
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 113

FORESTRY

**The Forestry (Environmental Impact
Assessment) (Scotland) Regulations 2017**

<i>Made</i>	- - - -	<i>11th April 2017</i>
<i>Laid before the Scottish Parliament</i>	- -	<i>13th April 2017</i>
<i>Coming into force</i>		<i>16th May 2017</i>

**THE FORESTRY (ENVIRONMENTAL IMPACT
ASSESSMENT) (SCOTLAND) REGULATIONS 2017**

PART 1

INTRODUCTORY

1. Citation, commencement and extent
2. Interpretation
3. Prohibitions relating to EIA forestry projects
4. Mandatory conditions
5. Environmental impact assessment
6. Application for EIA consent
7. Determination of applications for EIA consent

PART 2

DETERMINING WHETHER EIA IS REQUIRED

8. EIA forestry project
9. Exemptions
10. EIA forestry project thresholds
11. General provisions relating to screening
12. Requests for screening opinion of the Commissioners
13. Screening opinions – time period for decision
14. Requests for screening directions by the Scottish Ministers

Status: This is the original version (as it was originally made).

PART 3

PREPARATION OF ENVIRONMENTAL IMPACT ASSESSMENT REPORTS

15. Requests for scoping opinions of the Commissioners
16. Requests for scoping directions by the Scottish Ministers
17. Procedure to facilitate preparation of EIA reports

PART 4

PUBLICITY AND PROCEDURES ON SUBMISSION OF ENVIRONMENTAL IMPACT ASSESSMENT REPORTS

18. Publication of EIA report
19. Consultation where EIA report received by the Commissioners
20. Copies of EIA report for the public

PART 5

ADDITIONAL INFORMATION

21. Additional information and evidence relating to EIA reports
22. Publication of additional information

PART 6

AVAILABILITY OF DIRECTIONS ETC. AND NOTIFICATION OF DECISIONS

23. Availability of opinions, directions etc. for inspection
24. Decision notice
25. Monitoring measures
26. Duties to inform the applicant and public of final decisions

PART 7

FORESTRY PROJECT WITH SIGNIFICANT TRANSBOUNDARY EFFECTS

27. Forestry project in Scotland likely to have significant effects in an EEA State other than the United Kingdom
28. Projects in another EEA State likely to have significant transboundary effects

PART 8

ENFORCEMENT

29. Enforcement provisions

PART 9

APPEALS AND APPLICATIONS TO COURT

30. Appeals against the decisions of the Commissioners
31. Application to the Court of Session by person aggrieved

PART 10

MISCELLANEOUS

32. Electronic communications – general

33. Electronic communications – deemed agreement
 34. Withdrawal of consent to use of electronic communications
 35. Service of notices etc.
 36. Competent authority – avoidance of conflict of interest
 37. Co-ordination of assessments
 38. Offence - false or misleading statements
 39. Offences - non-compliance with enforcement notices
 40. Offences by bodies corporate etc.
 41. Revocation and savings
- Signature

**SCHEDULE 1 THRESHOLDS FOR THE IDENTIFICATION OF
PROJECTS LIKELY TO HAVE SIGNIFICANT
EFFECTS ON THE ENVIRONMENT**

1. Interpretation
2. Thresholds for projects in sensitive areas
3. Thresholds for projects outside sensitive areas
4. Thresholds for extending projects in sensitive areas
5. Thresholds for extending projects outside sensitive areas
6. Exceptional circumstances in relation to forestry projects near to or adjoining other projects

**SCHEDULE 2 SELECTION CRITERIA FOR SCREENING FORESTRY
PROJECTS**

1. Characteristics of forestry projects
2. Location of forestry project
3. Characteristics of the potential impact

**SCHEDULE 3 INFORMATION FOR INCLUSION IN
ENVIRONMENTAL IMPACT ASSESSMENT REPORTS**

1. A description of the forestry project, including in particular:
2. A description of the reasonable alternatives (for example in terms...
3. A description of the relevant aspects of the current state...
4. A description of the factors specified in regulation 5(3) likely...
5. A description of the likely significant effects of the forestry...
6. The description of the likely significant effects on the factors...
7. A description of the forecasting methods or evidence, used to...
8. A description of the measures envisaged to avoid, prevent, reduce...
9. A description of the expected significant adverse effects of the...
10. A non-technical summary of the information provided under paragraphs 1...
11. A reference list detailing the sources used for the descriptions...

SCHEDULE 4 ENFORCEMENT POWERS

1. Interpretation of schedule 4
 2. Powers of entry
 3. Enforcement notices
 4. Appeals against enforcement notices
- Explanatory Note