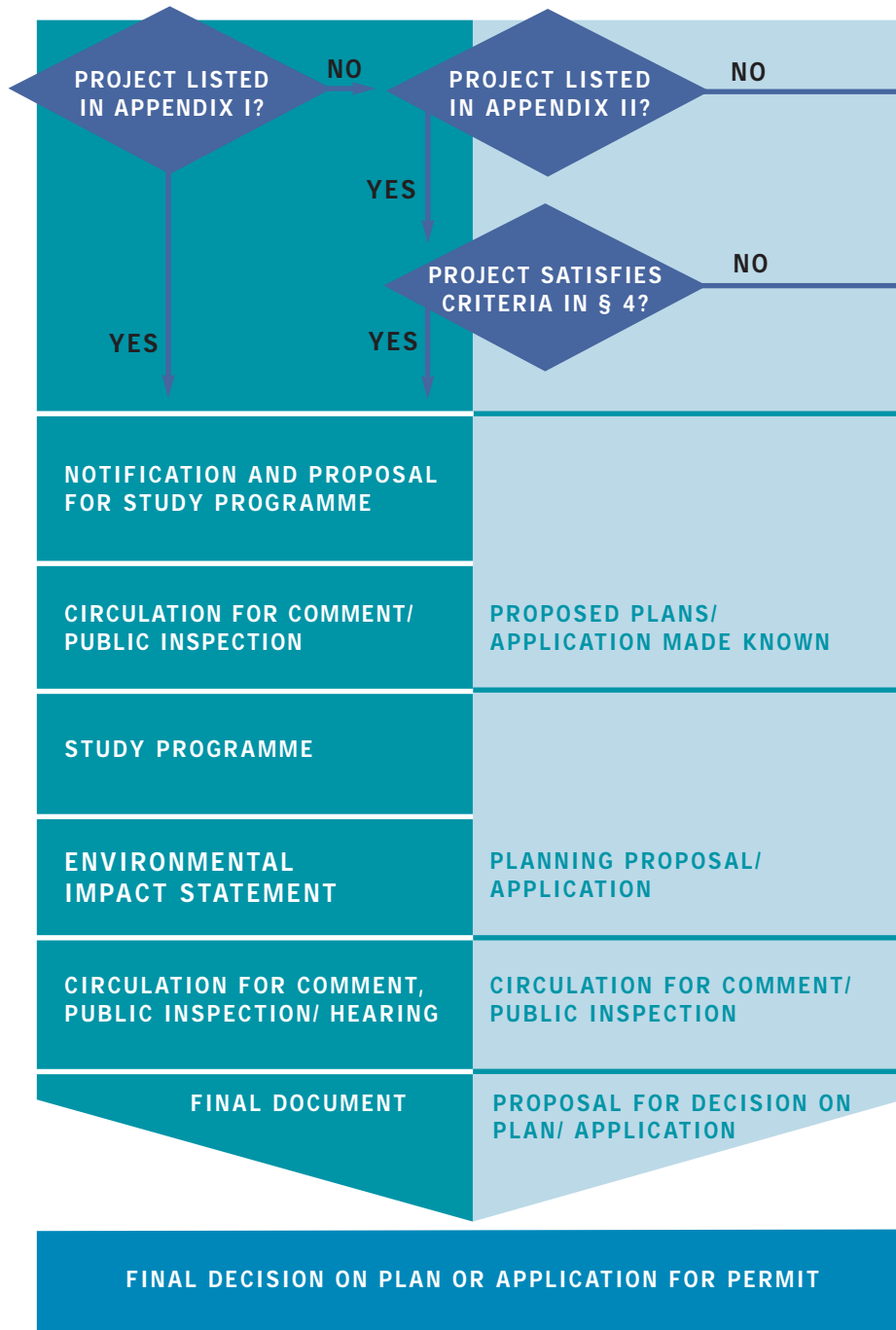
An aerial photograph of a coastal region in Norway, showing a mix of green fields, brown agricultural land, and blue water. A semi-transparent white box with a blue border is centered over the image, containing the title text. The background shows a large town or city in the upper right, surrounded by water and smaller islands. The foreground is dominated by a patchwork of agricultural fields in various shades of green and brown. A red line and a white line are visible on the left side of the image, possibly representing roads or boundaries. The overall scene is a typical Norwegian coastal landscape.

# Environmental impact assess- ment pursuant to the planning and building act

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**PURPOSE**

The legislation concerning environmental impact assessment (EIA) is intended to ensure that the effects of projects that may have a significant impact on the environment, natural resources or the community are properly evaluated. The process of environmental impact assessment should ensure that such effects are taken into account both during the planning phase and when a decision is taken as to whether, and if so subject to what conditions, a project may be carried out. The legislation is also designed to ensure that:

- Any suitable alternatives are described and any questions expected to arise in relation to the project are discussed to provide the authorities with the best possible basis for reaching a decision.
- Developers take the possible impact on the environment, natural resources or the community into consideration in planning and designing projects, and that the administrative procedures for major development projects are straightforward and predictable.
- Non-governmental organizations (NGOs), other relevant organizations and the general public are given greater opportunities to take part in the decision-making process.
- Studies and monitoring of environmental impact continue during the construction and operation phases of projects.

*The legislation relating to environmental impact assessment lays down detailed procedures to be followed for specified types of projects. Processing pursuant to this legislation must be coordinated with processing pursuant to the planning provisions of the Planning and Building Act and/or to special legislation.*

## NEW LEGISLATION CONCERNING ENVIRONMENTAL IMPACT ASSESSMENT

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The provisions of the Planning and Building Act relating to environmental impact assessment entered into force in August 1990. Since then, the consequences for the environment, natural resources and the community have been assessed for more than 220 major development projects in Norway.

The provisions have since been revised with effect from 1997. Amendments to the Planning and Building Act were adopted on 4 August 1995, and revised regulations were laid down on 13 December 1996. With these amendments, Norwegian legislation has been harmonized with EU Council Directive 85/337 on the assessment of the effects of certain public and private projects on the environment. Experience gained during the six years during which the EIA provisions have been in force was also taken into account.

The revised regulations include two appendices (I and II) which list the types of projects to which the provisions apply. The revised legislation requires environmental impact assessment of a wider range of projects than the 1990 legislation.

The developer must always submit notification and an environmental impact statement for projects listed in Appendix I. Projects of the types listed in Appendix II must be evaluated, and if they satisfy any of five sets of environmental criteria, the developer must always submit notification and an environmental impact statement.

The notification shall always include a proposal for a study programme. The EIA process must focus on the issues necessary for further decisions on the project.

Processing pursuant to this legislation must be coordinated with processing of planning proposals submitted pursuant to the Planning and Building Act and of applications for permits submitted pursuant to special legislation, so that the procedures followed are as predictable as possible for both the developer and the authorities. The planning authorities play a central role in administration of the legislation.

This brochure lists the types of project to which the new regulations apply and briefly describes the procedures that are to be followed and what the notification and environmental impact statement should include. It also explains the responsibilities of developers, the authorities, NGOs and other relevant organizations and the general public according to the new legislation, and the opportunities they have to take part in the decision-making process.



For further information, refer to the booklet (reference no. T-1174) containing the EIA legislation (parts of the Planning and Building Act and regulations)

## PREDICTABILITY FOR THE DEVELOPER

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The legislation helps to ensure that the process of reaching a decision on major development projects is straightforward and predictable for the developer.

Its provisions are designed to ensure that the impact of a project on the environment, natural resources or the community is elucidated as early as possible in the planning process.

Cooperation with the relevant authorities and other interested parties can suggest ways of adapting the original plans to take greater account of consequences for the environment, natural resources or the community. In this way, the developer can avoid costly changes when the project is nearing completion, complaints at a later stage and unnecessary delays.

Coordination with other legislation, which is required by the EIA regulations, simplifies the procedures to be followed and therefore the task of the developer.

Planning proposals or applications for permits may be processed at the same time as the environmental impact assessment, which ensures that there is no duplication of administrative procedures.

The provisions include time limits for submitting comments and time frames for processing by the authorities. These are intended to ensure that procedures are as effective as possible.

## ORGANIZATIONS AND THE PUBLIC CAN PLAY A FULLER PART

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The revised legislation allows NGOs and other relevant organizations and the general public to participate more fully in the planning process. They can submit comments during the consultation process for the notification of a project and proposal for a study programme, and thus have influence on which alternatives and issues should be further studied.

Once the environmental impact statement has been drawn up, there is further consultation and a public hearing, allowing all those who will be affected to evaluate whether the alternatives and the consequences of the project have been satisfactorily assessed. The public debate and any comments received can help the developer to adjust his plans for the project.

Input from organizations and the public will also help in drawing up a satisfactory description of the impact of the project.

According to the new legislation, an authority that issues a permit to carry out a project must explain how the environmental impact statement and comments received during the consultation process have been taken into account in reaching a

decision. Thus, the political decision-making process becomes clearer for the general public, particularly since the final documents in the case must also be sent to all parties who have submitted comments.

## THE PUBLIC AUTHORITIES ALSO PLAY AN IMPORTANT ROLE

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The legislation gives the environmental authorities and other public authorities greater influence and wider responsibilities. The competent authority (see below) has the general responsibility for the EIA process. The planning or licensing authorities must ensure that the environmental impact statement is taken into consideration during the planning and decision-making process. The regional environmental authorities provide input to the competent authority, to enable it to decide whether an EIA is required for a project on the Appendix II list.

The authorities are also asked for comments on both the notification and the environmental impact statement, and thus have some influence on which issues relevant to the environment, natural resources and the community, including public health issues, and which alternatives should be studied. The study programme must always be submitted to the Ministry of the Environment.

The authorities can also have an influence on the further studies or monitoring required before, during and after the implementation of the project. The authorities must make active use of the new provisions, so that the necessary considerations are incorporated at an early stage of the planning process and the procedures followed are predictable.

## WHAT IS MEANT BY THE COMPETENT AUTHORITY?

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The competent authority means the authority responsible for dealing with a project in accordance with the EIA regulations. For projects of national importance, the competent authority is the ministry or directorate administratively responsible for the sector in question. Most Appendix I projects are in this category. For other projects, the competent authority is the authority that issues licences or makes planning decisions. For most Appendix II projects, this will be the municipality.

Appendix I and II list the competent authorities for the various types of projects.

If the ministry or directorate for the sector is not the competent authority, the Ministry of the Environment may in individual cases decide that the county authorities, a ministry or a directorate shall act as competent authority.

## WHICH PROJECTS REQUIRE AN EIA?

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The EIA regulations apply to specific types of projects that require development consent from the public authorities, see Appendices I and II to the regulations.

Land use planning pursuant to the Planning and Building Act that does not specifically deal with such projects does not require environmental impact assessment pursuant to these provisions.

### IS THE PROJECT LISTED IN APPENDIX I?

Appendix I of the EIA regulations contains a list of projects which are very likely to have a significant impact on the environment, natural resources or the community. Notification and an environmental impact statement are mandatory for such projects.

### IS THE PROJECT LISTED IN APPENDIX II?

Appendix II contains a list of projects that may have a significant impact. Such projects must be evaluated in relation to five sets of environmental criteria, listed in section 4 of the regulations. The developer is required to provide notification and draw up an environmental impact statement for any Appendix II project that satisfies one or more of these criteria.

### DOES THE PROJECT SATISFY ONE OR MORE OF THE CRITERIA LISTED IN SECTION 4?

The five sets of criteria listed in section 4 of the EIA regulations apply to:

1. Protected areas and objects
2. Areas and objects included in national conservation plans
3. Important outdoor recreation areas and green spaces in built-up areas
4. Areas to which national policy guidelines apply
5. Significant pollution

If a project is listed in Appendix II, the developer must send a brief written account of the project to the competent authority, describing its scope and giving estimates of emissions of pollutants and noise levels. Alternative sites for the project must be indicated on maps. On the basis of the information available, the developer must also assess whether or not the project satisfies one or more of the environmental criteria set out in section 4 of the regulations.

The competent authority next makes a preliminary decision as to whether the project satisfies any of the environmental criteria, and asks for comments from the regional environmental authorities.\* If the competent authority is not the municipality, the municipalities directly involved must be given an opportunity to express an opinion. The time limit for comments must be at least two weeks, and comments should be based on currently available information.

*\* The regional environmental authority may be the county municipality (for the cultural heritage), the county governor (for the environment) or the Sami Cultural Heritage Council (for the Sami cultural heritage).*



*Extension of harbour facilities in Bergen, 1997.  
An example of an Annex II project.*

*Copyright Fotonor AS*



After this, the competent authority determines whether the project satisfies one or more of the environmental criteria and thus whether environmental impact assessment is required. The decision must be made before an application for a permit or notification pursuant to special legislation is sent to the authorities, and normally before the start of the planning process is made known pursuant to the Planning and Building Act.

#### **ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT**

If a project is likely to have a significant adverse environmental impact in another country, an EIA is required, and the country affected must be invited to take part in the process.

#### **WHEN IS NOTIFICATION AND ENVIRONMENTAL IMPACT ASSESSMENT NOT REQUIRED?**

If a project is not listed in Appendix I or II, notification and environmental impact assessment is not required. This also applies to projects of types listed in Appendix II which do not satisfy any of the environmental criteria. In such cases, the provisions of the Planning and Building Act or licensing requirements apply.

#### **ENVIRONMENTAL IMPACT ASSESSMENT IN SPECIAL CASES**

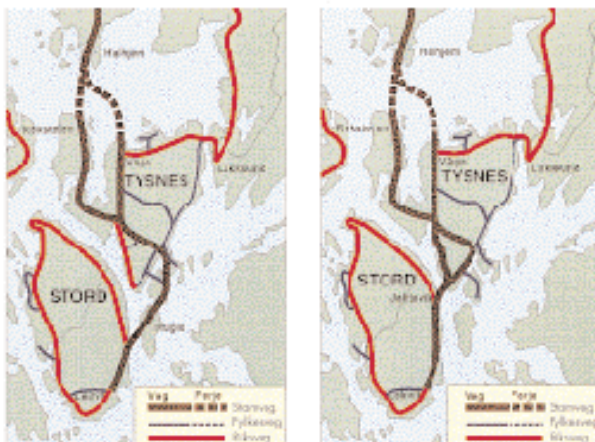
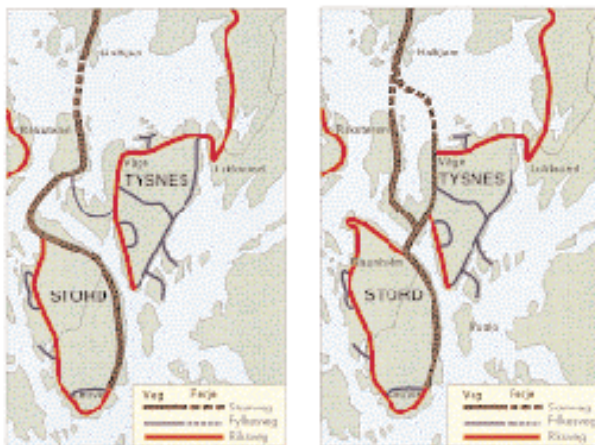
In special cases, the Ministry of the Environment may require an environmental impact assessment for projects of smaller scope or another type than those listed in Appendices I and II. However, this may only be done if the project could have a significant impact on the environment, natural resources or the community, or if its impact is considered to be particularly uncertain or controversial.

## NOTIFICATION AND PROPOSED STUDY PROGRAMME

In the notification, the developer must briefly describe the project and any relevant alternatives. The notification must also include an account of the questions expected to arise in relation to the environment, natural resources and the community.

The notification is to be based on currently available information. The proposed study programme must describe the alternatives and problems the developer considers should be included, and plans for carrying out the programme.

The notification is sent to the competent authority.



*Alternative locations must be indicated on maps.*

*Maps showing four possible routes for the coastal trunk road Stord-Halhjem, from the 1996 notification documents.*

## CIRCULATION FOR COMMENT AND PUBLIC INSPECTION

The competent authority must forward the notification for comment to the authorities involved and to NGOs and other relevant organizations, and at the same time deposit it for public inspection for at least six weeks. This should be done at the same time as the start of the planning process is made known pursuant to the Planning and Building Act, if relevant. All parties involved are invited to comment on which alternatives and issues should be studied.

### MELDING MED FORSLAG TIL UTREDNINGSPROGRAM

etiar Plan og bygningsloven §33-3 om kontorbygging på  
Vestnes i Oslo.

I henhold til plan- og bygningslovens bestemmelser om  
konsekvensutredninger har Nærings- og handelsdeparte-  
mentet lagt et til offentlig ettersyn sendt med forslag til  
utredningsprogram fra Norsk Hydro ASA. Meldingen  
omhandler kontorbygging på Vestnes i Oslo.

På bakgrunn av høringen av meldingen vil Nærings- og  
handelsdepartementet fastsette et utredningsprogram for en  
etterfølgende konsekvensutredning. Departementet har  
spesielt som utgangspunkt på utredningsprogrammet. Konse-  
kvensutredningen skal på bakgrunn av fastsett utrednings-  
program gjøre rede for tilfellet og aktuelle alternativer,  
virkninger på miljø, naturressurser og samfunn og eventu-  
elle forslagende tiltak.

Meldingen er i tilknytning til 13.04 - 02.05.97 lagt ut på  
følgende steder:

- Rådhuset, Informasjonskontoret
- Plan- og bygningsetaten, info. kontor,  
Trondheimsveien 3, 0360 Oslo
- Deichmanske bibliotek, Hordt. trossagt 1,  
0179 Oslo
- Bydel 21 Ullern, Hovfaret 17A, 0275 Oslo
- Norsk Hydro ASA, Vestnes - Ressursene,
- Dronningensveien 254, 0281 Oslo

Meldingen er lagt ut på hjemmesidene til Norsk Hydro ASA  
på internett med følgende adresse: [www.hydro.no](http://www.hydro.no)

Eventuelle merknader sendes innen 03.06.97 til Nærings-  
og handelsdepartementet, Postboks 8014 Dep., 0090 Oslo.

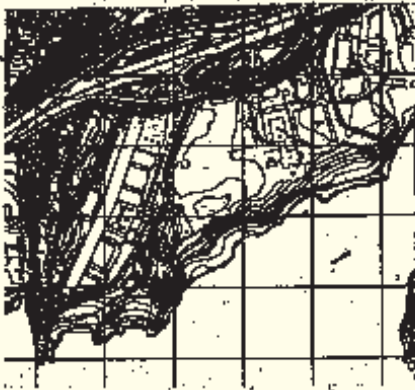
Kontaktpersoner:  
Ola Norrman

Flere eksemplarer av meldingen kan få ved henvendelse  
til fasttelefoner Kari Norrman

Oslo 16.04.97

**NÆRINGS- OG HANDELSDEPARTEMENTET**

### VARSEL OM REGULERING



Med henvisning til Plan- og bygningsloven §27, i frem-  
gjort høved at det på vegne av Norsk Hydro ASA byg-  
netas reguleringsarbeid for eiendommene Dronningensveien  
264 og 260 - Vestnes Hovedgtdr. Fløen omfatter gnr- og  
bndelsnummer 771, 790 og 97152.

Foimålet med planarbeidet for 771 og 790 er å samordne  
planene og justere gjeldende reguleringsbestemmelser.  
Formål i gjeldende regulering omr er kontor og spisskø-  
rtils bevaring vil ikke bli endret.

Foimålet med planarbeidet for 97152 er å regulere et  
mindre område til felles areal / gangvei.

Spareråd til eller spørsmål på planarbeidet kan rettes  
til:

**ARKITEKTENE**  
Normansveien 00  
Oslo

*EIA for Norsk Hydro's office complex in Oslo, 1997. Joint advertisement giving public notice of the start of the planning process pursuant to the Planning and Building Act and detailing where the EIA notification and proposed study programme have been deposited for public inspection.*

## DETERMINATION OF THE STUDY PROGRAMME

The competent authority prescribes a study programme on the basis of the notification and any input received during the consultation process. The study programme must be submitted to the Ministry of the Environment before it is finally determined.

If the competent authority is not the same as the authority responsible for making planning decisions or issuing licences in connection with the project, the latter should be consulted before the study programme is determined.

In complex cases, it may be advisable to invite the parties involved to a meeting to discuss the study programme before it is finally determined.

The study programme must prescribe the alternatives and questions that are to be further studied. The scope and the level of detail of the EIA should be clearly delimited. Plans for further cooperation between the developer and the authorities involved should also be described. The competent authority must send the prescribed study programme to the developer, with copies to any parties who have submitted comments on the notification.

The study programme is a very important tool, which largely determines whether the environmental impact statement is appropriate for its purpose, i.e. whether it deals with issues that are relevant in terms of:

- deciding whether or not the project should be implemented,
- choosing between alternatives, and
- mitigation and monitoring.

The competent authority shall determine the study programme not more than ten weeks after the expiry of the time limit for comments on the notification.

## THE ENVIRONMENTAL IMPACT STATEMENT

The developer draws up an environmental impact statement based on the requirements of the study programme and in accordance with the EIA regulations. The environmental impact statement must include a description of the alternatives and answer the questions set out in the prescribed study programme.

The scope of and topics covered by the environmental impact statement will vary depending on what is prescribed in the study programme.

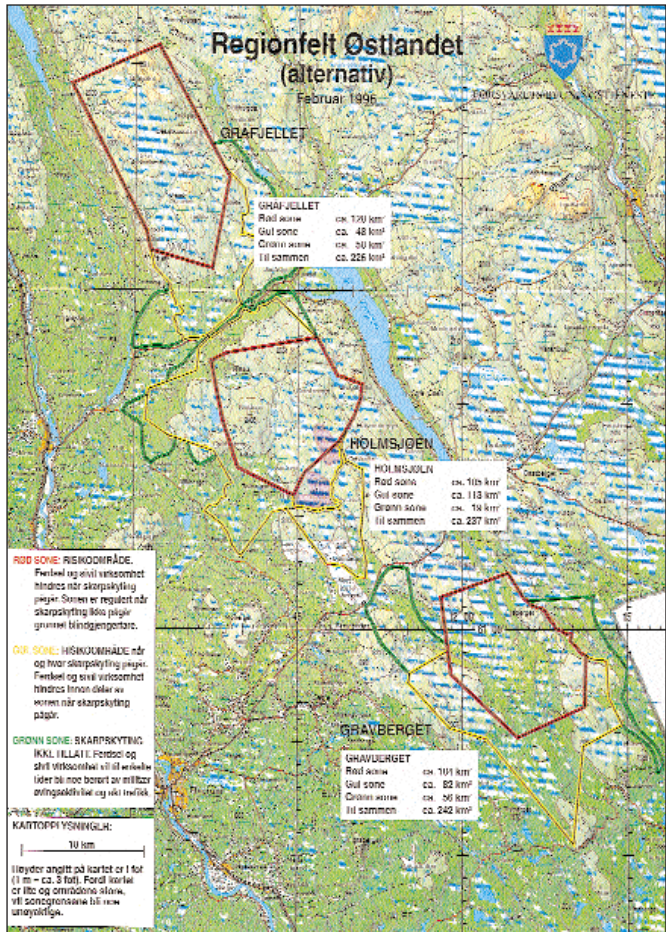
The environmental impact statement forms part of the basis for further decisions concerning the project. It must therefore focus on issues that are relevant to the decision-making process and of importance to the environment, natural resources or the community. The statement must be accurate and concise, and must include the necessary illustrations, including maps, so that it provides a satisfactory basis for public debate.

The developer is also required to produce a brochure for public distribution.

The environmental impact statement is sent to the competent authority.



*Good illustrations are important. From the environmental impact statement on the establishment of a super-quarry near Jøssingfjord, 1992. The project was not continued. (Ill. Tarmac Heavy Building Materials).*



*From the environmental impact statement for a new regional army firing range in Eastern Norway, 1996.*

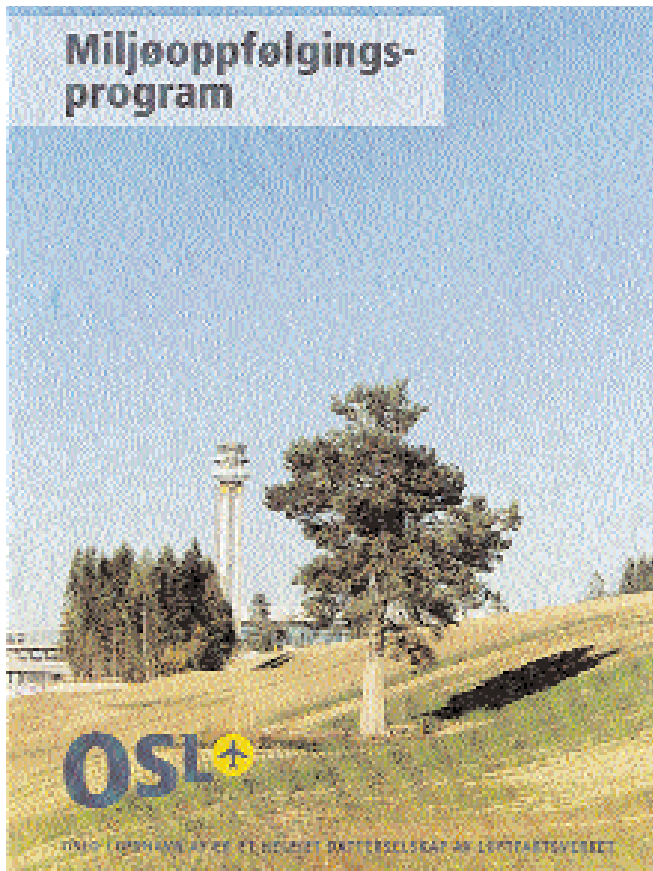
## CIRCULATION FOR COMMENT, PUBLIC INSPECTION AND PUBLIC HEARING

The competent authority circulates the environmental impact statement for comment to the authorities involved and NGOs and other relevant organizations, and also deposits it for public inspection for at least eight weeks. In addition, the competent authority must hold a public hearing during the consultation period.

Public consultation on a planning proposal or application for a permit cannot begin before the consultation process for the environmental impact statement. In many cases, it will be an advantage if the environmental impact statement and the planning proposal or application for a permit can be dealt with at the same time. This means that the parties involved must give an opinion both on the environmental impact statement, which is used as the basis for decisions on a plan or licence, and on the actual planning proposal or licence application.

## FINAL DOCUMENT, FURTHER STUDIES AND MONITORING

The competent authority considers the comments it has received and determines whether the environmental impact assessment requirements have been satisfied. If they have, the authority draws up a final document which is sent to the developer. This must contain a summary of the consequences of the various alternatives and describe the measures that should be considered to mitigate them. The competent authority may also lay down a programme for further studies or monitoring to ensure that environmental considerations are taken into account when the project is implemented. Copies of the final document must be sent to any parties who have submitted comments on the environmental impact statement. As a general rule, the competent authority must decide whether the environmental impact assessment requirements have been satisfied not more than six weeks after the expiry of the time limit for comments on the environmental impact statement.



*The programme of follow-up studies for the new Oslo airport, Gardermoen, 1997.*

## FINAL DECISION

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When the environmental impact assessment requirements have been satisfied, the authorities may approve a plan for the project pursuant to the Planning and Building Act or issue a permit\*. Both the decision and the grounds for it (which indicate how the environmental impact statement and any comments received have been taken into consideration in reaching a decision and in laying down measures to mitigate any adverse effects), shall be made public.

The provisions of the EIA regulations are rules of procedure in terms of the Planning and Building Act, and as a general rule no appeal can be made against decisions taken pursuant to such rules.

Any complaints about errors of procedure must be dealt with in connection with an appeal against the decision to implement the project.

*\* Appendices I and II, column III, show the types of permits that cannot be issued until the environmental impact assessment requirements have been satisfied. In certain cases, the environmental impact statement will be used as a basis for decisions taken by the government or the Stortinget (the parliament) in the matter.*



*Statoil's office complex in Trondheim, completed in 1993. The project was very controversial. The EIA process resulted in changes in design and the adaptation of the buildings to the site.*



## Appendix I

### Projects for which environmental impact assessment is mandatory pursuant to section 2 of the regulations, cf second paragraph, litra a) of section 33-2 of the Planning and Building Act

I. Project types and criteria for inclusion	II. Competent authority pursuant to these provisions	III. Environmental impact statement shall be used as a basis for planning decisions and/or permits issued pursuant to the following acts:
<b>I. 1. INDUSTRIAL AND MANUFACTURING PROJECTS</b>		
<b>I. 1.1. Crude oil refineries</b> (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	Ministry of Petroleum and Energy	Planning and Building Act Pollution Control Act
<b>I. 1.2. Hydropower installations</b> generating more than 40 GWh per year, or developments that will increase the power generated from a watercourse by at least 9 000 natural horse power.	Norwegian Water Resources and Energy Administration	Watercourse Regulation Act Pollution Control Act
<b>I. 1.3. Thermal power stations and other combustion installations</b> with a heat output of 150 MW or more and nuclear power stations and other nuclear reactors (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kW continuous thermal load).	Ministry of Petroleum and Energy	Energy Act Planning and Building Act Pollution Control Act

<p><b>I. 1.4a.</b> Installations for the reprocessing of <b>irradiated nuclear fuels</b>.</p>	<p>Ministry of Health and Social Affairs Norwegian Radiation Protection Authority</p>	<p>Act relating to nuclear energy activities Planning and Building Act Pollution Control Act</p>
<p><b>I. 1.4b.</b> Installations designed solely for the permanent storage or final disposal of <b>radioactive waste</b>, and centralized interim storage of radioactive waste or irradiated nuclear fuel.</p>	<p>Norwegian Radiation Protection Authority</p>	<p>Planning and Building Act Pollution Control Act</p>
<p><b>I. 1.5.</b> Installations for the extraction of <b>asbestos</b> 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>Ministry of Trade and Industry</p>	<p>Planning and Building Act Pollution Control Act</p>
<p><b>I. 1.6. Integrated chemical installations.</b> Plants for manufacture on an industrial scale of substances using chemical conversion processes, if the plant is functionally linked with at least one similar unit for technical reasons.</p>	<p>Ministry of Trade and Industry</p>	<p>Planning and Building Act Pollution Control Act</p>
<p><b>I. 1.7. Metal processing:</b> Integrated works for the initial smelting of cast iron and steel.</p>	<p>Ministry of Trade and Industry</p>	<p>Planning and Building Act Pollution Control Act</p>
<p><b>I. 1.8.</b> Extraction of ores, minerals, rock, gravel, sand, clay or other <b>deposits</b> if the total area involved is at least 20 ha or the total volume extracted exceeds 2 million m<sup>3</sup>.</p>	<p>Directorate of Mining County municipality for workings in the sea for commercial purposes Coast Directorate for communications purposes</p>	<p>Planning and Building Act Pollution Control Act Continental Shelf Act Harbour Act</p>

<b>I. 1.9. Shopping centres</b> with a net floor area of more than 15 000 m <sup>2</sup> and built during a period of 5 years or less	Ministry of Trade and Industry	Planning and Building Act
<b>I. 1.10. Other industrial, commercial and office buildings and warehouses</b> requiring investments exceeding NOK 400 mill.	Ministry of Trade and Industry	Planning and Building Act Pollution Control Act
<b>I. 2. INFRASTRUCTURE PROJECTS</b>		
<b>I. 2.1. Motorways</b> (classes A and B). <b>Road construction projects</b> if investment costs exceed NOK 400 mill. over a period of 8 years or less, and roads to which the criteria set out in § 4, subsection 1 b)-i) of the regulations apply.	Directorate of Public Roads for trunk roads and new road links. Planning authorities for other projects.	Planning and Building Act
<b>I. 2.2. Railway lines</b> for long-distance traffic. Investments in infrastructure if costs exceed NOK 400 mill over a period of 8 years or less, and other investments to which the criteria set out in § 4, subsection 1 b)-i) of the regulations apply.	Norwegian State Railways	Planning and Building Act
<b>I. 2.3. Tramways and underground railways</b> if investments exceed NOK 250 mill over a period of 8 years or less.	Planning authorities	Planning and Building Act
<b>I. 2.4. Airports</b> with a runway length of 1 600 m or more.	Civil Aviation Administration for state-owned civilian airports Ministry of Defence for military airports. Planning authorities for other airports.	Planning and Building Act
<b>I. 2.5. Establishment of coastal and inland waterways</b> which permit the passage of vessels of over 1 350 tonnes.	Coast Directorate Norwegian Water Resources and Energy Administration	Watercourses Act Planning and Building Act Harbour Act
<b>I. 2.6. Trading ports</b> and harbour facilities, including offshore facilities, and harbours and facilities for vessels on inland waterways which permit the passage of vessels of over 1 350 tonnes.	Coast Directorate	Harbour Act Planning and Building Act

<b>I. 2.7. Power lines</b> and underground and submarine cables carrying a voltage of 132 kV or more and 20 km or more in length.	Norwegian Water Resources and Energy Administration	Energy Act Planning and Building Act
<b>I. 2.8. Pipelines</b> for oil and gas transport outside industrial areas at a pressure exceeding 10 bar or exceeding 10 km in length.	Ministry of Petroleum and Energy	Planning and Building Act Pollution Control Act
<b>I. 2.9.</b> Facilities mainly designed for final disposal of <b>hazardous waste</b> , e.g. by incineration or landfill.	Norwegian Pollution Control Authority	Pollution Control Act Planning and Building Act
<b>I. 2.10. Waste treatment and disposal plants</b> for consumer and production waste if their capacity exceeds 80 000 tonnes per year.	Planning authorities	Planning and Building Act Pollution Control Act
<b>I. 3. AGRICULTURE, FORESTRY AND AQUACULTURE</b>		
<b>I. 4. OTHER PROJECTS</b>		
<b>I. 4.1. Public buildings</b> if investment costs exceed NOK 300 mill. over a period of 5 years or less.	Planning authorities	Planning and Building Act
<b>I. 4.2. Large military shooting ranges and training areas.</b>	Ministry of Defence	Planning and Building Act Pollution Control Act For installations in the sea: Harbour Act
<b>I. 4.3. National parks</b> and other <b>protected areas</b> covering more than 500 km <sup>2</sup> and national parks and other protected areas covering more than 250 km <sup>2</sup> if the project results in substantial changes in the use of the area by primary industry or tourism in the local community.	Directorate for Nature Management	Nature Conservation Act
<b>I. 5. EXTENSION OF APPENDIX I PROJECTS</b> Change or extension of projects listed in Appendix I if the extension or change itself satisfies the criteria for inclusion set out in Appendix I.	see above	see above

## Appendix II

Projects listed in this appendix shall be evaluated using the criteria set out in § 4 of the regulations, cf second paragraph, litra b) of § 33-2 of the Planning and Building Act and § 3 of the regulations.

<b>I. Project types and criteria for inclusion</b>	<b>II. Competent authority pursuant to these provisions</b>	<b>III. Environmental impact statement shall be used as a basis for planning decisions and/or permits issued pursuant to the following acts:</b>
<b>II. 1. INDUSTRIAL AND MANUFACTURING PROJECTS</b>		
<b>II. 1.2. Hydropower</b>		
a) Hydropower installations if investment costs exceed NOK 50 mill. Electrical installations shall be excluded from the calculation of costs.	Norwegian Water Resources and Energy Administration	Watercourses Act Watercourse Regulation Act Pollution Control Act
<b>II. 1.3. Energy industry</b>		
a) Installations for the production of electricity, steam and hot water, if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act. Electrical installations shall be excluded from in the calculation of costs.	Norwegian Water Resources and Energy Administration	Energy Act Planning and Building Act Pollution Control Act
b) Industrial installations for carrying gas, steam and hot water if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act. Electrical installations shall be excluded from the calculation of costs.	Norwegian Water Resources and Energy Administration	Energy Act Pollution Control Act

<p>c)</p> <ul style="list-style-type: none"> <li>- surface storage of natural gas</li> <li>- underground storage of combustible gases</li> <li>- surface and underground storage of fossil fuels, if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act. Electrical installations shall be excluded from the calculation of costs.</li> </ul>	<p>Planning authorities</p>	<p>Planning and Building Act Pollution Control Act</p>
<p>d) Industrial briquetting of coal and lignite if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act. Electrical installations shall be excluded from the calculation of costs.</p>	<p>Planning authorities</p>	<p>Planning and Building Act Pollution Control Act</p>
<p><b>II. 1.4. Radioactive substances</b></p>		
<p>b) Installations for the collection and processing of radioactive waste if costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.</p>	<p>Norwegian Radiation Protection Authority</p>	<p>Act relating to nuclear energy activities Planning and Building Act Pollution Control Act</p>
<p><b>II. 1.6. Chemical industry</b></p>		
<p>a) Treatment of intermediate products and production of chemicals if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.</p>	<p>Planning authorities</p>	<p>Planning and Building Act Pollution Control Act</p>
<p>b) Production of pesticides and pharmaceutical products, paint and varnishes and peroxides if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.</p>	<p>Planning authorities</p>	<p>Planning and Building Act Pollution Control Act</p>
<p>c) Manufacture of elastomers and treatment of elastomer-based products (rubber industry) if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.</p>	<p>Planning authorities</p>	<p>Planning and Building Act Pollution Control Act</p>
<p>d) Storage facilities for petroleum, petrochemical and chemical products if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.</p>	<p>Planning authorities</p>	<p>Planning and Building Act Pollution Control Act</p>

<b>II. 1.7. Metal production and processing</b>		
a) Installations for metal production and processing if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
b) Installations for rolling, pressing, drawing, stamping, surface treatment and coating of metals if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control
c) Pressing, drawing and stamping of large castings if investment costs exceed NOK 50 mill. and if a plan is required pursuant the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
d) Installations for the production, including smelting, refining, wiredrawing and rolling of non-ferrous metals, excluding precious metals, if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
e) Boilermaking, manufacture of reservoirs, tanks, and other sheet-metal containers if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
f) Manufacturing installations for the transport industry: - manufacture and assembly of motor vehicles - shipyards - manufacture and repair of aircraft - manufacture of railway equipment, if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
g) Swaging by explosives if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act

<b>II. 1.8. Extractive industry</b>		
a) Extraction of minerals and deposits if the total surface area involved is 7.5 ha or more or the total volume extracted is more than 750 000 m <sup>3</sup> .	Directorate of Mining Directorate of Public Roads (extraction of deposits for trunk roads and new roads) Planning authorities (extraction of deposits for other road projects) Coast Directorate (extraction of deposits from marine areas for marine communications purposes) County municipality (extraction from marine areas for commercial purposes)	Planning and Building Act Pollution Control Act Harbour Act Continental Shelf Act
b) Extraction of sand if the total surface area involved is 5 ha or more or the total volume extracted is more than 500 000 m <sup>3</sup> .	County municipality	Continental Shelf Act Pollution Control Act Harbour Act
c) Installations for the extraction of crude oil and natural gas if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Ministry of Petroleum and Energy	Act relating to petroleum activities Planning and Building Act. Pollution Control Act
d) Surface industrial installations for the extraction of coal, ores and bituminous shale if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
e) Extraction of peat if the total surface area involved/affected is at least 20 ha.	Planning authorities Pollution Control	Planning and Building Act Act
<b>II. 1.9. Shopping centres</b> with a net floor area of more than 7 500m <sup>2</sup> and built during a period of 5 years or less.	Planning authorities	Planning and Building Act
<b>II. 1.10. Other industrial, commercial and office buildings and warehouses</b> if they require investments exceeding NOK 50 mill. during a period of 5 years or less and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act



<b>II. 1.11. Coke ovens</b> if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
<b>II. 1.12. Installations for the manufacture of cement</b> if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
<b>II. 1.13. Installations for the roasting and sintering of metallic ores</b> if costs exceed NOK 50 mill and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
<b>II. 1.14. Mineral industry</b> a) Manufacture of glass if investment costs exceed NOK 50 mill and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
b) Manufacture of glass and mineral fibres if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
c) Manufacture of synthetic mineral fibres if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
<b>II. 1.15. Food industry</b>		
a) Food production: - manufacture of vegetable and animal oils and fats, - packing and canning of animal and vegetable products, - manufacture of dairy products, - installations for the slaughter of animals and - fish processing plants if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities For the fish-processing industry: Ministry of Fisheries/subordinate agency	Planning and Building Act Pollution Control Act

b) Sugar factories and confectionery and syrup manufacture if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
c) Brewing and malting if investment costs exceed NOK 50 mill. and if a plan is Actrequired pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
d) Industrial starch manufacturing if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
<b>II. 1.16. Textile, leather, wood and paper industries</b>		
a) Plants for washing, degreasing and bleaching of wool if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
b) Manufacture of fibreboard, particle board and plywood if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act c) Manufacture of pulp, paper and board if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities  Planning authorities	Planning and Building Act Pollution Control Act Planning and Building Act Pollution Control Act
d) Fibre-dyeing factories if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
e) Cellulose processing and production installations if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
f) Plants for the tanning of hides and skins if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act

<b>II. 2. INFRASTRUCTURE PROJECTS</b>		
<b>II. 2.1. Road construction</b> projects if investment costs exceed NOK 150 mill. and if a plan is required pursuant to the Planning and Building Act.	Directorate of Public Roads for trunk roads and new roads Planning authorities for other roads.	Planning and Building Act
<b>II. 2.2.</b> Investments in <b>railway infrastructure</b> exceeding NOK 150 mill and if a plan is required pursuant to the Planning and Building Act.	Norwegian State Railways	Planning and Building Act
<b>II. 2.3.</b> a) Tramways, elevated railways and suspended lines or similar lines used mainly for passenger transport if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act
b) Underground railways if investment costs exceed NOK 100 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act
<b>II. 2.4. Airfields</b> if investment costs exceed NOK 100 mill.	Civil Aviation Administration for stateowned civilian airports Ministry of Defence for military airports Planning authorities for other airports	Planning and Building Act
<b>II. 2.5.</b> a) Expansion of coastal and inland waterways and construction of navigable channels in fresh water.	Coast Directorate	Harbour Act Planning and Building Act Pollution Control Act Watercourses Act
b) Canalization and flood-relief works if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Norwegian Water Resources and Energy Administration	Watercourses Act Planning and Building Act Pollution Control Act Harbour Act

c) Dams and other installations designed to hold water or store it on a long-term basis if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Norwegian Water Resources and Energy Administration	Watercourses Act Planning and Building Act Pollution Control Act
<b>II. 2.6.</b> Construction and upgrading of <b>ports and harbour facilities</b> , including fishing harbours if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act Harbour Act
<b>II. 2.7. Power lines</b> if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Norwegian Water Resources and Energy Administration	Energy Act Planning and Building Act
<b>II. 2.8. Pipelines for oil and gas</b> transport if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
<b>II. 2.10.</b> a) Plants for final disposal of consumer and production waste if their capacity exceeds 20 000 tonnes per year.	Planning authorities	Planning and Building Act Pollution Control Act
b) Waste water treatment plants if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
c) Treatment plants and interim and final deposition sites for sewage sludge if their capacity exceeds 20 000 tonnes per year.	Planning authorities	Planning and Building Act Pollution Control Act
<b>II. 2.11. Storage sites</b> for scrap iron and breaker's yards if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
<b>II. 2.12.</b> Installation of <b>long-distance aqueducts</b> if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution

<p><b>II. 2.13. Deep drillings</b>, with the exception of drillings for investigating the stability of the soil, especially:</p> <ul style="list-style-type: none"> <li>- geothermal drilling,</li> <li>- drilling for the storage of nuclear waste material, and</li> <li>- drilling for water supplies if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.</li> </ul>	<p>Planning authorities</p>	<p>Planning and Building Act</p>
<p><b>II. 3. AGRICULTURE, FORESTRY AND AQUACULTURE</b></p>		
<p><b>II. 3.1.</b> Localities for floating/movable <b>sea-water rearing units</b> with a volume of 48 000 m<sup>3</sup> or more. Localities for <b>onshore fish farming installations</b> with a volume of 36 000 m<sup>3</sup> or more. <b>Hatcheries</b> with a capacity of 2.5 mill smolt/fingerlings or more.</p>	<p>Ministry of Fisheries or subordinate agency.</p>	<p>Aquaculture Act</p>
<p><b>II. 3.2. Cultivation</b> of a total area of previously uncultivated land of at least 20 ha over a period of 5 years or less.</p>	<p>County governor</p>	<p>Land Act</p>
<p><b>II. 3.3. Afforestation</b> or planting of new tree species on a total area of more than 50 ha over a period of 5 years or less.</p>	<p>County governor</p>	<p>Forestry Act</p>
<p><b>II. 3.4. Reindeer fences</b> exceeding 50 km in length.</p>	<p>Norwegian Reindeer Husbandry Administration</p>	<p>Reindeer Husbandry Act</p>
<p><b>II. 3.5. Intensive livestock installations</b> exceeding 500 animal manure units.</p>	<p>County governor</p>	<p>Animal Husbandry Licensing Act Pollution Control Act</p>
<p><b>II. 3.6. Irrigation and land drainage projects</b> if costs exceed NOK 20 mill.</p>	<p>Norwegian Water Resources and Energy Administration</p>	<p>Watercourses Act</p>
<p><b>II. 3.7. Production of exotic species</b> of plants and animals for commercial purposes.</p>	<p>County governor</p>	<p>(new regulations under preparation)</p>

<b>II. 3.8. Agricultural roads</b> exceeding 15 km in length over a period of 5 years or less.	County governor	Land Act Forestry Act
<b>II. 3.9. Enclosures for farming of deer</b> species exceeding 10 ha in area.	County governor	Wildlife Act
<b>II. 4. OTHER PROJECTS</b>		
<b>II. 4.1. Public buildings</b> if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act
<b>II. 4.4.</b> a) Development projects for areas of more than 10 ha in towns and built-up areas to be carried out in 5 years or less and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
b) Development projects for industrial areas of more than 10 ha to be carried out in 5 years or less and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
<b>II. 4.5. Permanent racing and test tracks</b> for motorized vehicles if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
<b>II. 4.6. Test benches</b> for engines, turbines and reactors if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
<b>II. 4.7. Manufacture, packing, loading or placing in cartridges of gunpowder and explosives</b> if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act
<b>II. 4.8. Coastal work</b> to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act Harbour Act

<b>II. 4.9. Reclamation of land</b> from the sea if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act Harbour Act
<b>II. 5. TOURISM AND LEISURE ACTIVITIES</b>		
<b>II. 5.1. Ski-runs, bobsleigh tracks, ski-lifts and facilities for the production of artificial snow</b> if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act
<b>II. 5.2. Golf courses</b> with 9 or more holes	Planning authorities	Planning and Building Act
<b>II. 5.3. Marinas</b> if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act	Planning authorities	Planning and Building Act Harbour Act
<b>II. 5.4.</b> a) Holiday villages, holiday parks and hotel complexes and associated developments if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
b) Camp sites and caravan sites with room for 200 or more units.	Planning authorities	Planning and Building Act
c) Theme parks, amusement parks, leisure complexes etc if investment costs exceed NOK 50 mill. and if a plan is required pursuant to the Planning and Building Act.	Planning authorities	Planning and Building Act Pollution Control Act
<b>II. 6. EXTENSION OR CHANGE OF PROJECTS LISTED IN APPENDIX II</b>		
Extension or change of projects listed in Appendix II if the extension or change itself satisfies the criteria for inclusion set out in Appendix II.	See above	See above

**Enquiries about whether EIA regulations apply to a particular project, or about administrative procedure, including coordination with planning procedures pursuant to the Planning and Building Act and applications for licences, may be addressed to the competent authority (see Appendices I and II, column II).**

**Enquiries about the criteria listed in section 4 of the EIA regulations may also be addressed to**  
*the county cultural heritage office  
County Director for Environmental Affairs  
Sami Cultural Heritage Council*

**Enquiries about administrative procedure may also be addressed to**  
*the county administration or the County Governor's Office*

**Enquiries about the legislation may also be addressed to**  
*the Ministry of the Environment, Section for Environmental Impact Assessment*

**Enquiries about courses and training, advice and statistics on projects requiring an EIA, may be addressed to**  
*Directorate for Nature Management*

**Enquiries about evaluation of the legislation and examples may be addressed to**  
*Norwegian Institute for Urban and Regional Research,  
National Centre for Environmental Impact Assessment*

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