



# Improving Regulatory Efficiency with Readability



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- Easily readable environmental impact assessment (EIA) summaries benefit the public.
- Easily readable EIA summaries benefit the regulator.



Are EIA summaries difficult to read?

- Gallagher and Jacobson, 1993
- Sullivan et al., 1996
- Fischer and Fothergill, 2014
- Fry et al., 2014 cited: Maxwell, 2004 and Apere, 2005
- Möller-Lindenhof, 2018
- McKie and Rust, 2021



The ramifications of this are numerous.

- The public is excluded (Hartley and Wood, 2005; Wiklund, 2011),
- Citizen participation is necessary to enforce EIA policy (Schudson, 2015),
- Endangers the environment (Wang and Wang, 2011),
- It is illegal to exclude the public from the EIA process (Aarhus Convention, 1998),
- Symbolic rather than the public's true inclusion in the EIA process (Odparlik and Köppel, 2013)
- Fosters miscommunication and controversy (Yao et al., 2020).



Typically, guidelines and regulations have emphasized the ***critical importance of readability for the integrity of public participation.***

This approach, however, has had a negligible impact on the readability of summaries (McKie and Rust, 2021).



## Contents of the presentation

- Are EIA difficult to read?
- What are the consequences?
- **What are the motivators?**
- How to use summaries appropriately?
- How much time can be saved?
- What is the relevance of content?
- What are the alternatives?



Why do difficult summaries perpetuate?

- It takes a great deal of time to write reports that are easy to read (IEMA, 2011, p79)
- Proponents think that legalese will protect against litigation (Fothergill, 2011; AASHTO, 2006). Proponents see the tangible costs of the EIA as the bankable benefit of approval (Morrison-Saunders et al., 2015).



## Regulators

- The regulator retains considerable authority to affect the situation (Morrison-Saunders et al., 2001).
- Although regulators already have the capacity to send back reports it is not common practice (Ross et al., 2006).
- Regulators may also be motivated by reducing the weight of administrative burden and the cost to public finances (Kimble, 2012; Victorian Law Reform Commission, 2017).
- Reducing administrative burdens can result in EIA reforms that have detrimental effects for the EIA process (Fonseca and Rodrigues, 2017; Bond et al., 2014; Gibson, 2012).

Decision-makers have stated that they desire simpler and easier-to-understand documents (AASHTO, 2006).



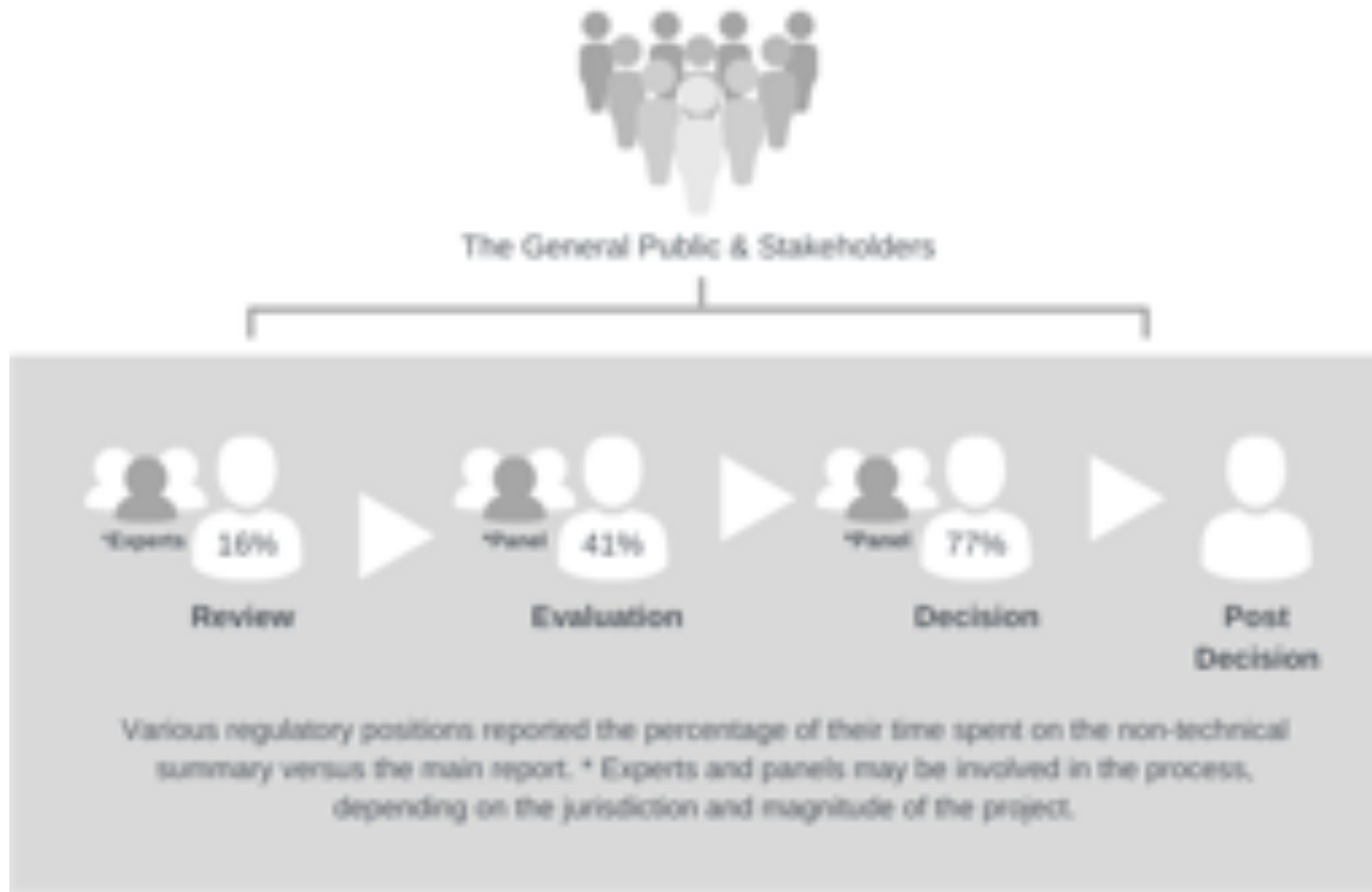
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# Appropriate Proportionate Use

## Readers of impact assessment non-technical summaries



The main purpose of the summary is:

- Providing specialists with an overview to contextualize their professional review.
- Ensuring the summary is adequate by cross-referencing between the summary, the main report, and the required standards.
- Assisting with the development of materials aimed at the public, such as briefs and papers for public consultation.
- Managing project expectations, responding to inquiries and preventing public misconceptions.
- Stakeholders (which may include government departments) examine the summary in order to obtain a better knowledge of the plans before deciding whether to participate or not.
- Acting as a source of information for the creation of summary reports, particularly for the decision-maker evaluation report.
- Providing summarized project information in non-technical terms to decision-makers and committees charged with making project-related decisions.
- Ensuring that conditions are adhered to during the project's post-approval phases.

### **Difficult to read**

#### Aviforna

According to available data, no significant aviforna feeding or resting areas have been identified in the vicinity of the planned Nord Stream 2 pipeline in the Finnish EEZ.

### **Easy to read**

#### Birds

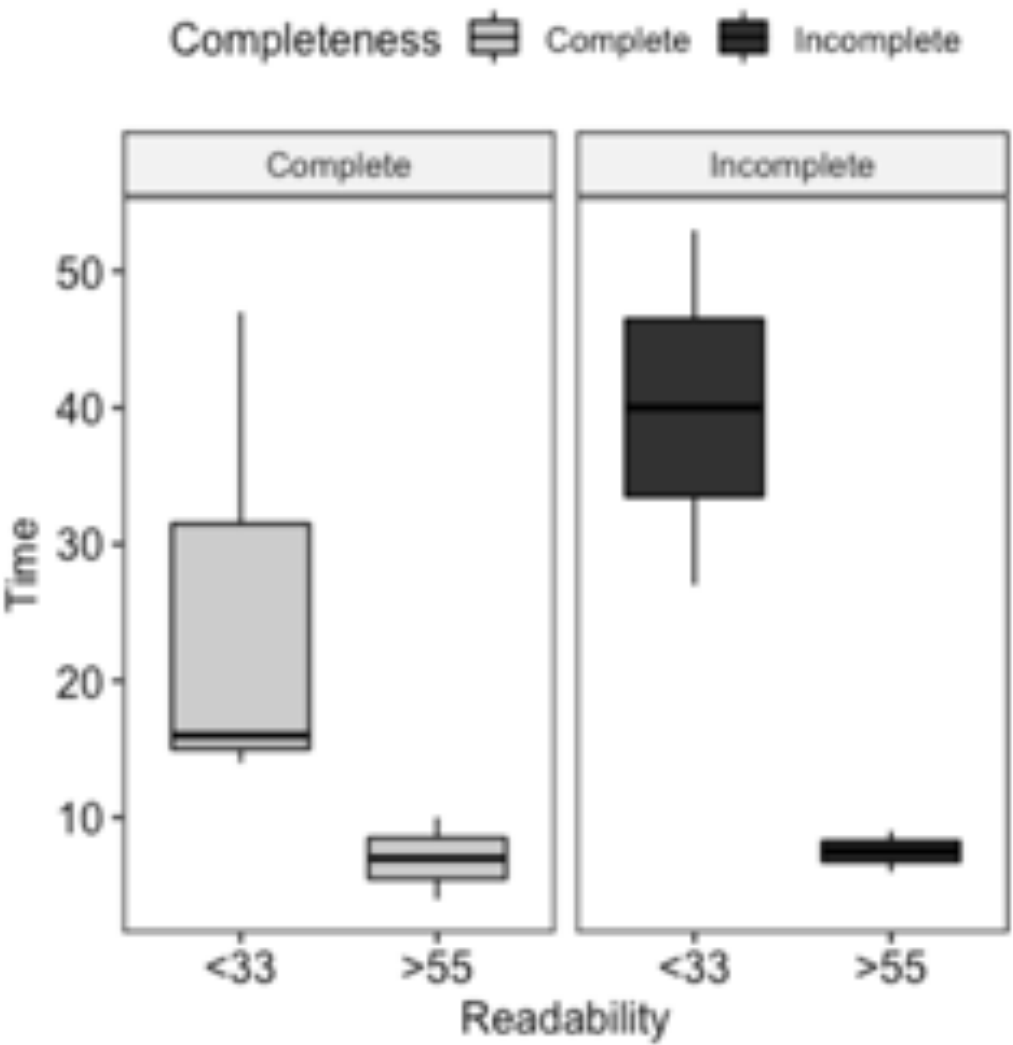
Bird data for the Finnish section of the pipeline has been assessed. No significant feeding or resting areas are near the planned pipeline.

### **Difficult to read and incomplete**

#### Aviforna

Little is known about the long-term macroevolutionary impact of anthropogenic extinction. In other words, how far have humans perturbed this unique and isolated biological assembly from its natural state?

Regulators could save approximately 77% (between 32% and 89%) of their time reading EIA summaries if they received them in an easily-readable format.





### Regulators satisfaction with four different texts

	Low Readability	High Readability
High completeness	<i>Noticed that it was not written for a public audience and missed the use of figures.</i>	<i>Found that it lacked substance and detail.</i>
Low completeness	<i>Noticed it lacked information.</i>	<i>Noticed it lacked information.</i>

- Reveal logical fallacies or textual deficiencies.
- Sufficient specificity in summaries results more information and has higher linguistic quality.
- Use enhanced content that meets regulators information needs and desires.



EIA reforms driven by simplification.

- Brazil, developers to obtain permits more easily (Fonseca and Rodrigues, 2017).
- Canada, Australia, South Africa, and the United Kingdom have all attempted reforms that had a detrimental effect on EIA processes (Bond et al., 2014).



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# Let's continue the conversation!

Post questions and comments via chat in the IAIA22 platform.



## #iaia22

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