Instrument 1999 No. 369 The Highways (Assessment of Environmental Effects) Regulations 1999, *The Stationery Office Limited*, ISBN 0 11 082053 3.
- Statutory Instrument 2004 No. 3391 The Environmental Information Regulations 2004, *The Stationery Office Limited*, ISBN 011051436X.
- Statutory Instrument 2007 No. 1062 The Highways (Environmental Impact Assessment) Regulations 2007, *The Stationery Office Limited*, ISBN 9780110765969.
- Statutory Rule 1999 No. 89 Roads (Environmental Impact Assessment) Regulations (Northern Ireland) 1999, *The Stationery Office Limited*, ISBN 0 337 93407.
- Statutory Rule 2007 No. 346 Roads (Environmental Impact Assessment) Regulations (Northern Ireland) 2007, *The Stationery Office Limited*, ISBN 0 337 9790947.

3. ENQUIRIES

All technical enquiries or comments on this Advice Note should be sent in writing as appropriate to:

Division Director of Network Services –
Technical Services Division
The Highways Agency
City Tower
Manchester
M1 4BE

D DRYSDALE
Division Director of Network Services –
Technical Services Division

Director, Major Transport Infrastructure Projects
Transport Scotland
8th Floor, Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF

A C McLAUGHLIN
Director, Major Transport Infrastructure
Projects

Chief Highway Engineer
Transport Wales
Welsh Assembly Government
Cathays Parks
Cardiff
CF10 3NQ

M J A PARKER
Chief Highway Engineer
Transport Wales

Director of Engineering
The Department for Regional Development
Roads Service
Clarence Court
10-18 Adelaide Street
Belfast
BT2 8GB

R J M CAIRNS
Director of Engineering