



Government.no

HISTORICAL ARCHIVE

# Regulations on Environmental Impact Assessment

Regulation | Published: 2005-04-01

**THIS REGULATION IS REPLACED BY "REGULATION ON ENVIRONMENTAL IMPACT ASSESSMENT 26 MAY 2009" WHICH IS NOT TRANSLATED.**

**Laid down by Royal Decree of 1 April 2005 pursuant to section 33-5 of the Act of 24 September 2004 No. 72 on amendments to the Planning and Building Act (environmental impact assessments), cf. the EEA Agreement, Appendix no. XX, Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, Council Directive 97/11/EC of 3 March 1997 amending Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC and in relation to the UN-ECE Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, Finland, 25 May 1991) and the UN-ECE Protocol on Strategic Environmental Assessment (Kiev, Ukraine, 21 May 2003).**

# Chapter I

## **Purpose and general provisions**

### **Section 1 The purpose of the Regulations and general provisions**

The purpose of the provisions is to ensure that the environment, natural resources and community are taken into account in the preparation of plans or projects, and when a decision is made as to whether, and if so on what conditions, plans or projects may be carried out.

The geographical extent of the Regulations follows from section 1 of the Planning and Building Act.

Appendices I and II are part of the Regulations.

The Regulations set supplementary requirements for the administrative processing of plans and projects that may have significant effects on the environment, natural resources or community. Processing pursuant to the Regulations shall also meet the requirements relating to reporting and documentation that follow from other legislation and that are relevant to the decision for which the environmental impact assessment is to form the basis.

Decisions made by the administrative authorities pursuant to the Regulations are not to be regarded as individual decisions as defined in the Public Administration Act.

Any person who prepares a proposal for a plan pursuant to the Planning and Building Act or who applies for a permit pursuant to sector legislation, hereinafter called the proposer, shall himself evaluate whether the plan or project lies within the substantive scope of the Regulations, cf. Chapter II.

The costs of preparing a proposal for a programme and an environmental impact assessment shall be borne by the proposer.

## Chapter II

### **Substantive scope and competent authority**

#### **Section 2 Plans and projects that shall always be dealt with in accordance with these Regulations**

The following plans and projects shall always be dealt with in accordance with these Regulations, cf. Chapter III:

- a. county master plans and county sub-plans pursuant to the Planning and Building Act with guidelines for physical development,
- b. the land-use part of the municipal master plan and municipal sub-plans which specify areas for physical development, cf. section 20-4 of the

- Planning and Building Act,
- c. national parks and other protected areas pursuant to the Nature Conservation Act covering more than 500 km<sup>2</sup>, and national parks and other protection and conservation measures pursuant to the Nature Conservation Act covering more than 250 km<sup>2</sup> if the project results in substantial changes in the current use of the area by primary industry or tourism in the local community,
  - d. zoning plans or building development plans pursuant to the Planning and Building Act for such projects as are listed in Appendix I. This does not apply to road or railway projects for which studies are carried out at project level in the land-use part of the municipal master plan or the municipal sub-plan and where the zoning plan is in conformity with the general plan. This covers building development plans only if no zoning plan has been prepared for the project,
  - e. applications pursuant to sector legislation for projects listed in Appendix I.

The County Municipality is the competent authority pursuant to subparagraph a. The Municipality is the competent authority pursuant to subparagraph b. The Norwegian Directorate for Nature Conservation is the competent authority pursuant to subparagraph c. The competent authority pursuant to the Regulations for projects pursuant to subparagraphs d and e is shown in Appendix I, column B.

For projects pursuant to the Energy Act, the Watercourse Regulation Act, the Water Resources Act, the Petroleum Activities Act or the Natural Gas Act, the competent authority according to Appendix I is also the competent authority in cases where a zoning plan is prepared for projects pursuant to the Planning and Building Act. In such cases, the competent authority shall take steps to enable processing pursuant to sector legislation to be coordinated as far as possible with processing of the projects pursuant to the planning provisions in the Planning and Building Act.

### **Section 3 Plans and projects that are subject to assessment pursuant to section 4 of the Regulations**

The following plans and projects shall be dealt with pursuant to Chapter III of the Regulations if they may have significant effects on the environment, natural resources or community, cf. the criteria in section 4:

1. Zoning plans pursuant to the Planning and Building Act if the plan includes or lays down a framework for subsequent administrative decisions on the following projects or activities:
  - a. commercial, warehouse and office buildings, and public buildings and buildings of public utility, with a usable area exceeding 5 000 m<sup>2</sup>.
  - b. roads, railway lines, tram and underground lines, cable cars for the carriage of persons, landing places, ports and harbour installations and inland waterways,
  - c. ski runs and ski lifts, aerial cableways and associated installations, yacht marinas, holiday villages and hotel complexes outside urban areas, permanent camping and caravan sites and theme parks,
  - d. golf courses with nine or more holes and racing and test tracks for motorized vehicles,
  - e. extraction industry, including quarries and gravel pits, and waste disposal sites, large dumping sites on land and at sea, metal production and processing, mineral, food, textile, leather, wood and paper industries and chemical industry,
  - f. deforestation with a view to conversion to another type of land-use,
  - g. zoning plans for development of towns and urban areas.
3. Projects that require a permit pursuant to sector legislation:
  - a. installations related to the extraction, exploitation and transport of oil and natural gas pursuant to the Petroleum Activities Act or the

Natural Gas Regulations. The Ministry of Petroleum and Energy is the competent authority. The provision in section 2, final paragraph, applies correspondingly,

- b. industrial installations for transport of gas with a pipeline more than 20 km in length and a pipe more than 15 inches in diameter, power lines carrying a voltage of 66 kW or more and over 20 km in length, installations for the production of electric energy with an installed effect of 25 MW or more pursuant to the Energy Act and the development of hydropower exceeding 30 GWh pursuant to the Water Resources Act or the Watercourse Regulation Act. The Norwegian Water Resources and Energy Directorate is the competent authority. The provision in section 2, final paragraph, applies correspondingly,
- c. large water management projects for agriculture, large canalization and flood relief installations, large groundwater abstraction or artificial groundwater recharge schemes and installations for transfer of water resources between drainage basins pursuant to the Water Resources Act. The Norwegian Water Resources and Energy Directorate is the competent authority,
- d. installations for collection, processing and storage of radioactive waste pursuant to the Act on Nuclear Energy Activities. The Norwegian Radiation Protection Authority is the competent authority,
- e. intensive livestock installations pursuant to the Animal Husbandry Licensing Act. The County Governor is the competent authority,
- f. cultivation of previously uncultivated land pursuant to regulations laid down pursuant to section 11, second paragraph, of the Land Act, if the land area planned for cultivation exceeds 5 ha, and the construction of agricultural roads pursuant to regulations laid down pursuant to section 11, third paragraph, of the Land Act and section 17 a of the Forestry Act, if the new construction exceeds 5 km. The Municipality is the competent authority,

- g. afforestation and planting of new tree species on a total area of more than 50 ha pursuant to the Forestry Act. The Municipality is the competent authority,
  - h. reindeer fences exceeding 30 km in length pursuant to the Reindeer Husbandry Act. The Norwegian Reindeer Husbandry Administration in Alta is the competent authority,
  - i. large fish farming installations and hatcheries with a capacity exceeding 5 million units. The Directorate of Fisheries is the competent authority,
  - j. dredging-related commercial extraction of minerals from the seabed pursuant to the Continental Shelf Act. The County Municipality is the competent authority.
2. Zoning plans or applications pursuant to sector legislation that cover extensions of or changes in such projects as are mentioned in subparagraph 1 or 2. Where selection criteria have been specified, the provision applies where the extension or change itself exceeds the criteria.

The provisions above do not apply if the effects of the zoning plan or the project have been satisfactorily clarified and elucidated in the land-use part of the municipal master plan or the municipal sub-plan. The present exception does not apply to projects pursuant to subparagraph 2 b.

The Municipality is the competent authority for the assessment of zoning plans mentioned under subparagraph 1. For projects under subparagraph 2 the competent authority is specified in provisions a) to j).

The competent authority shall assess whether a zoning plan or a project falls within the scope of the criteria set out in section 4 as early as possible in the preparation of the plan or project. In the case of zoning plans, this should be done prior to public announcement pursuant to section 27-1, no. 1, second paragraph of the Planning and Building Act.

The competent authority's assessment of whether a zoning plan or project pursuant to sector legislation may have significant effects shall take information provided by the proposer as a starting point, and on information that is otherwise available and known. Insofar as is necessary, the competent authority shall contact the authorities concerned to determine whether the criteria set out in section 4 are applicable.

Authorities concerned, parties concerned or special interest organizations shall, if they deem that zoning proposals falling within the scope of subparagraph 1 or 3 may have significant effects, cf. section 4, shall notify the competent authority of this in writing within a reasonable period of time after the announcement of commencement of work on the zoning plan, cf. section 27-1, no. 1, second paragraph, of the Planning and Building Act. If such a demand for processing pursuant to these Regulations is made, but not granted, the competent authority shall give grounds for so deciding when the plan proposal is made available for public inspection, cf. section 27-1, no. 2, of the Planning and Building Act.

#### **Section 4 Criteria for assessing significant effects on the environment, natural resources and community**

Plans and projects pursuant to section 3 shall be dealt with pursuant to the Regulations if they:

- a. are located in or are in conflict with areas with particularly valuable landscapes, natural environments, cultural monuments or cultural environments that are protected or preserved, temporarily protected or preserved of which the protection or preservation has been proposed, or where there are or there is a strong likelihood of finding automatically preserved cultural monuments that are part of a cultural environment that goes far back in time,
- b. are located in or are in conflict with important natural areas on which there has been no encroachment, or pose a threat to directly endangered or vulnerable species and their habitats or to other areas

- of particular importance for biological diversity,
- c. are located in large natural areas that are particularly important for the pursuit of recreational activities, including forests bordering urban areas, and in important areas close to watercourses that have not been set aside for physical development and in major green structures and important recreation areas in towns and urban areas, and where the plan or project conflicts with outdoor recreational interests,
  - d. fall within the scope of the National Policy Guidelines (NPG) for planning in coastal and marine areas in the Oslo Fjord region, NPG for protected watercourses and NPG for coordinated land-use and transport planning and, at the same time, conflict with the purpose of these guidelines, or which conflict with guidelines for the development of shopping centres that have been laid down in county sub-plans,
  - e. may conflict with the pursuit of Sami commercial activities in uncultivated areas, or are located in areas of special value for reindeer husbandry or limited seasonal pasture and may conflict with reindeer husbandry interests, or may in other ways conflict with the land-use needs of reindeer husbandry,
  - f. entail the substantial reallocation of agricultural, natural or outdoor recreational areas or areas that have been zoned for agriculture and that are of significant importance for agricultural activities,
  - g. result in a significant increase in the number of persons who are exposed to high levels of air pollution or noise, or may lead to significant pollution of soil, water and sediments, or entail a risk of serious accidents, radiation, landslides and flooding,
  - h. may have consequences for public health due to significant changes in the composition of the population, the housing market, housing needs or the need for services,
  - i. may have significant consequences for the population's access to outdoor areas, buildings and services,
  - j. may have significant negative consequences for another state.

# Chapter III

## **Rules for administrative processing**

### **Section 5 The planning or assessment programme**

In the case of plans pursuant to Chapter II, the proposer shall as early as possible in the preparation of the plan draw up a proposal for a planning programme. In the case of projects pursuant to sector legislation, a proposal for an assessment programme shall be drawn up.

The planning or assessment programme shall form the basis for the preparation of a proposed plan or application with an environmental impact assessment. When formulating the proposed programme, account shall be taken of relevant limits and requirements relating to the content and design of proposed plans or applications with an environmental impact assessment that are laid down in section 8 and Appendix II.

Proposals for a planning or assessment programme shall describe arrangements for information and participation, particularly in relation to groups who are presumed to be specially concerned.

Proposals for planning programmes for master plans shall define the limits and conditions and clarify the purpose of the planning work. The planning programme shall be adapted to the extent and level of the planning work and the issues which the planning work is intended to address. The programme shall describe which physical development strategies and alternatives will be considered and which issues are likely to be elucidated, including any assessments that are presumed necessary in order to provide a sound basis for decisionmaking.

Proposals for planning or assessment programmes for plans and applications for projects shall describe the plan or project and issues that are expected to be elucidated, and state which alternatives will be considered. The proposal shall give an account of the matters that have been clarified in the general plan and the assessments proposed for incorporation in the proposed plan or application with an environmental impact assessment, and the methods that will be utilised. The proposed planning or assessment programme for plans and applications for projects shall contain maps showing the planning or project area and the location of the project within the area.

## **Section 6 Consultation on, processing and prescription of programmes**

Proposed planning programmes shall be circulated to the authorities concerned and special interest organizations for consultation and made available for public inspection. A reasonable time limit shall be set for submitting comments. The time limit should not be less than six weeks.

In the case of plans pursuant to the Planning and Building Act, the consultation process and public inspection of the planning programme shall normally be coordinated with the commencement or announcement of the planning work, cf. section 27-1, no. 1, second paragraph, section 20-5, first paragraph, and section 19-4, first paragraph, of the Planning and Building Act.

If the authorities concerned, on the basis of proposals for planning or assessment programmes, consider that the plan or project may conflict with national or important regional interests, this shall be stated in their comments on the proposed planning or assessment programme.

On the basis of the proposal and the comments thereon, the competent authority shall prescribe a programme for the planning or assessment work. An account shall be given of the comments received and the way they have been assessed and taken into consideration in the prescribed programme. When prescribing the programme, the planning authority may issue guidelines for the planning work, including the need to consider relevant and realistic alternatives that shall be included in the planning, cf. sections 27-1, 20-1 and 19-1 of the Planning and Building Act.

The programme shall be prescribed within a reasonable period of time, normally not later than 10 weeks after expiry of the time limit for commenting on the proposed programme. A copy of the prescribed programme shall be sent to those who have submitted comments on the proposed programme.

## **Section 7 Submission of programmes**

If the authorities concerned have considered that the plan or project may conflict with national or important regional interests, cf. section 6, third paragraph, the competent authority shall submit the programme to the Ministry of the Environment before it is prescribed. The Ministry of the Environment shall within two weeks state whether comments will be made on the programme.

The first paragraph shall not apply to the land-use part of the municipal master plan.

In the case of zoning plans and municipal sub-plans that include quarries and gravel pits, the programme shall be submitted to the Directorate of Mining for comment before it is prescribed. The Directorate of Mining shall submit any comments it may have on the programme within two weeks.

## **Section 8 Content and design of plans or applications including the environmental impact assessment**

Proposed plans or applications with an environmental impact assessment shall be drawn up on the basis of the prescribed programme for planning or assessment, cf. section 6, fourth paragraph. Proposed plans or applications with an environmental impact assessment shall be relevant for the type of plan and the decision to be made and, as far as possible, be based on the information available, and necessary updating of this.

Proposed plans with an environmental impact assessment for master plans shall give an account of the planning work and describe the expected effects of proposed physical development strategies and land-use allocations, as well as the alternatives that have been considered, cf. Appendix II, column A.

As regards the land-use part of the municipal master plan, an assessment shall only be made of the parts of the plan that prescribe guidelines and limits for future physical development and that entail changes in relation to the existing plan.

Proposed plans or applications for projects with an environmental impact assessment shall describe the effects of the project, cf. Appendix II, column B. In the case of zoning plans, the overall impact of the plan shall be included when assessing the consequences. An account shall be given of what can be done to adapt the project to its surroundings and to mitigate adverse effects or inconveniences, and of the need for and proposal for an environmental follow-up programme with a view to monitoring and clarifying the actual effects of the plan or project. Matters that are satisfactorily elucidated in the master plan, including relevant alternative locations, shall not be reassessed.

Proposed plans or applications with an environmental impact assessment shall normally be submitted as a single, coherent document. The environmental impact assessment shall contain necessary illustrations and maps. A summary of the proposed plan or application with an environmental impact assessment shall be prepared.

## **Section 9 The consultation process and public inspection of proposed plans or applications with an environmental impact assessment**

Proposed plans or applications with an environmental impact assessment shall be circulated to authorities and special interest organizations concerned for comments and made available for public inspection, cf. section 19-4, second paragraph, section 20-5, second paragraph or section 27-1, no. 2, of the Planning and Building Act. A reasonable time limit shall be set for the submission of comments. The time limit should not be less than six weeks.

Relevant background documents and expert reports shall be available at the premises of the competent authority and the proposer. As far as possible, proposed plans or applications with an environmental impact assessment and any expert reports shall be made available on the Internet.

## **Section 10 Supplementary assessments**

The competent authority shall, on the basis of the consultation, decide whether there is a need for supplementary assessments or documentation on specific matters. Any supplementary assessments shall be circulated for comments to those who have submitted comments on the proposed plan or application with an environmental impact assessment. The time limit for submitting comments should not be less than two weeks.

## **Section 11 Taking account of the environmental impact assessment in connection with decision-making and implementation**

When dealing with and making a decision in the case, the planning authority or the licensing authority shall take into account the environmental impact assessment and the comments thereon.

The written presentation or the administrative recommendation shall state how the effects of the proposed plan or the application with an environmental impact assessment and the comments received have been assessed, and what significance has been attached to them.

An assessment shall be made and insofar as is necessary requirements shall be set for investigations with a view to monitoring and ascertaining the actual effects of zoning plans or projects. In the case of county sub-plans, municipal master plans and municipal sub-plans, the matters that shall be clarified and elucidated in the further planning work shall be ascertained insofar as is necessary.

An assessment shall be made and insofar as is necessary conditions shall be set with a view to limiting and mitigating negative effects of significant importance. The conditions must be authorized by the appropriate sector legislation or by the Planning and Building Act, cf. section 20-4, second paragraph, and section 26.

The planning or licensing authority may decide that an environmental follow-up programme shall be prepared with a view to monitoring and mitigating negative effects of significant importance, cf. the third and fourth paragraphs. The environmental follow-up programme shall ensure that the proposer, in cooperation with the supervisory authorities concerned, monitors the effects of the plan or activity, including assessing any unforeseen effects, and takes suitable improvement measures.

## **Section 12 Publication of administrative decisions**

The written presentation or the recommendation with grounds shall be made available to the general public. The administrative decision on the case shall be announced publicly. As far as possible, the documents shall be made available on the Internet.

# Chapter IV

## **Other provisions**

### **Section 13 Dealing with changes in plans or applications**

If plans or projects are changed after the proposed plan or application with an environmental impact assessment have been circulated for comments, cf. section 9, the competent authority shall ensure that the consequences of the changes are explained before an administrative decision is made. The same applies to changes in plans or projects that necessitate renewed processing of the plan pursuant to the Planning and Building Act or a new application pursuant to sector legislation.

### **Section 14 Applications to alter or renew licences**

In the event of the alteration or renewal of a licence, if the project has significant new effects, a public hearing shall be held. At the hearing an account shall be given of the project and its effects on the environment, natural resources and community.

### **Section 15 Clarification of and changes in the role of competent authority**

In the event of uncertainty or disagreement, the Ministry of the Environment may decide who is to be the competent authority.

If so warranted in order to protect national or important regional interests, or if the plan or project covers several municipalities or counties, the Ministry of the Environment may decide that an authority other than the one stated in section 3 of the present Regulations or Appendix I shall be the competent authority pursuant to the Regulations. Such a decision shall be made in consultation with the Ministry concerned.

### **Section 16 Environmental impact assessment in the event of transboundary environmental effects**

If a plan or a project may have significant environmental effects in another state, the competent authority shall send the programme for the planning or assessment to the authorities in the concerned state for comment. A copy of the documents shall be sent to the Ministry of the Environment, which shall notify the authorities in the concerned state.

The competent authority shall consider comments from the state concerned in the same way as other comments and subject to the same time limits.

The Ministry of the Environment may order the proposer to prepare a notification document and a proposed plan or an application with an environmental impact assessment in the foreign languages necessary, and to take part in a public meeting in the state concerned.

If Norwegian authorities are notified of, or in another way learn of plans or projects in another state that may have significant effects for Norway, the Ministry of the Environment shall be informed of this.

The Ministry of the Environment shall ensure that information concerning the plan or the project from the country of origin is made known to the Norwegian authorities concerned and other interested parties, and that comments made by Norwegian authorities and other interested parties are sent to the country of origin.

## Chapter V

### **Entry into force and transitional provisions**

#### **Section 17 Entry into force**

The Regulations shall enter into force 1 April 2005. The Regulations of 21 May 1999 No. 502 on environmental impact assessment shall be repealed from the same date.

#### **Section 18 Transitional provisions**

Projects that were not covered by the Regulations of 21 May 1999 do not fall within the scope of the new Regulations if administrative processing of the project pursuant to the Planning and Building Act has commenced, cf. section 27-1, no. 1, second paragraph, and section 20-5, first paragraph. The same applies to projects pursuant to sector legislation.

In the case of projects that have been initiated in accordance with the former Regulations, any changes in the distribution of responsibility and other provisions in the new Regulations shall apply to the further processing of the case if this is considered to be appropriate.

In the case of plans that are covered by section 2 a and b, the Regulations shall wholly or partly apply also to plans where the planning work commenced before the entry into force of the Regulations if the plan is not adopted by 21 July 2006. However, this does not apply to municipal sub-plans for road and railway projects.

The competent authority shall report any planning activities that may fall within the scope of the third paragraph to the Ministry of the Environment by 31 December 2005 for clarification of processing pursuant to the present Regulations.

VEDLEGG

## Appendix I

### **Plans for projects and projects that shall always be subject to environmental impact assessment pursuant to section 2**

<b>A. Projects and selection criteria</b>	<b>B. Competent authority and legislation to which the administrative process shall be related</b>
<b>INDUSTRY, OTHER BUILDINGS AND INSTALLATIONS</b>	
1. Industrial, commercial, warehouse and office buildings, public buildings and buildings of public utility with an investment cost exceeding NOK 500 million or a usable area exceeding 15 000 m <sup>2</sup> .	<p>Planning authorities. Planning and Building Act.</p> <p>Pollution control authorities for industrial projects for which no plan is prepared pursuant to the Planning and Building Act.</p> <p>Pollution Control Act</p>
2. Extraction of ores, minerals, rock, gravel, sand, clay or other deposits if the total surface area involved is at least 20 ha or the total volume extracted exceeds 2 million m <sup>3</sup> , or peat extraction where the surface of the site exceeds 150 ha.	<p>Planning authorities. Planning and Building Act.</p>
3. Facilities mainly designed for the final disposal of hazardous waste by incineration, chemical treatment or landfill.	<p>Planning authorities. Planning and Building Act.</p>
4. Facilities for the treatment of household and commercial waste by incineration or chemical treatment, if their capacity exceeds 100 tonnes per day.	<p>Planning authorities. Planning and Building Act.</p>

<p>5. Integrated chemical installations, i.e. installations for the manufacture on an industrial scale of substances using chemical conversion processes, in which several units are juxtaposed and functionally linked to one another, and which are intended for</p> <ul style="list-style-type: none"> <li>- the production of basic organic chemicals,</li> <li>- the production of basic inorganic chemicals,</li> <li>- the production of phosphorus-, nitrogen- or potassium-based fertilizers (simple or compound fertilizers), - the production of basic plant health products and of biocides,</li> <li>- the production of basic pharmaceutical products using a chemical or biological process,</li> <li>- the production of explosives.</li> </ul>	<p>Planning authorities. Planning and Building Act.</p> <p>Pollution control authorities for industrial projects for which no plan is prepared pursuant to the Planning and Building Act. Pollution Control Act.</p>
<p>6. Metal processing: integrated installations for the initial smelting of cast iron and steel.</p>	<p>Planning authorities. Planning and Building Act.</p> <p>Pollution control authorities for industrial projects for which no plan is prepared pursuant to the Planning and Building Act. Pollution Control Act.</p>

<p>7. Installations for the production of non-ferrous crude metals from ores, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes.</p>	<p>Planning authorities. Planning and Building Act.</p> <p>Pollution control authorities for industrial projects for which no plan is prepared pursuant to the Planning and Building Act.</p> <p>Pollution Control Act.</p>
<p>8. Industrial plants for - the production of pulp from timber or similar fibrous materials, - the production of paper and board with a production capacity exceeding 200 tonnes per day.</p>	<p>Planning authorities. Planning and Building Act.</p> <p>Pollution control authorities for industrial projects for which no plan is prepared pursuant to the Planning and Building Act.</p> <p>Pollution Control Act.</p>
<p>9. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20 000 tonnes finished product; for friction material, with an annual production of more than 50 tonnes finished product; and for other use of asbestos, utilization of more than 200 tonnes per year.</p>	<p>Planning authorities. Planning and Building Act.</p>

10. Wind power plants with an installed effect exceeding 10 MW.	Norwegian Water Resources and Energy Directorate. Energy Act.
11. Hydropower plants generating more than 40 GWh per year.	Norwegian Water Resources and Energy Directorate. Watercourse Regulation Act or Water Resources Act.
12. Dams and other installations designed for the holding back or permanent storage of water, where a new or additional amount of water held back or stored exceeds 10 million m <sup>3</sup> .	Norwegian Water Resources and Energy Directorate. Watercourse Regulation Act or Water Resources Act.
13. Groundwater abstraction or artificial groundwater recharge schemes where the annual volume of water abstracted or recharged is equivalent to or exceeds 10 million m <sup>3</sup> .	Norwegian Water Resources and Energy Directorate. Water Resources Act.
	<p>Norwegian Water Resources and Energy Directorate for thermal power stations. Energy Act.</p> <p>Ministry of Petroleum and Energy for nuclear power stations. Energy Act.</p>

<p>14. Thermal power stations and other combustion installations with a heat output of 150 MW or more and nuclear power stations and other nuclear reactors, including the dismantling or decommissioning of such power stations or reactors (except research installations for the production and conversion of fissionable and fertile materials, the maximum power of which does not exceed 1 kW continuous thermal load).</p>	
<p>15. Crude oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 tonnes or more of coal or bituminous shale per day.</p>	<p>Ministry of Petroleum and Energy. Petroleum Activities Act</p>
<p>16. Storage facilities for petroleum, petrochemical and chemical products with a capacity of 200 000 tonnes or more.</p>	<p>Ministry of Petroleum and Energy. Petroleum Activities Act.</p>
<p>17. Extraction of petroleum and natural gas for commercial purposes where the amount extracted exceeds 4 000 barrels per day in the case of petroleum and 500 000 m<sup>3</sup> per day in the case of natural gas.</p>	<p>Ministry of Petroleum and Energy. Petroleum Activities Act.</p>
<p>18. Installations for the reprocessing of irradiated nuclear fuels.</p>	

	Ministry of Health and Care Services or Norwegian Radiation Protection Authority. Nuclear Energy Activities Act.
19. Installations designed for: - the production or enrichment of nuclear fuel, - the processing of irradiated nuclear fuel or high-level radioactive waste, - the final disposal of irradiated nuclear fuel, - solely for the final disposal of radioactive waste, - solely for the storage (planned for more than 10 years) of irradiated nuclear fuel or radioactive waste in a different site than the production site.	Norwegian Radiation Protection Authority. Nuclear Energy Activities Act.
<b>INFRASTRUCTURE PROJECTS</b>	
20. Motorways and other roads with no exit roads that are used solely by motorized vehicles.	Planning authorities. Planning and Building Act.
21. Construction of a new road of four or more lanes and/or widening of an existing road of two lanes so as to provide four or more lanes, where such new road or realigned and/or widened section of road would be 10 km or more in a continuous length.	Planning authorities. Planning and Building Act.

22. Road construction projects if investment costs exceed NOK 500 million.	Planning authorities. Planning and Building Act.
23. Railway lines for long-distance traffic. Investments in infrastructure if costs exceed NOK 500 million.	Planning authorities. Planning and Building Act.
24. Tramways and underground railways if investments exceed NOK 250 million.	Planning authorities. Planning and Building Act.
25. Airports with a runway length of 1 600 m or more.	<p>Planning authorities. Planning and Building Act.</p> <p>Ministry of Defence for military airports. Planning and Building Act.</p>
26. Establishment of new trading ports and harbour facilities, including fishing harbours and offshore related facilities, and harbours and facilities for vessels on inland waterways which permit the passage of and calls by vessels of over 1 350 tonnes. Ferry piers are included in item 22.	<p>Planning authorities for local harbours. Planning and Building Act.</p> <p>Coast Directorate for national trading ports. Harbours and Fairways Act and Planning and Building Act.</p>
27. Establishment of new coastal and inland waterways which permit the passage of vessels of over 1 350 tonnes.	<p>Coast Directorate for projects in marine areas. Harbours and Fairways Act.</p> <p>Norwegian Water Resources and Energy Directorate for projects in watercourses. Water Resources Act.</p>

28. Power lines and underground and submarine cables carrying a voltage of 132 kW or more and 20 km or more in length.	Norwegian Water Resources and Energy Directorate. Energy Act.
29. Installations for the transfer of water resources between river basins where this transfer aims at preventing possible shortages of water and where the amount of water transferred exceeds 100 million m <sup>3</sup> /year. In all other cases, works for the transfer of water resources between river basins where the multiannual average flow of the basin of abstraction exceeds 2 000 million m <sup>3</sup> /year and where the amount of water transferred exceeds 5% of this flow. In both cases transfers of piped drinking water are excluded.	Norwegian Water Resources and Energy Directorate. Water Resources Act.
30. Pipelines for the transport of petroleum, gas, or chemicals with a diameter of more than 800 mm and a length of more than 40 km.	Ministry of Petroleum and Energy. Petroleum Activities Act or Natural Gas Act.
<b>OTHER PROJECTS</b>	
31. Waste water treatment plants with a capacity exceeding 150 000 population equivalents.	Planning authorities. Planning and Building Act.
32. Golf courses with 18 or more holes.	Planning authorities. Planning and Building Act.

<p>33. Installations for the intensive rearing of poultry or pigs with space for more than:</p> <ul style="list-style-type: none"> <li>- 85 000 broilers, 60 000 hens</li> <li>- 3 000 production pigs (over 30 kg),</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>- 900 sows</li> </ul>	<p>County Governor. Animal Husbandry Licensing Act.</p>
<p>34. Large military shooting ranges and training areas.</p>	<p>Ministry of Defence. Planning and Building Act.</p>
<p>35. Extension or change of projects listed in Appendix I if the extension or change itself exceeds the selection criteria set out in Appendix I. This does not apply to projects under item no. 1.</p>	<p>See above.</p>

VEDLEGG

## Appendix II

### **Framework for requirements for the content of the environmental impact assessment**

The environmental impact assessment shall satisfy the requirements set out in the prescribed planning or assessment programme and to the extent necessary include the following elements:

<b>A. Environmental impact assessment for master plans</b>	<b>B. Environmental impact assessment for plans and applications for projects</b>
<p>a) A description of the content and main purpose of the plan, with particular emphasis on assessment of needs and facilitation of changes with regard to physical development projects or strategies.</p>	<p>a) A description of the project, including</p> <ul style="list-style-type: none"> <li>- the purpose of the projects,</li> <li>- types of activities, including appurtenant activities,</li> <li>- a description of the reference alternative,</li> <li>- the time schedule for the project,</li> <li>- architectural and aesthetic design, features and qualities,</li> <li>- types and quantities of emissions</li> <li>- land-use and</li> <li>- labour requirements</li> </ul>
	<p>b) A survey of public and private measures necessary for the implementation of the project.</p>
<p>b) An account of how the project relates to municipal, county and other regional and national plans that are relevant to the plan in question, and of relevant environmental objectives established by national policy guidelines, national environmental goals, Reports to the Parliament or the like, and how these have been taken into account in preparing the plan.</p>	<p>c) An account of how the project relates to municipal and county plans and of the permits issued by public authorities necessary for its implementation.</p>

<p>c) A description of important environmental factors and natural resources that are likely to be significantly affected, including an overview of survey measures implemented.</p>	<p>d) A description of the environment, natural resources and societal conditions, including an account of plans, objectives and guidelines for the areas involved.</p>
<p>d) A description of the effects of the plan on the population's health and access to outdoor areas, buildings and services, fauna and flora, soil, water, air, climate, the landscape, Sami natural and cultural heritage, material assets, cultural heritage and cultural environments, aesthetic considerations, emergency preparedness and the risk of accidents and interactions between these elements.</p> <p>In the case of plans that may result in significant effects on competitive conditions, the environmental impact assessment shall include assessments of this aspect.</p>	<p>e) A description of the effects of the plan or project on the population's health and access to outdoor areas, buildings and services, fauna and flora, soil, water, air, climate, the landscape, Sami natural and cultural heritage, material assets, cultural heritage and cultural environments, aesthetic considerations, emergency preparedness and the risk of accidents and interactions between these elements. The effects shall be described in relation to plans, objectives and guidelines for the environment, natural resources and the community in the areas involved.</p>

<p>A brief account shall be given of the basic data and methods used to describe the effects, and of any lack of know-how or technical deficiencies encountered in compiling and using the data and methods.</p>	<p>When several development projects in an area may collectively have significant effects, the project's cumulative nature in relation to other projects carried out and planned in the project's area of influence shall be assessed. In cases involving reindeer husbandry interests, the overall effects of plans and projects within individual reindeer pasture districts shall be assessed.</p> <p>A brief account shall be given of the basic data and methods used to describe the effects of the project, and of any lack of know-how or technical deficiencies encountered in compiling and using the data and methods.</p>
<p>e) A description in accordance with d) above of the effects on any other state that may be affected by the plan.</p>	<p>f) A description in accordance with e) above of the effects on any other state that may be affected by the project.</p>
<p>f) An account of the alternatives that have been considered and the way they will affect the plan's effects on the environment, natural resources and community, and the reasons for the proposer's choice of alternative.</p>	<p>g) A summary of the project's effects and a comparison and evaluation of the alternatives in relation to their effects and in relation to relevant plans, objectives and guidelines.</p>

	h) An account of measures that can be taken to prevent or mitigate any inconvenience or adverse effects of the project.
	i) The recommendation of the proposer regarding his choice of alternative.
g) An evaluation of the need for, and possibly, proposals for further studies before the plan is carried out.	j) An evaluation of the need for, and possibly, proposals for further studies before the project is carried out.
h) An evaluation of the need for, and possibly, proposals for studies and measures for the purpose of monitoring and elucidating the actual effects of the plan.	k) An evaluation of the need for, and possibly, proposals for studies for the purpose of monitoring and elucidating the actual effects of the project.

