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 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
Improving Regulatory Efficiency with Readability

Readers of impact assessment non-technical summaries

The General Public & Stakeholders

Various regulatory positions reported the percentage of their time spent on the non-technical summary versus the main report. *Experts and panels may be involved in the process, depending on the jurisdiction and magnitude of the project.
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.
<table>
<thead>
<tr>
<th>Difficulty</th>
<th>Text</th>
</tr>
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</table>
| Difficult to read               | Aviforma
According to available data, no significant aviforma 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| Aviforma
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

<table>
<thead>
<tr>
<th>High completeness</th>
<th>Low Readability</th>
<th>High Readability</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Noticed that it was not written for a public audience and missed the use of figures.</td>
<td>Found that it lacked substance and detail.</td>
</tr>
<tr>
<td>Low completeness</td>
<td>Noticed it lacked information.</td>
<td>Noticed it lacked information.</td>
</tr>
</tbody>
</table>
• Reveal logical fallacies or textual deficiencies.

• Sufficient specificity in summaries results in 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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References

- IEMA. Available at: <https://www.iema.net/assets/uploads/Special%20Reports/iema20special20report20web.pdf> [Accessed 28 March 2020].

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Let’s continue the conversation!
Post questions and comments via chat in the IAIA22 platform.

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