Undertaking an Environmental Impact Assessment in Forestry (Scoping) and Preparing an Environmental Statement

Introduction

Forestry Commission England (FCE), as the Government Department responsible for regulating forestry in England is, under the EIA Regulations, the '***competent authority***' for forestry projects. The competent authority determines whether or not EIA consent is required, advises on the scope of the Environmental Statement (ES), and decides whether or not the project can be given consent. Within the forestry sector, an EIA is undertaken and an ES is prepared where a proposal is a "***relevant project***".

The purpose of this guidance is to explain the scoping and consent phase of the Environmental Impact Assessment (EIA) process and, if FCE consent is required for a forestry project, to help you in preparing your ES.

The EIA process is an assessment of the potential significant environmental effects of a proposal. The ES can be thought of as the final and comprehensive report on these significant effects. It must focus on the main impacts of the proposal and present these impartially. Before you start to prepare your ES, it is essential that you discuss the potential environmental impacts of the work with us. The purpose of an ES is to provide decision makers and other interested parties with as full an understanding of the consequences of the proposal as possible. Decisions can then be made on whether or not the proposal can proceed or should be amended before any work is started. Improved knowledge of the consequences allows easier identification of projects with potentially significant adverse effects. Appropriate steps can then be taken to minimise or remove these. In addition, the opportunity can be taken to strengthen any beneficial impacts.

A well-prepared ES, written in plain English as a well-structured and impartial account will demonstrate that potential significant impacts associated with a proposal have been considered in depth. Both the EIA process and preparing the ES should improve communication between all those with an interest in the proposal, including the planning authorities, other statutory bodies and special interest groups. ES's are also made available to the public to allow anyone with an interest a chance to read and make comments about the proposals.

While the current formal use of EIA emanates from European legislation and applies to all forms of development, EIAs have been in use in the UK since the 1970s. Informally the use of EIA in the project planning process has been adopted by many successful organisations internationally as a means to improve project planning. This means that possible environmental effects of a proposal are considered at an early stage. Forestry has been subject to EIA since 1988. Subsequently there have been amendments to the Regulations in 1998, 1999, 2006 and 2017.

The Regulations that apply to forestry today are The Environmental Impact Assessment (Forestry) (England and Wales) Regulations1999 [SI 1999/2228], as amended.

Contents

Competent person

It should be noted from the outset, that an ES must be prepared by a "competent person", which is defined as "persons who, by virtue of their qualifications or experience, have sufficient expertise to ensure the completeness and quality of the statement". Evidence of these qualifications and experience must be submitted as part of the ES.

FCE will determine whether the individual is a "competent person" based on this information. If in doubt as to whether an individual meets these criteria, please contact us prior to compiling your ES and we will be able to advise you further.

Determining the need for consent

The screening process

FCE are first charged with deciding whether or not a project requires assessment. This process is called "Screening" and typically takes place after an application for FCE's opinion has been submitted. This can be either in a projects own right, or as part of an application for grant funding or tree felling, although it may also occur prior to FCE giving an opinion under its own motion, or after having been notified of a project by a third party.

Screening is the process by which FCE, as the competent authority, decides whether a project "is likely to have significant effects on the environment by virtue, inter alia, of its nature, size or location". This will largely determine whether the project is a "relevant project" under the Regulations, and therefore requires EIA consent, or not. A guidance booklet about the screening process is available on the FCE EIA web page

Adaptation or modification of projects and collaboration between stakeholders during the screening process typically allows many projects to proceed after this stage. However, for those projects that are likely to have a significant effect, and which will therefore require FCE's consent, the next phase of the EIA process will have to be completed. This is known as Scoping.

The Scoping stage

The Scoping stage takes place once a decision has been made that the proposals will require our consent i.e. that they are likely to have a significant effect on the environment, and determines the focus of the Environmental Statement that must be prepared by the applicant, which in turn informs FCE's decision of whether to grant consent or not.

EIA is only required for relevant projects; these can be identified by asking the following questions:

a. Is the proposal covered by the Regulations?

In the case of forestry the Regulations cover four categories:

- New planting (including Christmas trees, new natural regeneration and coppice stools);
- Deforestation or forest removal (for conversion to another type of land use, i.e. not replanting/regeneration);
- Forest roads (their formation, alteration or maintenance); and
- Forest quarries (for obtaining materials for forest roads).

b. Will the proposals have a significant impact on the environment – sufficient to require an EIA?

The Forestry Commission, in deciding whether proposals might have a significant effect on the environment will take account of:

- UK Forestry Standard;
- UK Biodiversity Action Plan;
- Published guidelines in relation to the forestry projects covered by the EIA Regulations;
    - the characteristics of the project
    - location;
    - characteristics of the potential impact

The first thing you must do is to submit a sufficiently detailed description of the proposed project to enable us to give a screening opinion. Please remember that we can give you informal guidance before you prepare this. We will weigh up the likely effects of the proposal in conjunction with advice from other bodies before we make a decision. The principal issue we will consider is whether or not the project will have a significant effect on the environment. We will use factors such as nature of the project, size or location in arriving at our decision.

If the area of the project falls below agreed area thresholds (see Appendix 5), it is more than likely that the project will not require consent from the Forestry Commission or Forest Service. In exceptional circumstances, if the work was considered likely to have a significant effect on the environment, a Direction may be issued that an EIA will be required.

A "relevant project" is therefore normally one that is above the area thresholds and will have a significant effect on the environment.

You should note however that you may still require the consent of statutory organisations for afforestation projects which fall below the specified area thresholds. For more information about whether your project may be a relevant project, the screening process, applying for our opinion / assessment, visit the FCE EIA website**.**

Application for consent

Once the ES has been written, an application for consent shall be made in writing to FCE and must be accompanied by:

- a map or plan sufficient to identify the land on which the relevant project would be carried out and the extent of any planting, regeneration, construction, works or operations;
- a description of the nature of the relevant project;
- an environmental statement in respect of the relevant project; and
- a copy of the notice to be published (see below).

Of the above, the Environmental Statement is the most substantial document to be prepared as part of an application for consent. This guidance offers advice on how to prepare and complete the ES. A summary of what must be included within the ES can be found at Appendix 1.

Public Notice

Once the ES and other supporting documentation, as part of an application for consent, is complete and successfully submitted to FCE, you will be required to publish a notice of that application for consent. This is to allow the public and stakeholders to comment upon the proposals.

A notice concerning the application for consent shall be published in such newspapers or by electronic means as is reasonably required by FCE, for a period of 30 days. Such a notice shall:

- State that the application has been made to FCE;
- Specify where copies of the application may be inspected, free of charge at "reasonable" hours within the next 30 days (beginning with the date of the publication of the notice). This is likely to be at Forestry Commission offices.
- Specify an address, at which copies of the application may be obtained from the applicant, if there is a charge, and the amount of that charge (the charge cannot exceed a "reasonable" charge to cover the cost of copying).
- State that, consultation responses should be made in writing to FCE, at a specified address, within 30 days beginning with the date of the publication of the notice.
- State that, FCE "*may decide either to grant consent subject only to the conditions required by regulation 18 [of the EIA Forestry Regulations 1999], or, to such further conditions as FCE see fit, or to refuse consent*".

FCE must also provide copies of the application for consent to the relevant local authority, the Environment Agency, Natural England and any other public authority with an interest, in addition to a notice stating that any comments that they may have should be made in writing to FCE within 30 days of that notice.

Information relating to the specific location of sensitive species ought to be redacted from copies of applications and associated documentation that is made available, and should be omitted from publications. However, please consult with FCE prior to publication if you believe this would apply to your project.

Deciding the Scope of the Environmental Statement

Once it has been decided, by FCE giving our opinion, that consent for the project under these Regulations is required, we will ensure that the process is properly conducted and that the ES provides the information we need that will allow us to make a decision to grant consent or not.

The need for early dialogue with FCE is therefore important. We will inform relevant bodies (local authorities, National Park Authorities, Environment Agency, Natural England and NGOs) of our decision that a project requires consent. We will also ask them to make any useful information available to you.

If you need specific information or you need to find out about other sources of help, you should approach these organisations directly. Much of the information you require will be available on the Internet or can be provided as electronic documents. All public bodies have a duty to give you information. They may make a reasonable charge for administrative and copying costs. Public bodies will not comment on the merits of the proposal at this stage but they can offer advice. It is good practice to keep them informed and involved as preparation of the ES progresses.

You should also consider getting information from other authoritative sources, such as voluntary bodies, community councils, and knowledgeable individuals (see Appendix 2).

The ES should focus on the main impacts of the proposed work. The competent person carrying out the assessment should identify these. The essential tone of the ES should be one of impartiality without seeking to justify the proposals. Please note that if the assessment is inadequate, or does not deal with pertinent elements or does not deal with them in enough detail, we may not accept the statement as a competent presentation and we may ask you to re-visit some issues or re-write some sections. It is therefore important to ensure you scope your assessment adequately. FCE can assist you with this process. They will also provide advice throughout the assessment process and preparation of the ES

Once you have completed your assessment you may be asked to re-visit some issues or re-write some sections in the ES, to include any issues that were missed or elaborate further about topics that may have been treated inadequately. Once we accept the ES we will evaluate the project proposal and make a decision about the project.

It may be useful to discuss the advice you have received from Public Bodies with us so that we can ensure that advice is consistent. Once we accept the ES we will evaluate the project proposal and make a decision about whether to give consent to the project with or without conditions.

The benefits of carrying out an Environmental Impact Assessment

You would probably have had to consider these effects on order to comply with the requirements of the UK Forestry Standard, background guidance, relevant legislation and say, if you are applying for grant, the rules of a country specific grant scheme. Undertaking EIA should result in a better planned and more sensitively designed project. For larger or complex schemes, the benefits of formalising the process into an EIA are considerable for all parties.

We must ensure that all opinion is properly considered. You should normally arrange to send a copy of the final version of the ES to the community or parish council for their comments. Details of the proposal will also appear on our Public Register of Environmental Impact Assessments and in local newspapers. If we have to notify other parties directly, we will discuss this with you.

Structure, content and style of an Environmental Statement

The following guidance is to help you provide a document that handles information and decision making consistently.

Format

There is no set format for an ES, but it must be well organised with numbered pages and paragraphs. You must also provide maps, diagrams and tables, where they will aid understanding. Summarise important points at the end of long sections of text. You must acknowledge all external sources of information including references to books, papers, reports and opinions from experts, specialists or other stakeholders.

Appendix 3 contains a suggestion of how to structure the ES.

Content

The regulations specify the range of information that an ES must cover. We only expect your ES to cover only the items that are identified at the scoping meeting as potentially significant to your project. However, if issues subsequently come to light that were not raised at the scoping meeting, these will also need to be fully considered. You must consider all the environmental elements listed in Appendix 1. You do not need to cover in detail elements **that will not be significantly impacted** by the proposals. One method is to list these in a table with reasons why they are considered not to be significant. Appendix 3 sets out the possible content to be included within a Statement.

Bias

Be objective when preparing your ES. You should not understate adverse effects or over-emphasise beneficial ones. Your ES should read as though prepared by a neutral observer and should neither support nor oppose the proposal, merely set out the evidence gathered on likely impacts if it were to go ahead. While there may be instances where subjective opinions are necessary, these should be identified. The key to a useful ES is the honest presentation of objective evidence.

Technical language

Anyone should be able to read your ES. You can simplify the text by putting all detailed technical information in Appendices. If you do this, you must give the appropriate cross-references. However, this should not mean that the ES does not present objective evidence, merely that care is taken to ensure that a range of readers easily understand it. When referring to animal and plant species use English language names with the Latin in italic or in brackets. Avoid jargon as far as possible (see non-technical summary).

Presentation

You will need to make copies of your ES. We will tell you exactly how many copies are needed. Glossy documents are not necessary, as long as the report is clear. Quality of information rather than presentation is the main aim.

Uncertainty and unknowns

Use scientifically established facts as far as is possible. If there is some degree of uncertainty, include and attribute 'informed judgements' and opinions of scientists or knowledgeable individuals. Where gaps in data or knowledge exist, these should be stated.

Methods

Include a note on the methods and techniques used in surveys and to identify and assess impacts, possibly as an appendix. This will establish confidence in the suitability and accuracy of the information provided.

Timing

Carrying out the assessment involves various elements that are time-critical as you will only be able to do these at certain times of year. Planning the timing at the outset is therefore important and the following elements should be considered:

- Bird surveys – for most breeding birds surveys should be done between March and May, and for most wintering birds between October and March;
- Bat and mammal surveys;
- Vegetation surveys – needs to be done in the relevant growing season;
- Water sampling – if a catchment-based assessment is required, sampling must be done in high flow conditions: summer droughts can delay the project.
- Planning meetings – it may be agreed to present the ES to a planning committee; dates of meetings and notice for papers can be obtained from the local planning office.
- Local consultation – time should be allowed for discussion and presentation to parish or community councils.
- The planting season and time for plant ordering.

Remember that non-contentious schemes are processed more quickly.

Undertaking an Environmental Impact Assessment – getting it right first time

The underlying ethos an impact assessment is being aware of potential adverse impacts and taking appropriate steps to avoid or reduce these. The use of an assessment team and adequate liaison with appropriate organisations and individuals to identify and assess the significance of impacts is vital. It is unlikely that one person will have sufficient breadth and depth of knowledge to adequately cover all the specific topics to be covered in an assessment. In most assessments specialist knowledge will be required in relevant areas such as landscape design, flora, fauna (particularly birds), archaeology and hydrology, (in addition to silviculture). Professional assistance is available from a number of qualified consultants. In many instances, specialist input will be the most expedient way to ensure that you properly cover the relevant issues. Specialist input also adds credibility to the results of the assessment and contributes to the requirement of the ES having to be prepared by a competent person.

EIA is a systematic analysis and can be thought of as having a progressive series of distinct stages. The full benefits of EIA can only be accrued if the process is initiated early in the project planning process and is carried out in an open manner.

Steps in the Process

The following steps can be identified in the EIA scoping process, although it should be remembered that this is an iterative process, with feedback and interaction between the various steps throughout the process.

Scoping

- Scoping is the process of identifying the range and agreeing the priority of issues to be addressed.

Site and Project Description

- Give a factual and objective description of the site and of the proposal. The description of the site should provide general scene setting and/or baseline information; asking "*What do we know about the site already?*"
- Alternative project proposals should also be discussed.
- Site description should only include specific baseline data relevant to those environmental elements on which there will be a significant impact.

Impact Identification and Prediction

- Identify and predict the impacts. Present details of the with-project and without-project predictions.

Assessment of Impact Significance and Mitigation

- Discuss and analyse the significance and nature of changes and any qualifying or mitigating measures necessary for impacts found to be significant.

Conclusion

- A statement of the significance of impacts that remain following mitigation, including details of the level of residual impact.

It is vital that the purpose of each stage is understood and considered separately. For example, it is confusing to have discussion and opinion in the descriptive section, or conclusions interfering with the quantification of impacts.

This section provides some selected guidance about how to conduct your analysis and what to include in your ES. It is important to remember that you will only need to cover **significant** items in depth. You should list elements not requiring attention and give supporting details as to why this is the case.

Habitats Regulations

It is important to note that, where there is a requirement to carry out a Habitats Regulation Appropriate Assessment, FCE must ensure that the Assessment carried out under those regulations will be either co-ordinated or carried out jointly with the requirements under the Forestry EIA Regulations. Whether a co-ordinated or joint approach is taken will be determined on a case by case basis as to which is the most appropriate course of action. If you are aware that an Assessment must be carried out under the Habitat Regulations, please notify FCE of this as early as possible.

Scoping - Organising the meeting

The scoping process helps to identify the issues that may be potentially significant. The most efficient way to do this is to bring all interested parties together at a meeting. A leaflet that describes the process is available from the Forestry Commission website on the "Applying for Consent" page. You can also download a copy of the EU produced version of scoping guidance on http://ec.europa.eu/environment/eia/eia-support.htm

Who to invite

You should invite all necessary organisations and individuals that may have an interest in the project. This meeting helps the proposer to identify and focus on the relevant issues (see Appendix 4).

The scoping meeting should involve statutory consultees and any other parties that may have useful information to contribute (this may include Government bodies as well as other stakeholders and interested bodies, such as the RSPB etc). It is vital that those who attend the scoping meeting are well prepared and able to clearly present the issues that they consider are significant to the project. **You must send details of the proposal and the site at least ten days in advance of the meeting to all those who will attend.** Whenever they have identified an issue as potentially significant they must be able to clearly explain and justify how they have made that assessment.

Site visit

The participants in scoping may find it helpful to visit to one or two strategic viewpoints at the site to help then get a consistent understanding of the site and focus the "round-table" discussion.

Getting the discussion started

After an introduction from the chair, the proposer is invited to outline the proposal. Comments are then sought through a 'round-table' discussion. It assists the process if all parties are given good notice, have visited the site and have brought as much information as possible to the

meeting. If preliminary survey work has been done or draft plans prepared, they should be made available to consultees in good time. The use of matrices and checklists may help people to identify key issues.

Note - FCE staff will attend the meeting but we will expect the applicant to chair it.

Get to the significant issues

You will be able to limit consideration of the less-significant impacts. Those present at the scoping meeting will guide you as to where the focus of attention in the assessment should lie. However, it is inevitable that the EIA process itself will uncover aspects that could not have been foreseen. Even if identified at a later date, these will also have to be fully addressed within the Environmental Statement.

Being specific

During the scoping exercise it is important to be specific about issues. For example identifying broad issues such as ‘effect on hydrology’ is less helpful than establishing the effect on a particular aspect of water quality or quantity if this is the significant issue.

Data collection

The scoping process should also identify suitable techniques for data collection, methods of predicting changes in environmental parameters and for assessing impact significance. This should avoid potential problems (once the assessment has been completed) about the credibility of techniques used and resulting data.

Keep a record

You must keep a detailed and agreed record of the scoping meeting. This must include a summary of the key issues, who identified them and the reasons given. It is also important to record the topics that were not considered significant and the reasons for this. The record should be included as an appendix in the EIA.

Describing the site

General

The site description should provide a general picture of the site as it currently exists. This sets the 'baseline', against which changes can be assessed (see Appendix 3). This 'baseline' should include a note about the stability of the existing state. Remember that the provision of detailed data should be restricted to only those elements considered during the scoping process to be potentially significantly impacted. While it is necessary to provide details of the current situation, it is also important that you predict future environmental trends in the absence of the project going ahead – the 'without-project scenario'. This is necessary in order to assess realistically the impact of the proposal.

Describe the site using maps such as location, roads and tracks, soils, topography, significant viewpoints and statutory designations.

If you introduce data into an assessment, you should quantify this, if appropriate, so that analysis can take place. Use established methods for data collection to ensure that data can be statistically validated. For example there is an accepted method for undertaking a breeding bird survey. For non-quantifiable aspects, such as landscape character, agreed guidelines and methodologies should be applied. In the absence of hard data other information is helpful e.g. expert testimony, respected opinion and analogous situations are acceptable in an ES, provided they are derived from competent attributed sources.

Equally, other relevant and recent assessments of the land conducted under other regulatory regimes may be pertinent, and could be included as an annex to your application, if available (for example under the Water Framework Directive).

People and community

Social and community factors are increasingly important elements in the decision making process. In determining the importance of the relevant project to local people can be covered by reference to the number of those who live within or near it, those who make their living from it at present, and those who use it or those to whom it is available for recreation.

Presenting proposals to the local community

We strongly advise that you present your proposals to local communities at a formative stage. Seeking local views on the proposal during the scoping process is one way of doing this. People who may be affected by a proposal are more likely to react constructively if they are contacted at an early stage. A good way of doing this is to ask the chairman of the local community or parish council if you can make a presentation as part of a council meeting. You may also wish to consider arranging a public meeting to discuss your proposals. Include any issues the council raise and any formal response in this section.

We must ensure that all opinions are properly considered. A copy of the final version of the ES will normally be sent to the community or parish council for their comments. Details of the proposal will also appear on our Public Register and in local newspapers (our final decision to grant consent or not will appear on the EIA Register). If we have to notify other parties directly, we will aim to discuss this with you.

Land use

Set the proposal in context by giving a short description of the current land use.

Flora and Fauna

We advise that a specialist contractor be engaged to provide descriptions of the local species and communities of plants and animals where required. Use the National Vegetation Classification (NVC) to describe vegetation. A breeding bird survey may well be required and it is important to note that this can only be undertaken between March and May. The use of the site for foraging by animals and birds is less easy to pin down. The knowledge of the countryside bodies, gamekeepers, farmers, foresters, local nature clubs and wildlife trusts can be helpful in providing comprehensive detail.

You might find the IEEM Guidelines for Ecological Impact Assessment helpful; use the link below. http://www.ieem.net/ecia/introduction.html

In some situations there will be arguments against revealing the location of protected species. If this is the case we will advise you on how to handle the issue.

Record the status of each habitat type by reference to national statutory designations such as the EU Habitats Directive and the National Biodiversity Action Plans. A tabular format helps to summarise the areas (see table below as an example). Further details, including the site map, can be placed in an appendix.

Habitat	**NVC**	**Area**	**Status**
Acid grassland		35ha	
Native Woodland	W11 W14	2ha	UKBAP

Having considered the national status, the regional and local importance of habitats can then be described. Check if there is a Local Biodiversity Action Plan that can be referred to. Local views and habitat designations can be discussed in the assessment section, when considering the significance of local impacts.

The importance of species identified should be described in this section. The following table sets out one approach:

Species	**Abundance**			**Status**	**Significance**
	Local	**Regional**	**National GB**		
Otter	C	C	R	R	M
Goshawk	C	R	R	R	H

Abundance: C = Common, R = Rare, EN = Endangered

Status: P = Protected, EU = EU Birds Directive, R = Red Data Bird List

Significance: H = High, M = Medium (project may need to take into account), L = Low (unlikely to need further consideration)

Landscape

Give a brief description of the landscape character drawing on any existing work, for example landscape character assessments. Any cultural heritage interests should also be identified. Identify the main viewpoints from roads, footpaths and public places. Make an assessment of the prominence and quality of the views. Any 'before' illustrations – of the site itself - should be referred to here. Remember this must be data to allow an assessment, it must not be a report supporting the design presented.

A copy of the Landscape and Visual Impact Assessment Guidelines available from the Landscape Institute might be a useful publication. https://www.landscapeinstitute.org/technical/

Cultural heritage

Any cultural heritage interests should also be identified. For example, you should include objects significant to archaeology, architecture, science or technology. This must include, but should not be limited to, any sites designated by law. You should set out all the potential impacts, and whether they would be direct on the cultural heritage asset itself or on its wider setting if adjacent or close to it. This requires an understanding of the asset and its context and you may wish to seek specialist advice on presenting these aspects in the ES. As with the landscape assessment, this must be data that can be assessed objectively; it must not be a report supporting the design presented

Land use context

Consider the site in relation to the surroundings. Give a map that shows the neighbouring land use and relationship to the site itself. For example a footpath crossing the site should be extended to show where it goes beyond the boundary. Show archaeology on the site itself in relation to other adjacent sites. Also consider water issues such as downstream uses (e.g. distillery, public supply); and the risk of wildfire igniting and spreading within and without of the proposed site and how this will impact upon all aspects of the project.

In some areas scoping may have identified the diversity of land use as an issue. The overall area and percentage of forestry can be set out in 5, 10 and 15 Km radii from the centre of the site in question. Recent site history is also useful, for example land use change in the last 5 years. In areas with a high proportion of forest cover, break down the areas by age and species. If habitats are considered to be of importance, the different habitat types within the vicinity can be tackled in a similar way.

Climatic factors

It is expected that increasing consideration will be given in the EIA process to the impact of projects in relation to mitigating and adapting to climate change, and you should therefore consider the need to describe the likely implications for your site. For example, consider the implications of afforestation & deforestation on increased risk of wildfire or of carbon sequestration or the release of soil carbon, or the likely future implications of climate change predictions on species distribution or flood risk. Tools for calculating the carbon implications of forestry projects are being developed, and further advice on all aspects of forestry and climate change are included in guidelines accompanying the revised UK Forestry Standard.

Do-nothing option

Describe the likely future condition of the site in the absence of the project going ahead. For example, is the site likely to regenerate naturally, or be subject to grazing pressure?

Describing the Project

Whichever type of proposal is being assessed, the EIA should contain a description which should comprise:

Purpose: a statement of the objectives and outcomes of the project; such as forestry yields and native woodland creation, habitat linkages, access to forest blocks, quarrying of material etc.

Plan: a site plan identifying all the elements of a proposal such as roads, fencing, site compound, and with a clear key and scale.

Areas: a tabular statement of the areas involved. In the case of a farm woodland scheme include what will happen to those areas to remain unplanted.

Design: the survey, analysis and design of the proposal in both elevation and plan. Give landscape views showing the “before” and “after” site. See the FC Forest Landscape Design Guidelines

Alternatives: set out the alternatives considered, including the do-nothing option (e.g. no planting or road) as well as a mixed option, (e.g. planting only part of the site). Consideration of alternative sites will only arise where these are realistic, for example planting alternative areas of a farm or estate or choosing alternative road lines or quarry sites. Do, however, consider alternatives to the proposed project. Alternative routes should be presented for road construction projects.

Methods: how the project will be implemented. Any site preparation, cultivation project, drainage or harvesting plan should be included in the appendix. Include the proposed timescale for implementation and any phasing proposed. How are pesticides and fertilisers to be used? Road construction projects should contain details of phases of construction and use/maintenance.

Predicting the environmental effect

You must predict the changes that would result if the project proceeds. You must describe and quantify the significance of all the possible changes as accurately as possible.

Divide the effects of predicted changes into categories, (e.g. flora, fauna, people), and set out the basis on which the changes are predicted. You can summarise the effects in a table. For each issue, compare the existing situation to the proposed, stating whether the effect will be short, medium or long term.

Some changes will be permanent but others will be temporary. For example fertiliser run off on a planting site could be short term and temporary (even then, it is possible that the effect on the environment could be long term or permanent), while cessation in the use of agricultural chemicals in the lowlands will confer a permanent change.

Wherever possible quantify the predicted impacts of the project. Predictions will usually be subject to a degree of uncertainty. Include a range of outcomes. For example the potential increase of the badger population in extended woodland may vary.

Where the impacts are not clear-cut, a prediction should be made backed up by a reasoned case. Give details of the methods you use to predict the impact and state any assumptions. It may be possible to deal with some elements by reference to analogous situations or research

results. References are vital to support the conclusions and make these transparent to the reader.

An example of a summary [effects] table is shown below.

	Existing	Proposed	Change	Nature of Change	Comments
Molinia Grassland	20ha	3ha	-17ha	Short term, Permanent	
Broadleaf Woodland	4ha	9ha	5ha	Medium term, Permanent	Removal of grazing will allow existing to regenerate
Curlew	4 pairs	1 to 2 pairs	-2 to 3 pairs	Medium term, Permanent	Estimated by surveyor

You can also show land use changes in a tabular way by extending the tables shown in the descriptive section.

Give details of changes in the landscape. Visual impacts such as the main changes from important viewpoints can be presented in a tabular form.

How to determine significant impact and mitigate it

This section comprises a reasoned judgement on the significance of each of the impacts and any measures taken to mitigate the effects.

Determination of significant impact

Based on the information contained in the “effects table”, assess each of the elements. Consider the wider picture and bring other information into the argument by referring, for example, to research findings, analogous experience or expert opinion. For each issue you must clearly state whether the potential impact will be significant or not significant. You must include the methodology you have used to reach this conclusion. This is a vital part of the process because the judgement you make about significance is not verifiable unless you show the methodology you used to arrive at this decision.

When assessing the anticipated change from the current baseline, the stability of the existing state should be taken into account at this stage.

Thresholds of concern

One method is by using a Threshold of Concern (TOC). The TOC defines the magnitude and severity of change in the environmental element that would be considered to be significant. It clearly indicates the boundary between significant and non-significant impacts. For example, in discussing skylark populations the national decline should be cited; for otters recent re-colonisation.

Grouping impacts

Some impacts will have linkages and are therefore best grouped together, e.g. moorland habitats and their associated communities. However at this stage, it is particularly important to avoid bias in this section and the ES must be forthright and honest in recognising any negative impacts.

Minor impacts

Minor impacts identified in the previous section can be dismissed at this stage, although you should give details of the reasons for eliminating them. It will be helpful to include clear guidance from the scoping meeting here.

Significant impacts

The significant impacts of the project should not be confined to the detrimental effects. For example, the creation of new-native woodland has a number of significant environmental benefits and so in the final analysis, both the positive and negative effects should be considered.

Mitigation

You need only take measures to mitigate those impacts you have identified as significant. Give full details of the measures you will take to lessen significant adverse impacts. For example, the potential impacts of a planting scheme on important fishing will be mitigated through the management of riparian areas and minimising cultivation of the site.

Provision to cut the vegetation in unplanted areas may help to preserve non-woodland habitats or sites of archaeological interest. Other measures may include aspects of the design of the scheme, changes to work techniques, or changes to the timing of operations.

Mitigation measures must be new amendments to the proposal. For each impact that requires mitigation you should indicate what the residual level of impact will be and re-determine its significance against the TOC.

Summary

Having discussed all the impacts in the previous sections, the summary provides additional information for the “decision-maker”, summarising the significant effects and any necessary mitigation measures. A tabular format could be used to list the elements describing these in terms of their time-scale and permanence.

Non-Technical Summary

The ES must include a one or two-page summary (on A4), in non-technical language. Put this inside the front cover of the ES.

- The summary must include:
- The purpose and nature of the project.
- An area summary.
- A brief resume of the information presented in the ES, detailing the key issues relating to environmental elements and the final determination of impact significance.
- Conclusions.

Appendix 1 – Information for inclusion in environmental statements

An "environmental statement" means a statement that:

a) includes such of the information referred to in Part 1 of Schedule 1 as is relevant to the specific characteristics of a particular project or type of project and to the environmental features likely to be affected;

b) includes at least the information referred to in Part 2 of Schedule 1;

c) takes into account the results of any relevant UK environmental assessment reasonably available to the proposer;

d) is based on any opinion issued [by the Forestry Commission in relation to an application for opinion] pursuant to regulation 6 and, where such an opinion is issued, includes the information that may reasonably be required for reaching a conclusion on the significant effects of the project on the environment, taking into account current knowledge and methods of assessment;

e) is prepared by competent persons; and

f) is accompanied by a statement from the proposer outlining the relevant experience or qualifications of such persons;

Within the Regulations, Schedule 1 (information for inclusion in environmental statements), is set out as below:

Part I

1 Description of the project, including in particular—

   a. a description of the location of the project,

   b. a description of the physical characteristics of the whole project, including where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases,

   c. a description of the main characteristics of the operational phase of the project (in particular, any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used,

   d. an estimate, by type and quantity of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation) resulting from the operation of the proposed project.

2 A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the applicant, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.

3 A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof, without implementation of the project as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.

4 A description of the factors specified in paragraph 1 of Schedule 4 likely to be significantly affected by the project: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects and landscapes.

5 A description of the likely significant effects of the project on the environment resulting from, amongst others:

   a. the construction and existence of the project, including where relevant, demolition works;

   b. the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources;

   c. the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste;

   d. the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);

   e. the cumulation of effects with existing or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;

   f. the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change;

   g. the technologies used.

6 The description of the likely significant effects on the factors specified in paragraph 1 of Schedule 4 must cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent or temporary, positive and negative effects of the project. This description must take into account the environmental protection objectives established at Union or Member State level which are relevant to the project.

7 A description of the forecasting methods or evidence used to identify and assess the significant effects on the environment including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.

8 A description of the measures envisaged to avoid, prevent, reduce or if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). That description must explain the extent to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and must cover both the construction and operational phases.

9 A description of the expected significant adverse effects of the project on the environment deriving from the vulnerability of the project to risks of major accidents or disasters which are relevant to the project concerned. Relevant information available and obtained through risk assessments pursuant to legislation such as Directive 2012/18/EU of the European Parliament and of the Council on the control of major accident hazards involving dangerous

substances, amending and subsequently repealing Council Directive 96/82/EC or Council Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations or UK environmental assessments may be used for this purpose provided that the requirements of the Directive are met. Where appropriate, this description must include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.

10 A non-technical summary of the information provided under paragraphs 1 to 9.

11 A reference list detailing the sources used for the descriptions and assessments included in the statement.

PART II

1. A description of the project comprising information on the site, design, size and other relevant features of the project.
2. A description of the likely significant effects of the project on the environment.
3. A description of the features of the project or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment.
4. A description of the reasonable alternatives studies by the applicant which are relevant to the project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the project on the environment.
5. A non-technical summary of the information provided under paragraphs 1 to 4.

Appendix 2 – Sources of Environmental Information

You can also get more information and guidance about the EIA process on the European Commission website http://ec.europa.eu/environment/eia/eia-support.htm

Government Organisations - England

Forestry Commission (England),

620 Bristol Business Park, Coldharbour Lane, Bristol, BS16 1EJ

Tel: 0300 067 4000 • Email fe.england@forestry.gsi.gov.uk

Natural England,

County Hall, Spetchley Road, Worcester, WR5 2NP

Tel: 0300 060 3900 • Email: enquiries@naturalengland.org.uk

Environment Agency,

National Customer Contact Centre, PO Box 544, Rotherham, S60 1BY

Tel: 03708 506 506 • Email: enquiries@environment-agency.gov.uk

Historic England,

The Engine House, Fire Fly Avenue, Swindon, SN2 2EH

Tel: 0370 333 1181

Government Organisations - Scotland

Forestry Commission (Scotland),

Silvan House, 231 Corstorphine Road, Edinburgh EH12 7AT

Tel: 0300 067 6156 • Email: fcscotland@forestry.gsi.gov.uk

Scottish Natural Heritage,

Leachkin Road, INVERNESS, IV3 8NW

Tel: 01463 725000 • Email: enquiries@snh.gov.uk

Historic Scotland,

Longmore House, Salisbury Place, Edinburgh EH9 1SH

Tel: 0131 668 8600

Government Organisations - Wales

Natural Resources Wales,

c/o Customer Care Centre, Ty Cambria, 29 Newport Rd, Cardiff, CF24 0TP

Tel: 0300 065 3000 • Email: enquiries@naturalresourceswales.gov.uk

CADW, Welsh Government,

Plas Carew, Unit 5/7 Cefn Coed, Parc Nantgarw, Cardiff, CF15 7QQ

Tel: 0300 025 6000 • Email: cadw@wales.gsi.gov.uk

Local Authorities

Please refer to your individual Local Authority for further information.

Other sources of environmental information

Organisations that are listed in the UK Forestry Standard (UKFS) may hold relevant information for your project. https://www.forestry.gov.uk/theukforestrystandard

Alternatively:

DEFRA environmental data - https://data.gov.uk

FC England Land Information Search

DEFRA map browser www.Magic.gov.uk

Joint Nature Conservation Council (JNCC) semi natural habitats

Joint Nature Conservation Council (JNCC) priority species

National Biodiversity Network http://nbnatlas.org

Local Environment Record Centre (LERC) http://www.alerc.org.uk/

local wildlife trust

trained ecologist

Environment Agency map browser http://apps.environment-agency.gov.uk/wiyby/

National Character Areas (NCA) and the NCA profiles

Open Access map http://www.openaccess.naturalengland/wps and the Local Access Forum

Local Historic Environment Records (HER)

Landscape Institute https://www.landscapeinstitute.org/technical/

Appendix 3 – Suggested Contents for ES

Non-technical Summary

Introduction

- The reasons an assessment was called
- Conclusions of the scoping meeting
- Summary of potentially significant impacts, both positive and negative

Site Description

- It should include where appropriate, geology, soils elevation, aspect, topography, hydrology, vegetation, fauna, history of land use including archaeology, current land use including recreational use, landscape and its context, and any statutory designations.
- Land use context
- History of land use
- Statutory designations
- Where an Indicative Forestry Strategy exists, state whether the site is in the 'preferred', 'potential' or 'sensitive' category for afforestation, or make reference to local forest framework
- Where all or part of the site is within or likely to affect a Site of Special Scientific Interest, Special Protection Area, Special Area of Conservation, National Nature Reserve, National Park, Area of Outstanding Natural Beauty, National Scenic Area, Environmentally Sensitive Area or Scheduled Monument
- Maps - location, contour, soil, vegetation, land use
- Human beings
- Geology
- Soils
- Elevation
- Aspect
- Topography
- Hydrology
- Vegetation
- Fauna
- Flora
- Water
- Air
- Climate
- The landscape
- The cultural heritage

Description of Proposals

- Location, (outline map)
- Area statement - tabular
- Purpose of proposals
- Alternative uses of site (if any)
- Alternative sites (if any)
- Work methods and design
- Phases of the project
- Materials Residues and emissions (roads and quarries)
- Associated works

Prediction of Impacts

- For each impact detail:
- The change from the existing or baseline conditions
- The nature of the change- magnitude, duration, permanency, reversibility
- Confidence in prediction
- Relation to standards/statutory designations/plans and policies
- Explain basis for predictions
- Method of impact identification
- Discuss any difficulties encountered, including any uncertainties and unknowns

Significant Impacts and Mitigation

- For each impact discuss:
- Approach to evaluation
- Threshold of concern
- For all significant adverse impacts consider methods to
- Avoid impacts
- Reduce impacts
- Compensate for impacts
- Remedy impacts
- Discuss effectiveness of proposed mitigation measures
- Quantify the residual impacts

Summary statement of the significant impacts

Appendix 4 – Conducting a Scoping Meeting

Format

Scoping is the key to focussing attention on key issues during the assessment and when preparing the Environmental Statement (ES) on those relevant subjects that have been identified as likely to have a significant impact. The same process can also be used with applications for the Woodland Grant Scheme or other applications, to identify key issues. Those attending should have had sufficient information in advance to allow them to consider the issues from their point of view.

Introduction to the meeting

Ask for introductions from those present: who they are and the organisation they represent;

Ask if those attending are aware of anyone else who should be present but is not;

Give apologies received from those people who could not attend;

Outline the purpose of the meeting: not to solve problems but to raise issues that need to be considered during the EIA process;

Explain that FCE will write to the proposer (copied to all those people attending and those unable to attend) and formally list the issues that must be addressed;

Order of the meeting

Proposer outlines the proposals: this is an opportunity to clarify any areas of uncertainty e.g. type and location of fencing or cultivation;

Representatives' appraisals: the chair asks each of the representatives to outline their consideration of the proposals including any issues of significance and their relevance to the proposed project. Where possible, evidence of baseline conditions and levels of change that would result in a significant impact should be given. These can be specifically requested;

This part of the meeting should give plenty of opportunity to fully discuss the relevant points including availability of data, survey methods, method of evaluation, alternatives and mitigation;

Correspondence in absentia: the chair will inform those present of any points which have been raised in correspondence from individuals or organisations unable to attend;

Summing up

The Chair will outline the reasons why an EIA is required. If it has been decided that there is a need to visit the site to look at a particular aspect, the chair will encourage this to be done at an early opportunity.

Appendix 5 – Forestry project area thresholds

Type of project	*Description of land sensitivity covered, or proposed to be covered, by the project*	*Size of area of land covered, or proposed to be covered, by the project*	*Likelihood of the project having significant effects on the environment*
Afforestation	The land, or part of the land, is in a sensitive area which is a National Park or an Area of Outstanding Natural Beauty	2 hectares or less	Unlikely to have significant effects
Afforestation	The land, or part of the land, is in a sensitive area which is a National Park or an Area of Outstanding Natural Beauty	More than 2 hectares	Likely to have significant effects
Afforestation	The land, or part of the land, is in a sensitive area **which is not** a National Park or an Area of Outstanding Natural Beauty	All projects	Likely to have significant effects
Afforestation	No part of the land is in a sensitive area	2 hectares or less	Unlikely to have significant effects
Afforestation	No part of the land is in a sensitive area	More than 2, but no more than 5, hectares	Unlikely to have significant effects, unless written notification of assessment is given by FCE under regulation 3A
Afforestation	No part of the land is in a sensitive area and the whole area is a low-risk area	More than 5, but no more than 50, hectares	Unlikely to have significant effects, unless written notification of assessment is given by FCE under regulation 3B
Afforestation	No part of the land is in a sensitive area and the whole area is a low-risk area	More than 50 hectares	Likely to have significant effects
Afforestation	No part of the land is in a sensitive area and the area is not fully within a low-risk area	More than 5 hectares	Likely to have significant effects

Type of project	*Description of land sensitivity covered, or proposed to be covered, by the project*	*Size of area of land covered, or proposed to be covered, by the project*	*Likelihood of the project having significant effects on the environment*
Deforestation	The land, or part of the land, is in a sensitive area which is a National Park or an Area of Outstanding Natural Beauty	0.5 hectares or less	Unlikely to have significant effects
Deforestation	The land, or part of the land, is in a sensitive area which is a National Park or an Area of Outstanding Natural Beauty	More than 0.5 hectares	Likely to have significant effects
Deforestation	The land, or part of the land, is in a sensitive area **which is not** a National Park or an Area of Outstanding Natural Beauty	All projects	Likely to have significant effects
Deforestation	No part of the land is in a sensitive area	1 hectare or less	Unlikely to have significant effects
Deforestation	No part of the land is in a sensitive area	More than 1 hectare	Likely to have significant effects
Forest road works	The land, or part of the land, is in a sensitive area	All projects	Likely to have significant effects
Forest road works	No part of the land is in a sensitive area	1 hectare or less	Unlikely to have significant effects
Forest road works	No part of the land is in a sensitive area	More than 1 hectare	Likely to have significant effects
Forest quarry works	The land, or part of the land, is in a sensitive area	All projects	Likely to have significant effects
Forest quarry works	No part of the land is in a sensitive area	1 hectare or less	Unlikely to have significant effects
Forest quarry works	No part of the land is in a sensitive area	More than 1 hectare	Likely to have significant effects

Definition of "sensitive areas":

The full definition of "sensitive areas" can be found in Schedule 2 of the Regulations. Broadly speaking, however, these are as follows:

a) National Nature Reserve or Site of Special Scientific Interest;

b) National Parks;

c) The Broads;

d) A World Heritage Site;

e) Scheduled Ancient Monuments;

f) Area of Outstanding Natural Beauty;

g) Natural Heritage or National Scenic Areas;

h) A site designated or identified as a candidate Special Area of Conservation;

i) The New Forest Heritage Area;

j) A site classified or proposed as a Special Protection Area.

Definition of "low-risk areas":

The full definition of "sensitive areas" can be found in Regulations 3B. Broadly speaking, however, a low-risk area is land which is **not**:

a) in a sensitive area;

b) land where the level of peat in the ground is 50cm or more in depth;

c) an Important Bird Area as identified by the Royal Society for the Protection of Birds;

d) identified as affecting water bodies failing, or at risk of failing, due to acidification;

e) a nature reserve;

f) common land;

g) the subject of a commitment under Article 28 of Regulation (EU) 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005;

h) land classified as "the best and most versatile agricultural land" according to the Agricultural Land Classification;

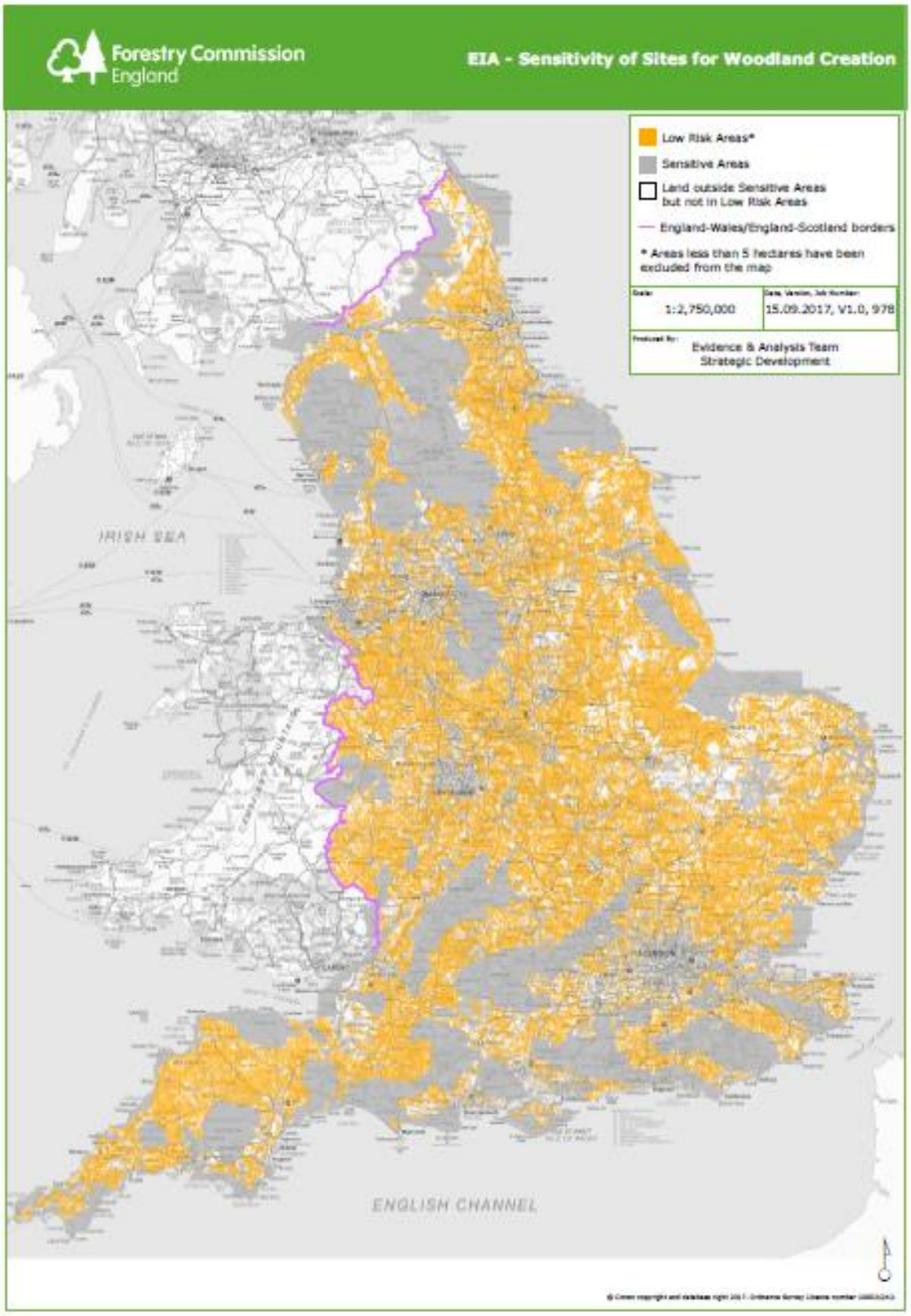
i) a habitat of the type in the list published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006, as being of principal importance for the purpose of conserving biodiversity;

j) registered as a battlefield by the Historic Buildings and Monuments Commission for England; or

k) registered as a park or garden under the Historic and Ancient Monuments Act 1953.

You can view the Sensitive and Low Risk data layers on the Forestry Commission's Land Information Search mapping system. https://www.forestry.gov.uk/england-lis

Maps of Low Risk Area - Sensitivity of sites to woodland creation



NB: The Low Risk area shown here **includes** land currently entered into entry level stewardship scheme (2017).

NB: The Low Risk area shown here **excludes** land currently entered into entry level stewardship scheme (2017).