

Throwing Precaution to the Wind: Uncertainty and the Precautionary Principle in Wind Farm Assessment

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Abstract

There has recently been a massive expansion in the development of offshore renewable wind energy in the United Kingdom, representing an unprecedented industrialisation of the marine environment. Some expansion is crucial if we are to mitigate the effects of climate change but there is also a legal, and indeed moral, imperative to protect the marine environment and its biodiversity. Despite this imperative, the risks to wildlife and in particular seabirds have not been fully quantified, with considerable uncertainty existing as to the scale and nature of any impacts. The first step to quantifying risk is to identify the sources of uncertainty, and yet any identification, categorisation or quantification of uncertainty has rarely been carried out.

The Precautionary principle ensures that where there are threats of serious or irreversible damage, lack of full scientific certainty is not used as a reason against preventative decision, thus ensuring that the existence of the risk/ uncertainty is sufficient to ensure environmental protection. However due to the large uncertainties involved, it has been argued that there is an over-precautionary approach being taken to the assessment of offshore wind farm developments.

However we argue that the aim should be to reduce the uncertainty not precaution. Using examples from the UK of offshore wind farm developments, and the assessment process, both scientifically and procedurally, this talk will describe the legal and assessment requirements and how the precautionary principle can be misapplied despite the scale of uncertainty. We will also highlight the examples where positive efforts have been made to reduce the uncertainty.