

# FOREWORD TO THE GUIDANCE ON EIS REVIEW

This guidance document is about Reviewing Environmental Impact Statements (EIS). It is one of a series of three guidance documents on EIA published by the Commission. The others are concerned with [Screening in EIA](#) and [Scoping in EIA](#).

Review is the process of establishing whether the environmental information submitted by a developer to a competent authority, as part of an EIA procedure, is adequate to inform the decision on development consent. In many Member States this information is presented in the form of an Environmental Impact Statement or EIS and we use the term EIS throughout this document for brevity. This document is not intended to be used to verify whether EIS meet legal requirements as this is only possible by reference to individual Member States' legislation but it is intended to reflect the requirements of the EU directives and current good practice in EIA.

The document comprises two parts (A and B) and refers to a supporting checklist and appendix.

- Part A of the guidance document describes the requirements of the European Council (EC) Directives on EIA (85/337/EEC as amended by 97/11/EC) and the role of review in EIA procedures. Part A should **always** be read in conjunction with the EU Directives on EIA and Member State legislation and guidance on EIA, as detailed legal requirements vary throughout the Member States.
- Part B of the guidance offers practical advice on reviewing EIS and introduces a checklist designed for this purpose.

Key terms used in the guidance are explained in the [Glossary](#).

Further copies of this guidance document can be requested from the Directorate General Environment of the European Commission (*contact <http://www.europa.eu.int/comm/environment/eia/eia-support.htm>*).

The guidance is designed principally for use by competent authorities, developers and EIA practitioners in the European Union (EU) Member States and Accession Countries. It is also hoped that it will be of interest to academics and other organisations who participate in EIA training and education and to practitioners from around the world.

**Figure 1 The Environmental Impact Assessment (EIA) Process**

KEY STAGES	NOTES
<b>Project Preparation</b>	The developer prepares the proposals for the project
<b>Notification to Competent Authority</b>	In some MS there is a requirement for the developer to notify the CA in advance of the application for development consent. The developer may also do this voluntarily and informally
<b>Screening</b>	The CA makes a decision on whether EIA is required. This may happen when the CA receives notification of the intention to make a development consent application, or the developer may make an application for a Screening Opinion. The Screening decision must be recorded and made public. (See the guidance on <a href="#">Screening in EIA</a> ) (Article 4).
<b>Scoping</b>	The Directive provides that developers may request a Scoping Opinion from the CA. The Scoping Opinion will identify the matters to be covered in the environmental information. It may also cover other aspects of the EIA process (see the guidance on <a href="#">Scoping in EIA</a> ). In preparing the opinion the CA must consult the environmental authorities (Article 5(2)). In some MS Scoping is mandatory
<b>Environmental Studies</b>	The developer carries out studies to collect and prepare the environmental information required by Article 5 of the Directive (see <a href="#">Appendix A</a> ).
<b>Submission of Environmental Information to Competent Authority</b>	The developer submits the environmental information to the CA together with the application for development consent. If an application for an Annex I or II project is made without environmental information the CA must screen the project to determine whether EIA is required (see above). (Articles 5(1) and 5(3)). In most MS the environmental information is presented in the form of an Environmental Impact Statement (EIS).
<b>Review of Adequacy of the Environmental Information</b>	In some MS there is a formal requirement for independent review of the adequacy of the environmental information before it is considered by the CA. In other MS the CA is responsible for determining whether the Information is adequate. The guidance on <a href="#">EIS Review</a> is designed to assist at this stage. The developer may be required to provide further information if the submitted information is deemed to be inadequate.
<b>Consultation with Statutory Environmental Authorities, Other Interested Parties and the Public</b>	The environmental information must be made available to authorities with environmental responsibilities and to other interested organisations and the general public for review. They must be given an opportunity to comment on the project and its environmental effects before a decision is made on development consent. If transboundary effects are likely to be significant other affected MS must be consulted (Articles 6 and 7).
<b>Consideration of the Environmental Information by the Competent Authority before making Development Consent Decision</b>	The environmental information and the results of consultations must be considered by the CA in reaching its decision on the application for development consent (Article 8).
<b>Announcement of Decision</b>	The decision must be made available to the public including the reasons for it and a description of the measures that will be required to mitigate adverse environmental effects (Article 9).
<b>Post-Decision Monitoring if Project is Granted Consent</b>	There may be a requirement to monitor the effects of the project once it is implemented.

The highlighted steps must be followed in all Member States under Directives 85/337/EC and 97/11/EC. Scoping is not mandatory under the Directive but Member States must establish a voluntary procedure by which developers can request a Scoping Opinion from the CA if they wish. The steps which are not highlighted form part of good practice in EIA and have been formalised in some Member States but not in all. Consultations with environmental authorities and other interested parties may be required during some of these additional steps in some Member States.  
Abbreviations CA = Competent Authority; MS = Member State.