

Environmental Impact Assessment (EIA): Agenda

- 01.**
What is an EIA?

- 02.**
How does it relate to the DCO process and
what are the related requirements?

- 03.**
Where in the EIA process are we?

Our Outcomes

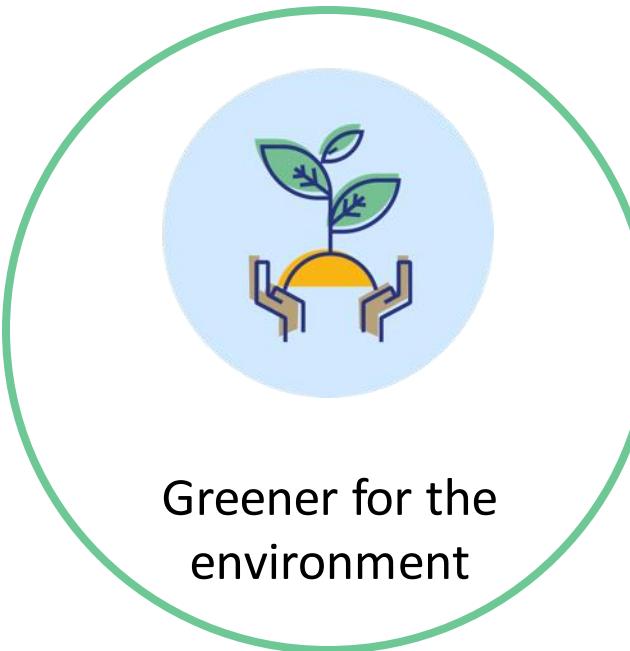
We will deliver a railway that is:



Better for
customers



Cheaper for
the taxpayer



Greener for the
environment



Delivered quicker
than before



Safe &
secure



Greener for the Environment

Environmental Sustainability Principles:	
	Respecting important sites and locations
	Sourcing responsibly
	Protecting you from flooding
	Respecting our neighbours
	Protecting your farmland
	Caring for your landscapes
	Protecting species
	Preserving your heritage
	Contributing to the fight against climate change

What is an EIA?

*“EIA is a decision-making tool to **identify** and **evaluate** the environmental consequences of a planned development to facilitate **informed decision making** and sound environmental management.”*

International Association for Impact Assessment, 2013

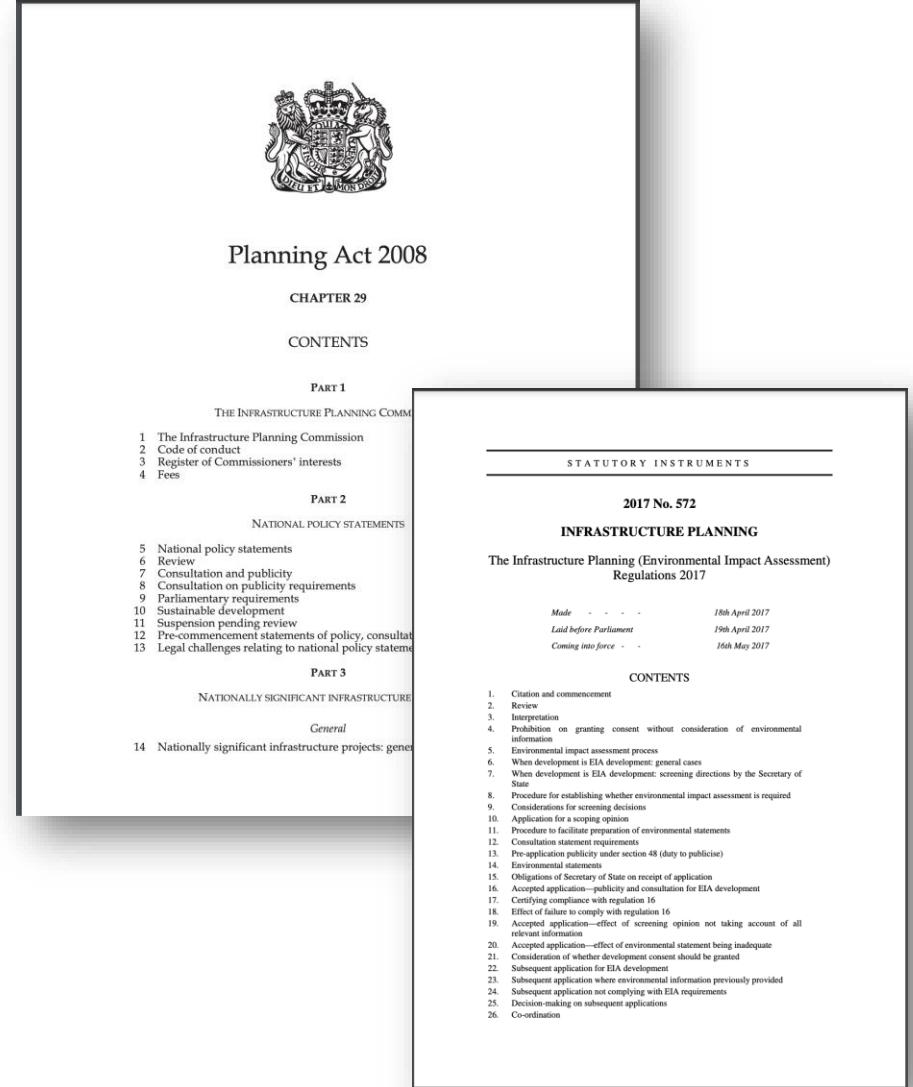
Mitigation is an inherent part of the impact assessment process and is referenced in the Infrastructure Planning (EIA) Regulations 2017

“a description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment”

What is an EIA?

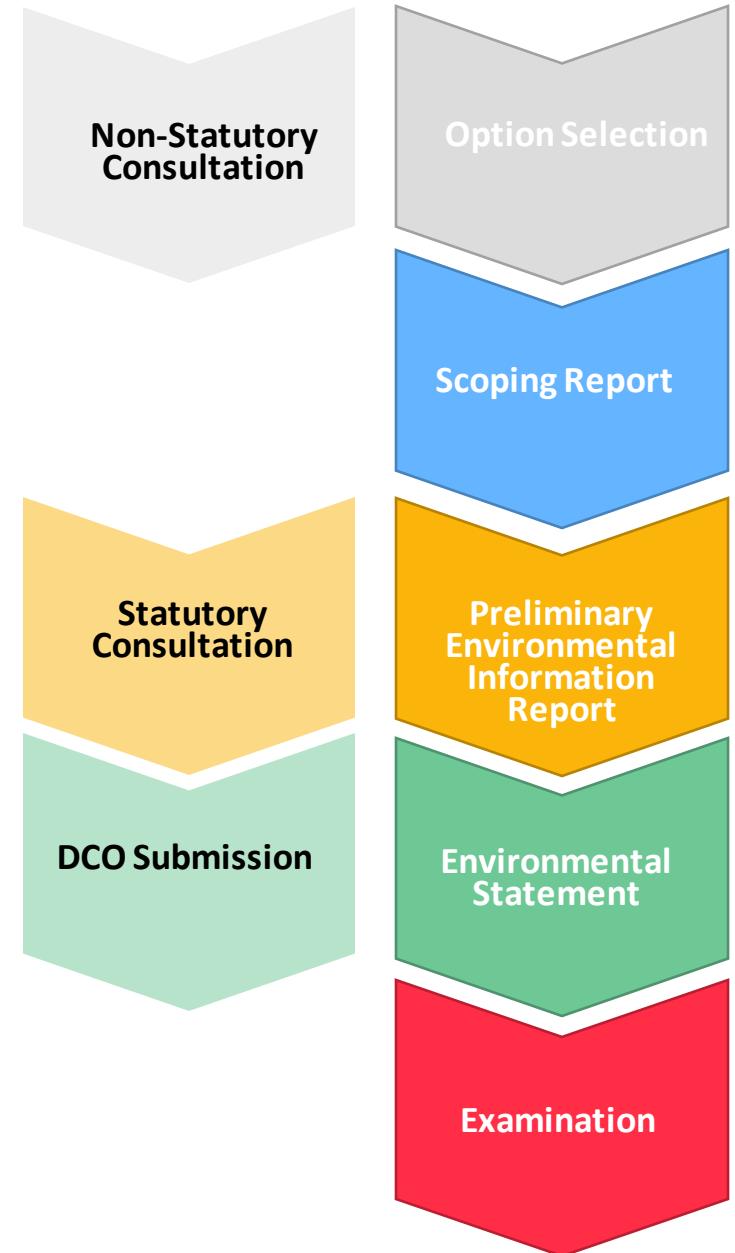
The project will require a Development Consent Order (DCO) to give consent to construct and operate the railway, under the Planning Act 2008.

The Project also falls within the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations), which require an Environmental Statement (ES) to be prepared and submitted with the application for development consent.

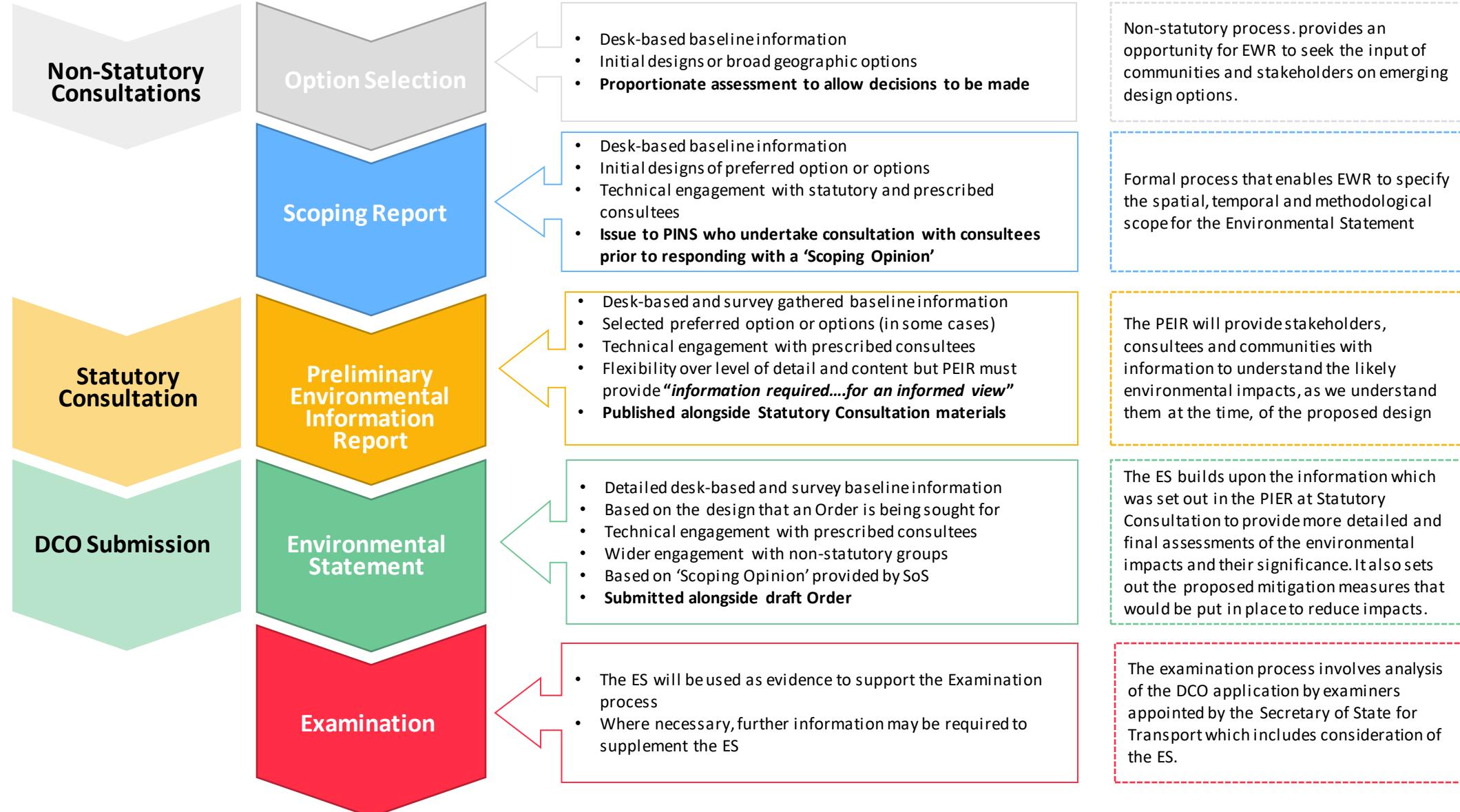


EIA Process

An overview of the Scoping Report, Preliminary Environmental Information Report and Environmental Statement production process



Where does EIA fit in the DCO process?



Scoping Report Case Study

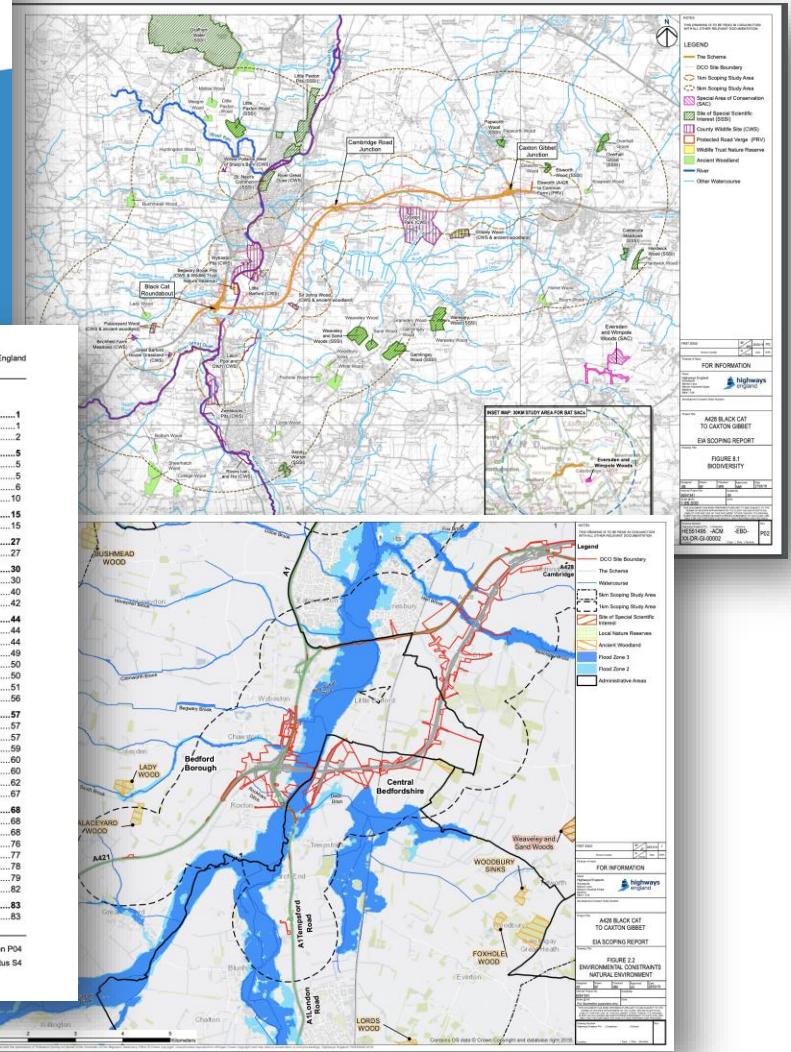
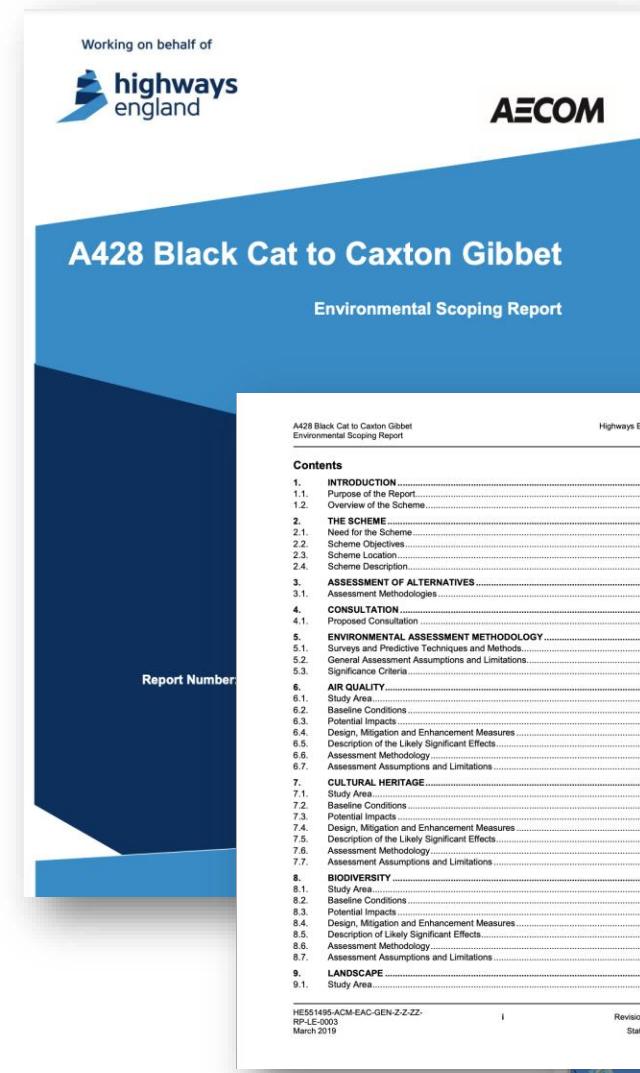
In accordance with Regulation 10(1) of the EIA
Regulations

Key points:

- Description of the scheme and a plan showing the 'land'
- Outline of reasonable alternatives considered
- Description of 'matters' scoped in and out
- Proposes 'how' the EIA will be carried out

Process:

- Provided to Planning Inspectorate (PINS), acting on behalf of the SoS, and made publicly available
- Results in the '**Scoping Opinion**' issued on behalf of the SoS



Preliminary Environmental Information Case Study

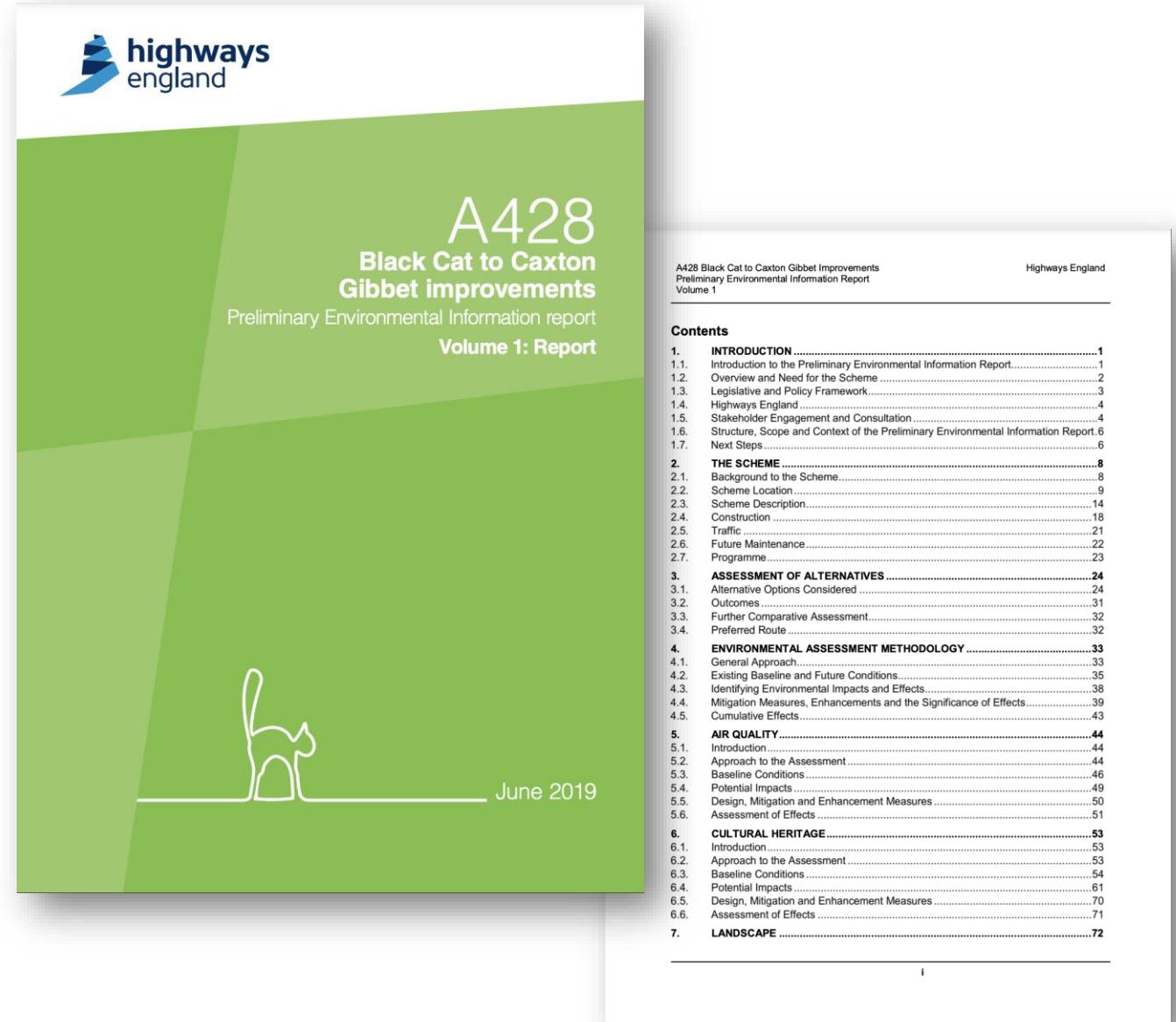
In accordance with Regulation 12 of the EIA Regulations

Key points:

- Flexibility in what is provided and how it is presented
- Information that EWR has compiled
- *“is reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development”*

Process

- Published at Statutory Consultation



A428
Black Cat to Caxton Gibbet improvements
Preliminary Environmental Information report
Volume 1: Report

June 2019

A428 Black Cat to Caxton Gibbet Improvements
Preliminary Environmental Information Report
Volume 1

Highways England

Contents

1. INTRODUCTION	1
1.1. Introduction to the Preliminary Environmental Information Report	1
1.2. Overview and Need for the Scheme	2
1.3. Legislative and Policy Framework	3
1.4. Highways England	4
1.5. Stakeholder Engagement and Consultation	4
1.6. Structure, Scope and Context of the Preliminary Environmental Information Report	6
1.7. Next Steps	6
2. THE SCHEME	8
2.1. Background to the Scheme	8
2.2. Scheme Location	9
2.3. Scheme Description	14
2.4. Construction	18
2.5. Traffic	21
2.6. Future Maintenance	22
2.7. Programme	23
3. ASSESSMENT OF ALTERNATIVES	24
3.1. Alternative Options Considered	24
3.2. Outcomes	31
3.3. Further Comparative Assessment	32
3.4. Preferred Route	32
4. ENVIRONMENTAL ASSESSMENT METHODOLOGY	33
4.1. General Approach	33
4.2. Existing Baseline and Future Conditions	35
4.3. Identifying Environmental Impacts and Effects	38
4.4. Mitigation Measures, Enhancements and the Significance of Effects	39
4.5. Cumulative Effects	43
5. AIR QUALITY	44
5.1. Introduction	44
5.2. Approach to the Assessment	44
5.3. Baseline Conditions	46
5.4. Potential Impacts	49
5.5. Design, Mitigation and Enhancement Measures	50
5.6. Assessment of Effects	51
6. CULTURAL HERITAGE	53
6.1. Introduction	53
6.2. Approach to the Assessment	53
6.3. Baseline Conditions	54
6.4. Potential Impacts	61
6.5. Design, Mitigation and Enhancement Measures	70
6.6. Assessment of Effects	71
7. LANDSCAPE	72

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Environmental Statement Case Study

In accordance with Regulation 14 of the EIA Regulations.

Key Points:

- Full suite of assessment of matters scoped in and completed in line with the 'Scoping Opinion'
- Information to be included described in Schedule 4 of the EIA Regulations.



Example of 'photomontage' production process (A303)

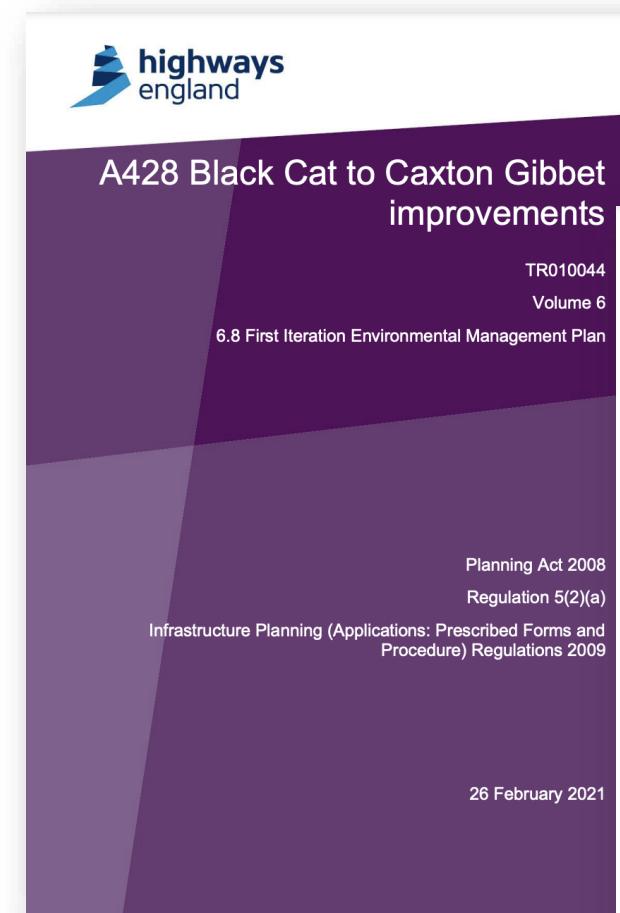
Environmental Statement Case Study (Contd.)

Code of Construction Practice or Outline Environmental Management Plan

A document which sets out mitigation measures and practices that the Project will follow during the construction phase

Examples:

- *Emissions standards for construction fleet*
- *Measures for protecting species*
- *Measures for stockpiling materials*
- *Traffic management measures*



A428 Black Cat to Caxton Gibbet improvements
TR010044
Volume 6
6.8 First Iteration Environmental Management Plan
Planning Act 2008
Regulation 5(2)(a)
Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009
26 February 2021



Chapter	Pages
1 Introduction and background to the Scheme	1
1.1 Purpose of the Environmental Management Plan	1
1.2 The Scheme	4
1.3 Scheme Objectives	7
2 Project team roles and responsibilities	9
2.1 Site roles and responsibilities	9
3 Environmental actions and commitments	15
3.1 Introduction	15
3.2 Guide to the REAC tables	15
4 Consents and permissions	35
4.1 Consents and Agreements Position Statement	35
5 Environmental asset data and as built drawings	47
5.1 Highways England Environmental Information System	47
5.2 Collection and submission of EnvIS data	47
6 Details of maintenance and EMP monitoring activities	49
6.2 Environmental records inspections	49
6.3 Inspection check list	49
6.4 Procedures to monitor compliance	49
7 Induction, training and briefing procedures for staff	52
7.2 Environmental competencies	53
7.3 Training and site induction	53
7.4 Toolbox talks and induction supporting materials	54
8 References	55
8.1 References used in the First Iteration EMP	55
8.2 Glossary	63
9 Annex A - Air quality management plan	106
1.1 Background to the plan	107
1.2 Responsibilities	107
1.3 Consent requirements	107
1.4 General control measures	107
1.5 Specific control measures	109
10 Annex B - Noise and vibration outline management plan	115
1.1 Background to the plan	116
1.2 Responsibilities	116
1.3 Consent requirements	116

Planning Inspectorate Scheme Ref: TR010044
Application Document Ref: TR010044/APP/6.8

Other documents and assessments



Transport Assessment

This document will support the assessments within the Environmental Statement by providing an assessment in the changes of traffic flows and impact on the transport network. The Environmental Statement will then report the effect of this on transport users, local communities and other receptors in chapters such as Air Quality and Noise.

Habitats Regulation Assessment

Where the project may be in proximity, or have the potential to effect a Special Area of Conservation (SAC), we would expect to provide a "HRA Report" which provides sufficient information for a "competent authority" to complete an "appropriate assessment".

The report will consider the potential effect of EWR on the integrity of certain designated sites.

Equalities Impact Assessment (EqIA)

Under section 149 of the Equality Act 2010, a public authority is subject to the Public-Sector Equality Duty (PSED). THE PSED requires EWR to have due regard to eliminating discrimination, harassment and victimisation, advance equality of opportunity for protected characteristic groups (PCGs) and foster good relations between people who share relevant protected characteristics.

An EqIA is not a legal requirement, but it will aim to identify disproportionate and differential impacts on PCGs as a result of the project. PCGs considered within the assessment are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Letter of No Impediment (LoNI)

In order to demonstrate to the ExA that species licenses would be issued by Natural England (NE), we will provide information to NE to enable them to issue to us a LoNI. This document will demonstrate that based on the mitigation proposed, NE would issue protected species licenses for certain activities before construction commenced.

Further Reading

PINS Advice Note 7 - EIA:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-seven-environmental-impact-assessment-process-preliminary-environmental-information-and-environmental-statements/>

PINS Advice Note 10 – HRA:

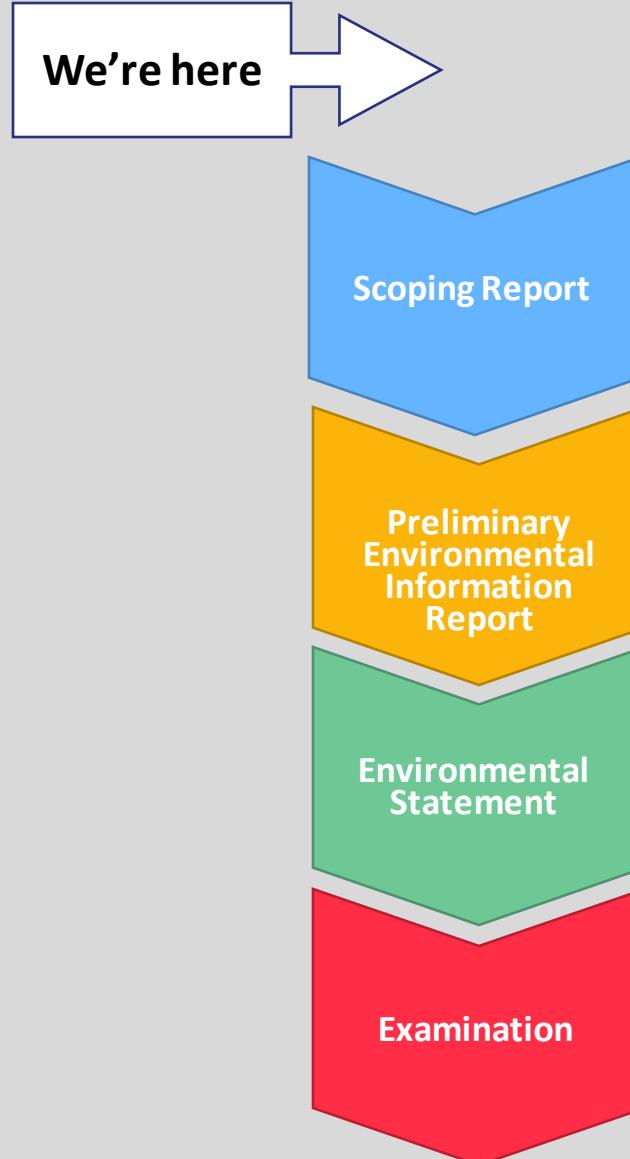
<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-ten/>

Examples:

- [A428 Scoping Report](#)
- [A428 Scoping Opinion](#)
- [A428 PEIR](#)
- [A428 Environmental Statement](#)
- [A303 Photomontage Production](#)

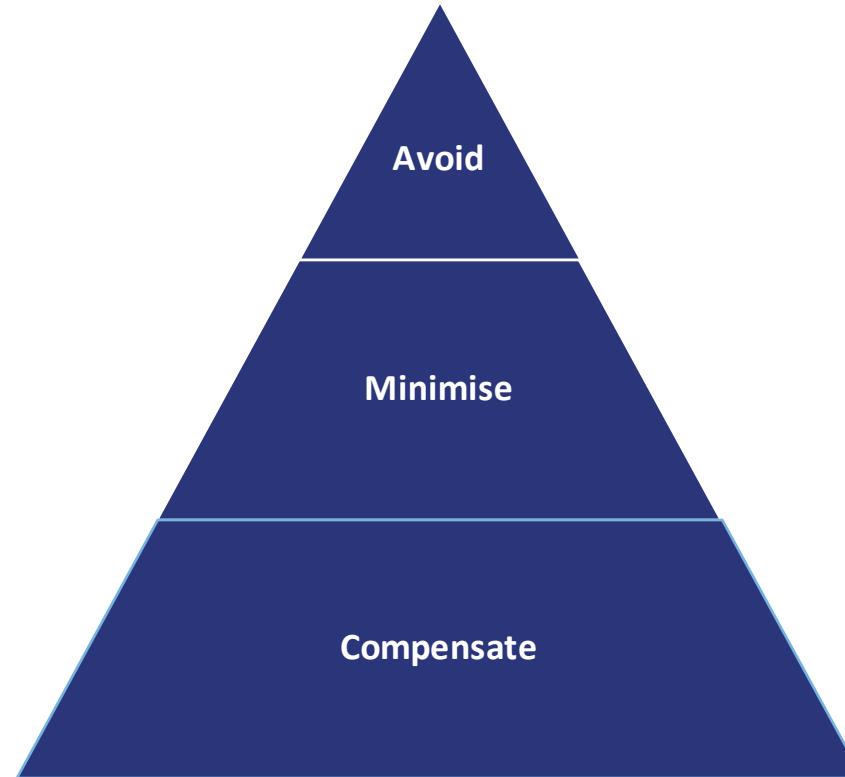
Where in the process are we?

- Some initial engagement on scope and methods have taken place with Stakeholders
- But the Scoping Report has not yet been developed for submission to PINS
- Following option selection, the Scoping Report will be able to be completed and submitted to PINS



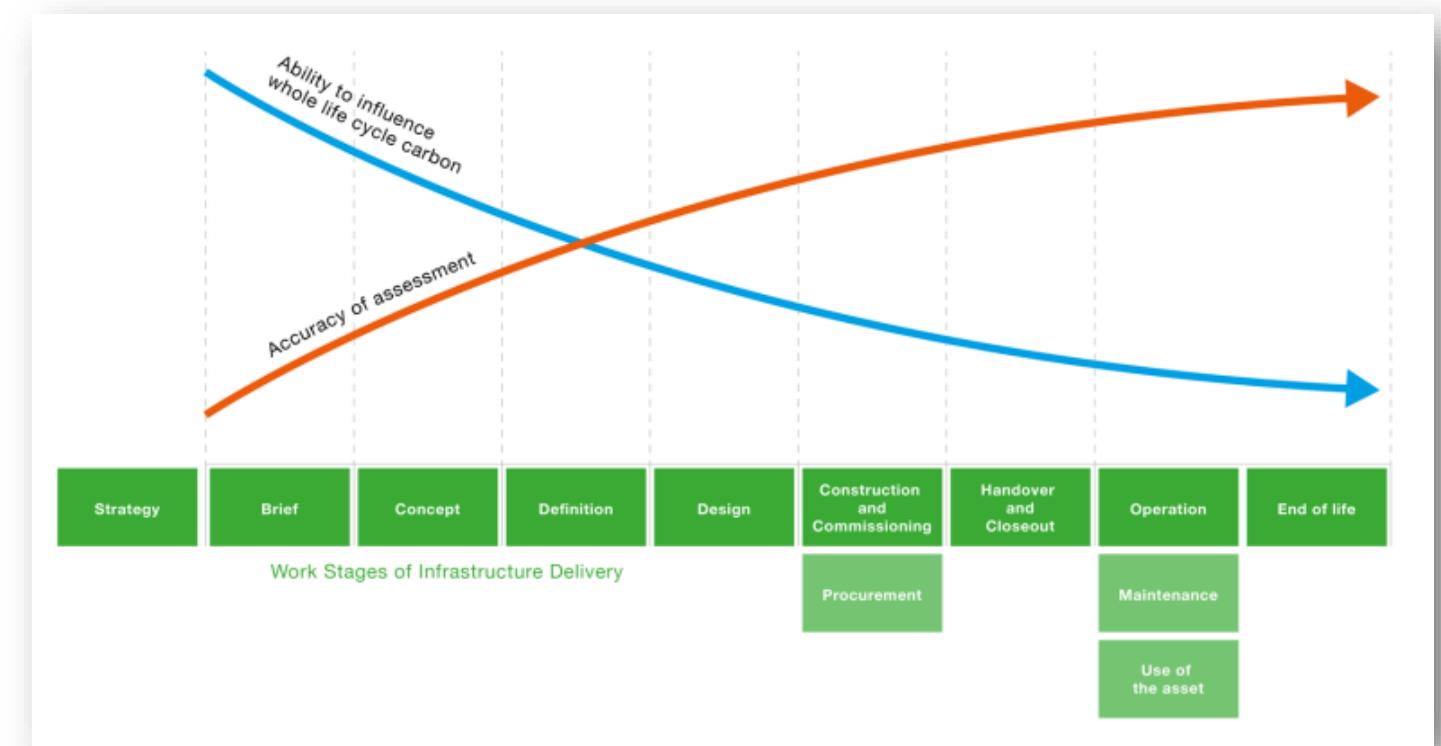
EIA in Practice

- Good EIA practice starts on day-one
- It is a circular process, where designers, engineers and environmental specialists work together to develop options
- Options are refined and developed to avoid impacts
- If impacts can't be avoided, we seek to minimise and then only compensate where impacts cannot be avoided or reduced



EIA in Practice

- Focus on integrated design teams
- Focus on avoidance first
- Focus on feedback loops to iterate design
- Continuous improvement and assessment



EIA in Practice

A working example:

- To meet our BNG aspirations, avoiding loss of ancient woodland is very important
- Baseline data on ancient woodland was collected
- Historic evidence of un-designated woodland was assessed
- Design teams developed initial alignment options informed by ancient woodland locations
- The outcome was that no options presented at NSC2021 resulted in the loss of known or potential ancient woodland

