

REPUBLIC OF LITHUANIA
LAW ON
ENVIRONMENTAL IMPACT ASSESSMENT OF THE PROPOSED ECONOMIC
ACTIVITY

15 August 1996 No I-1495
(As last amended on 27 June 2013 – No XII-418)
Vilnius

CHAPTER I
GENERAL PROVISIONS

Article 1. Purpose of the Law

1. This Law shall regulate the process of environmental impact assessment of the proposed economic activity and relationships between participants in this process.
2. This Law shall have the objective of harmonising regulation of the process of environmental impact assessment of the proposed economic activity with the EU legal acts listed in Annex 3 to this Law.

Article 2. Definitions

1. **Competent authority** shall mean an institution authorised by the Government of the Republic of Lithuania (hereinafter: the ‘Government’) co-ordinating the process of environmental impact assessment and performing other functions specified by this Law.
2. **Proposed economic activity** shall mean an activity envisaged covering construction of new construction works, reconstruction of existing construction works, manufacturing of products, introduction, upgrading or changing of the manufacturing process and technology equipment, changes in production technique, quantity/volume or type of products, extraction of subsoil resources and use of other natural resources, also the economic activity provided for in land management, forest management and water management projects and other economic activity likely to affect the environment.
3. **Organiser (developer) of the proposed economic activity** shall mean a natural or legal person, also the branches of undertakings of the European Union Member States and other

foreign states operating in Lithuania, where they are planning the economic activity subject to the environmental impact assessment procedures specified by this Law.

4. **Drafter of environmental impact assessment documents** shall mean a natural person authorised by the organiser (developer) of the proposed economic activity and holding an appropriate higher education or qualification in the field corresponding to the specific character of the drafted documents of environmental impact assessment or parts thereof or a legal person whose professionals hold an appropriate higher education or qualification in the field conforming to the specific character of the drafted documents of environmental impact assessment or parts thereof.

5. **Process of environmental impact assessment** shall mean the identification, description and assessment of the likely effect of the proposed economic activity on the environment.

6. **Entities of environmental impact assessment** shall mean the state and municipal institutions analysing programmes for and reports on environmental impact assessment and providing conclusions within their remit.

7. **Effect on the environment** shall mean a change envisaged to occur in the environment as a result of the proposed economic activity.

8. **Significant effect on the environment** shall mean a change envisaged to occur in the environment to prevent, reduce, offset the environmental effect whereof or to eliminate effects whereof requires taking of appropriate measures.

9. **Decision** shall mean a reasoned document in the specified format adopted by the competent authority in accordance with the established procedure and indicating whether the proposed economic activity is, or is not, be permitted in the selected location in light of provisions of relevant laws and other legal acts, the nature of the activity and/or its effect on the environment.

10. **Public concerned** shall mean the public affected or likely to be affected by, or having an interest in, the taking of decisions, acts or omissions in the field of environmental impact assessment. For the purposes of this definition, the associations and other public legal persons (with the exception of the legal persons established by the State or a municipality or institutions thereof) established in accordance with the procedure laid down by legal acts and promoting environmental protection shall in any case be deemed the public concerned.

11. **Public** shall mean one or more natural or legal persons and their organisations, associations or groups.

Article 3. Object and process of environmental impact assessment

1. The object of environmental impact assessment shall be the proposed economic activity which, by virtue of its nature, size or location, may have a significant effect on the environment.

2. Environmental impact assessment shall be conducted when:

1) the proposed economic activity is included in the List of the Proposed Economic Activities Subject to Environmental Impact Assessment (Annex 1);

2) it transpires in the course of screening that the proposed economic activity is subject to an environmental impact assessment;

3) implementation of the proposed economic activity may affect the areas of the Natura 2000 network, and the institution responsible for organisation of protection and management of protected areas establishes, in accordance with the procedure laid down by the Ministry of Environment, that this impact may be significant.

3. All participants in the process of environmental impact assessment of the proposed economic activity shall have the right to require, and the competent authority to decide, having regard to the size, nature or location of the proposed economic activity, that the screening for environmental impact assessment be conducted also in respect of the proposed economic activity not included in the lists indicated in Annexes 1 and 2 to this Law.

4. Territorial planning documents and/or technical design documents of the construction works and installations providing for the activity referred to in paragraph 2 of this Article and subject to an environmental impact assessment may be co-ordinated and approved solely upon conducting of environmental impact assessment of the proposed economic activity and adoption of a decision permitting the pursuit of the proposed economic activity.

Version of the paragraph after 1 January 2014:

4. An authorisation for economic activity may be issued for the proposed economic activity which is subject to an environmental impact assessment or a screening for environmental impact assessment provided that there is in place an effective positive decision of the responsible authority on the feasibility of the proposed economic activity or a conclusion of the screening for environmental impact assessment that environmental impact assessment is not obligatory.

5. The process of environmental impact assessment of the proposed economic activity shall consist of:

1) screening for environmental impact assessment, provision of information to participants in the process of environmental impact assessment and to the public on the adopted conclusion of the screening;

2) development of a programme for environmental impact assessment of the proposed economic activity (hereinafter: a 'programme'), provision of information to the public on the developed programme, co-ordination and approval thereof;

3) drawing up of a report on environmental impact assessment of the proposed economic activity (hereinafter: a 'report'), co-ordination thereof and granting of access thereto to the public;

4) adoption of a decision and provision of information to participants in the process of environmental impact assessment on the decision adopted.

6. Where the proposed economic activity has been granted, in compliance with the procedure laid down by legal acts of the Republic of Lithuania, the status of an object of the State border or an object of national defence, and application of provisions of this Law to this activity may have an adverse effect on goals of national defence, the competent authority shall decide on a case-by-case basis whether such an activity is subject to requirements of this Law.

Article 4. Objectives of environmental impact assessment

The objectives of environmental impact assessment shall be as follows:

1) to identify, describe and assess the likely direct and indirect effect of the proposed economic activity on public health, fauna and flora, soil, surface and subsurface, air, water, climate, the landscape and biodiversity, social and economic environment and material assets, immovable cultural properties as well as the inter-relationship between these aspects of the environment;

2) to minimise the adverse effect of the proposed economic activity on public health and other aspects of the environment listed in point 1 of this Article or to prevent this effect;

3) to ascertain whether the proposed economic activity, having regard to its nature and effect on the environment, is permitted in the selected location.

Article 5. Participants in the process of environmental impact assessment

1. Participants in the process of environmental impact assessment shall be as follows:

1) the competent authority – an institution authorised by the Government;

2) entities of environmental impact assessment of the proposed economic activity: the state institutions in charge of health care, fire protection, protection of cultural properties and municipal institutions;

3) the organiser (developer) of the proposed economic activity;

4) the drafter of documents of environmental impact assessment;

5) the public;

6) in the process of transboundary environmental impact assessment – an institution authorised by the Government and coordinating the process of transboundary environmental impact assessment.

2. Entities of environmental impact assessment may also be other state institutions not referred to in point 2 of paragraph 1 of this Article where they are invited to participate by the competent authority or where they have their own interest in participation in the process of environmental impact assessment and the competent authority approves thereof in light of the nature, size or location of the proposed economic activity. In such cases, the competent authority shall notify in writing all entities of environmental impact assessment, the organiser (developer) of the proposed economic activity and the drafter of documents of environmental impact assessment of other state institutions participating in the process of environmental impact assessment.

Article 6. Functions of participants in the process of environmental impact assessment

1. The competent authority shall:

1) co-ordinate the process of environmental impact assessment;

2) conduct screening, consider and approve programmes, consider evaluation of proposals of the public concerned, proposals of the public concerned, reports, conclusions of entities of environmental impact assessment regarding the programmes, reports and feasibility of the proposed economic activity and shall adopt a decision thereon;

3) where necessary, involve consultants. Participation of consultants in the process of environmental impact assessment of the proposed economic activity shall be organised by the competent authority at its own expense.

2. The organiser (developer) of the proposed economic activity shall, at its own expense, conduct the procedures of environmental impact assessment prescribed for it by this Law.

3. The drafter of documents of environmental impact assessment shall identify, describe and assess the likely effect of the proposed economic activity on the environment, develop a programme and draw up a report as well as conduct the procedures of environmental impact assessment prescribed for it by this Law.

4. Entities of environmental impact assessment of the proposed economic activity shall, within their remit, consider programmes and reports and submit conclusions on the programmes, reports and feasibility of the proposed economic activity.

5. The public shall, in accordance with the procedure laid down by the Ministry of Environment, submit proposals concerning environmental impact assessment of the proposed economic activity and the likely effect of this activity on the environment.

CHAPTER II

ENVIRONMENTAL IMPACT ASSESSMENT

Article 7. Screening for environmental impact assessment

1. Screening shall be conducted in respect of the proposed economic activity included in the List of the Proposed Economic Activities Subject to Screening for an Environmental Impact Assessment (Annex 2) and also in the cases when participants in the process of environmental impact assessment request so in compliance with Article 3(3) of this Law and the competent authority decides that the screening is necessary.

2. Screening shall have the objective of determining whether a specific proposed economic activity is subject to an environmental impact assessment.

3. Screening shall be conducted by the competent authority in compliance with the methodological instructions for screening of the proposed economic activity drawn up and approved by the Ministry of Environment.

4. Screening shall be conducted on the basis of the information supplied by the organiser (developer) of the proposed economic activity or the drafter of documents of environmental impact assessment on the site whereat the proposed economic activity is intended to be carried out as well as the information describing the proposed economic activity (the size of the project, the technologies and materials used, use of natural resources, use of dangerous substances, generation of waste, management thereof, pollution and nuisances, the likely inter-relationship with other proposed economic activity, risk of accidents and prevention thereof).

5. The competent authority may, having regard to the size, nature or location of the proposed economic activity, request the organiser (developer) of the proposed economic activity or the drafter of documents of environmental impact assessment to supply additional information required for conducting of screening. In such cases, the organiser (developer) of the proposed economic activity or the drafter of documents of environmental impact assessment shall supplement information required for conducting of screening and repeatedly supply it to the competent authority, which shall make a conclusion in accordance with the procedure laid down in paragraph 7 of this Article.

6. The competent authority shall conduct a screening procedure and make a conclusion whether an environmental impact assessment is obligatory on the basis of the information referred to in paragraphs 4 and 5 of this Article as well as having regard to:

1) the environmental sensitivity of the location which is likely to be affected by the proposed economic activity, characteristics of the ecosystem, landscape, the nature of areas of used land, local infrastructure, concentration of industrial facilities, the relative abundance, quality and regenerative capacity of natural resources, the absorption capacity of the natural environment, paying particular attention to protected areas, also the environmental protection purposes of a Natura 2000 site, densely populated areas, wetlands, forest areas, protection zones, the analysis of data of performed environmental monitoring, the territories where the permissible level of pollution has been exceeded or the territories of historical, cultural or archaeological significance;

2) the likely effect of the proposed economic activity on public health, fauna, flora, soil, water, air, climate, landscape, material assets, cultural heritage and the inter-relationship between all of these factors, having regard in particular to the likely extent of the effect, its transboundary nature, complexity, likelihood, duration, frequency and reversibility as well as the geographical area and size of the population.

7. The competent authority shall, within 20 working days of the receipt of information for conducting of screening, submit in writing to the organiser (developer) of the proposed economic activity, to the drafter of documents of environmental impact assessment (where he has provided the screening information) and to entities of environmental impact assessment a reasoned screening conclusion on whether an environmental impact assessment is obligatory. The screening conclusion on environmental impact assessment shall be valid for three years from the publication of the screening conclusion. The competent authority may, acting in compliance with the procedure established and the criteria approved by the Ministry of Environment, extend the validity of the screening conclusion for a period not exceeding three years within 20 working days from the receipt of a reasoned request of the organiser (developer) of the proposed economic activity for extension of the validity of the screening conclusion.

8. The organiser (developer) of the proposed economic activity shall inform the public that an environmental impact assessment is obligatory under provisions of paragraph 1 of this Article or inform of the screening conclusion in accordance with the procedure specified by the Ministry of Environment.

9. The public concerned shall, within 20 working days of publication of the screening conclusion and in accordance with the procedure laid down by the Ministry of Environment,

have the right to submit to the competent authority proposals to reconsider the screening conclusion.

10. The organiser (developer) of the proposed economic activity, the drafter of documents of environmental impact assessment and entities of environmental impact assessment shall, within ten working days of the receipt of the screening conclusion, have the right to submit to the competent authority a reasoned request for reconsideration of the screening conclusion.

11. The competent authority shall, on receipt of a reasoned request of the organiser (developer) of the proposed economic activity, the drafter of documents of environmental impact assessment or on receipt of proposals of the public concerned to reconsider the screening conclusion, invite participants in the process of environmental impact assessment to participate in the adoption of the final screening conclusion on whether an environmental impact assessment is obligatory.

12. When, while reconsidering the screening conclusion, entities of environmental impact assessment request to supply additional information on the proposed economic activity, the organiser (developer) of the proposed economic activity or the drafter of documents of environmental impact assessment must supply such information to the entities of environmental impact assessment. The latter shall, within five working days of the receipt of the information in writing, inform the organiser (developer) of the proposed economic activity, the drafter of documents of environmental impact assessment (where he has provided additional information) and the competent authority of their conclusions on whether an environmental impact assessment is obligatory.

13. Having considered conclusions of all entities of environmental impact assessment, the competent authority shall, within five working days, adopt a final reasoned screening conclusion on whether an environmental impact assessment is obligatory.

14. The organiser (developer) of the proposed economic activity shall notify the public of the final screening conclusion in accordance with the procedure specified by the Ministry of Environment.

15. The organiser (developer) of the proposed economic activity may initiate an environmental impact assessment without a screening procedure.

Article 8. Programme for environmental impact assessment

1. A programme for environmental impact assessment shall be developed when the proposed economic activity is subject to mandatory environmental impact assessment under provisions of Article 3(2) of this Law.

2. A programme shall be developed by the drafter of documents of environmental impact assessment in compliance with the regulations of development of a programme for and drawing up of a report on environmental impact assessment approved by the Ministry of Environment.

3. A programme shall establish the content of a report, the issues to be considered therein.

4. A programme must contain the following information:

1) a brief description of the main alternatives considered by the drafter of documents of environmental impact assessment;

2) a brief description of the characteristics, technological process and the materials intended to be used, needs for natural resources and use of land (at the stages of construction and operation);

3) a brief description of the areas which are likely to be significantly affected;

4) information on the components of the environment and the effect to be considered in the course of assessment;

5) information on the aspects based on which the effect of the proposed economic activity on public health and social and economic environment will be assessed;

6) information on the methods of forecasting and assessment of the effect on the environment to be employed in the course of assessment as well as the measures to avoid, reduce or offset adverse effects on the environment;

7) information on the likely significant transboundary impact of the proposed economic activity;

8) other relevant information.

5. The drafter of documents of environmental impact assessment shall organise provision of information on a developed programme to the public in accordance with the procedure specified by the Ministry of Environment. Upon the expiry of the period of provision of information on the programme, the drafter of documents of environmental impact assessment shall submit the developed programme which has been revised in line with proposals received from the public concerned to entities of environmental impact assessment.

6. Entities of environmental impact assessment shall consider the programme and, within ten working days from the receipt thereof, provide reasoned conclusions to the drafter of documents of environmental impact assessment. Having taken account of the size, nature or location of the proposed economic activity, the entities of environmental impact assessment responsible for fire protection and protection of cultural properties must indicate, when presenting conclusions on the programme, whether they wish to consider a report. Where the entities of environmental impact assessment responsible for fire protection and protection of

cultural properties indicate that they do not wish to consider the report, they shall not be presented the report.

7. Entities of environment impact assessment shall have the right to present reasoned requests for the drafter of documents of environmental impact assessment to supplement or revise the programme. In such cases, the drafter of documents of environmental impact assessment shall supplement or revise the programme and shall resubmit it to the entities of environmental impact assessment, who shall consider the programme and, within five working days from the receipt thereof, present their reasoned conclusions to the drafter of documents of environmental impact assessment.

8. The drafter of documents of environmental impact assessment shall submit the programme and all conclusions of entities of environmental impact assessment to the competent authority.

9. Where, prior to approval of the programme, the council of a municipality within the territory whereof an economic activity is intended to be carried out adopts a reasoned negative decision regarding the feasibility of the proposed economic activity, environmental impact assessment procedures may not be resumed during the entire period of validity of the decision adopted by the municipal council, with the exception of the cases when the proposed economic activity is of national significance and implementation thereof is provided for in the state strategic plans approved by the Government of the Republic of Lithuania. The municipality's administration shall forthwith (within three working days) give a notice of the negative decision adopted by the municipal council to the competent authority and the organiser (developer) of the proposed economic activity and enclose the decision of the municipal council. On receipt of the decision of the municipal council, the competent authority shall inform the public thereof in accordance with the procedure laid down by the Ministry of Environment.

10. Having considered the programme, the Ministry of Environment shall have the right to make reasoned requests for the drafter of documents of environmental impact assessment to supplement or revise the programme.

11. Having considered the programme and conclusions of entities of environmental impact assessment, the competent authority shall approve the programme within ten working days of the receipt thereof.

12. Where conclusions of entities of environmental impact assessment are in conflict with each other and/or the competent authority has received proposals of the public concerned, the competent authority shall, prior to approving a programme, invite the organiser (developer) of the proposed economic activity, the drafter of documents of the environmental impact assessment and entities of environmental impact assessment to participate in consideration of

their conclusions and/or proposals of the public concerned. The representatives of the public concerned who have presented the proposals shall also be invited.

13. Where the proposed economic activity is subject to the procedures of transboundary environmental impact assessment under the 1991 United Nations Convention on Environmental Impact Assessment in a Transboundary Context (hereinafter: the 'Convention'), the competent authority shall approve a programme upon receipt of a reply of the European Union Member State and/or a foreign state party to the Convention (hereinafter: a 'foreign state') whose environment is likely to be adversely affected regarding the intention to participate in the process of transboundary environmental impact assessment. The programme shall be approved also in the absence of a reply from a European Union Member State under Article 11(2) of this Law or from a foreign state under provisions of the Convention.

Article 9. Report on environmental impact assessment

1. A report on environmental impact assessment shall be drawn up by the drafter of documents of environmental impact assessment according to a programme approved by the competent authority. This report must contain an exhaustive analysis of all the issues provided for in the programme and the following information: a description of the pollutants to be emitted; a description of generation and management of waste; a description of the aspects of the environment likely to be affected by the proposed economic activity; the data required to identify and assess the likely direct and indirect effect of the proposed economic activity on public health, fauna and flora, soil, land surface and subsurface, air, water, climate, landscape, biodiversity, social and economic environment and material assets, immovable cultural properties as well as the inter-relationship between the above aspects of the environment; a description of the measures envisaged to prevent, reduce and offset adverse effects on the environment or eliminate them; an analysis of the alternatives studied by the drafter of documents of environmental impact assessment and an indication of the reasons for this choice taking into account the best available production techniques as well as the likely effect on the environment; an indication of the technical deficiencies or lack of know-how encountered by the drafter of documents of environmental impact assessment in the course of environmental impact assessment; information on potential emergencies, measures for prevention or mitigation thereof and response thereto; an analysis of data of the performed environmental monitoring, guidelines for the environmental monitoring intended to be performed, information on the likely significant adverse effect on the environment of another European Union Member State and/or a foreign state, also a summary of the entire information considered in the report.

2. The drafter of documents of environmental impact assessment shall, in accordance with the procedure laid down by the Ministry of Environment, make a report available to the public.

3. The drafter of documents of environmental impact assessment shall submit an adjusted report to entities of environmental impact assessment in line with the proposals of the public concerned. They shall verify whether the report contains an exhaustive analysis of the issues falling within their remit and provided for in the programme.

4. Entities of environmental impact assessment shall consider the report and, within 20 working days from the receipt thereof, submit reasoned conclusions on the report and feasibility of the proposed economic activity to the drafter of documents of environmental impact assessment.

5. Entities of environment impact assessment shall have the right to present reasoned requests for the drafter of documents of environmental impact assessment to supplement or revise the report. The drafter of documents of environmental impact assessment must supplement or revise the report and resubmit it to the entities of environmental impact assessment. The latter shall consider the report and, within ten working days from the receipt thereof, provide reasoned conclusions on the report and feasibility of the proposed economic activity to the drafter of documents of environmental impact assessment.

6. The drafter of documents of environmental impact assessment shall submit to the competent authority a report, conclusions of entities of environmental impact assessment on the report and feasibility of the proposed economic activity and a substantiated evaluation of proposals of the public concerned. When the proposed economic activity is subject to transboundary environmental impact assessment procedures under the Convention, the drafter of documents of environmental impact assessment shall also submit a substantiated evaluation of proposals of the European Union Member State and/or foreign state likely to be adversely affected.

7. The competent authority shall have the right to request that a report be repeatedly made available to the public where, after the report has been made available to the public, it is substantially amended, revised or supplemented (for example, new locations, technology alternatives, mitigation measures are proposed, etc.) upon the receipt of reasoned conclusions of entities of environmental impact assessment and the reasoned requests of the competent authority to revise or supplement the report. Where, after the report has been repeatedly made available to the public or comments have been submitted by the competent authority, the report is substantially amended, revised or supplemented, the drafter of documents of environmental impact assessment must receive repeat conclusions of entities of environmental impact

assessment in accordance with the procedure laid down in paragraphs 3, 4, 5 and 6 of this Article.

8. All participants in the process of environmental impact assessment shall, in carrying out environmental impact assessment procedures and until the competent authority adopts a decision, have the right to refer to the competent authority and entities of environmental impact assessment on the issues falling within their remit by submitting in writing the information on possible violations in identifying, describing and assessing the likely effect of the proposed economic activity on the environment or when carrying out the environmental impact assessment procedures.

Article 10. Decision on the feasibility of the proposed economic activity

1. Having considered a report, conclusions of entities of environmental impact assessment on the report and the feasibility of the proposed economic activity, a substantiated evaluation of proposals of the public concerned, also the proposals of the public concerned received in writing, the competent authority shall, within 25 working days from the receipt of the report:

- 1) make reasoned requests to revise or supplement the report, or
- 2) adopt a decision.

2. Where the competent authority, acting in compliance with Article 6(1)(3) of this Law, involves consultants to consider the report, this authority shall make reasoned requests to amend or supplement the report or adopt a decision within 50 working days from the receipt of the report. The competent authority shall adopt a reasoned decision to involve consultants and submit it to the organiser (developer) of the proposed economic activity and the drafter of documents of environmental impact assessment within five working days from the receipt of the report. The time limit for adopting the decision as laid down in this paragraph of the Article may be extended once for a period of up to 30 days. The competent authority must give a notice of the adopted decision to extend the time limit not later than five working days prior to the expiry of the time limit to the organiser (developer) of the proposed economic activity and the drafter of documents of environmental impact assessment and indicate grounds for extending the time limit.

3. Where the competent authority makes reasoned requests to revise or supplement the report, the drafter of documents of environmental impact assessment must supplement or revise the report and submit it to the competent authority. The latter shall consider the report and, within a time limit referred to in paragraph 1 of this Article, adopt a decision or repeat reasoned requests to revise or supplement the report.

4. Where the proposed economic activity is subject to transboundary environmental impact assessment under the Convention, the competent authority shall, having regard to the outcome of inter-state consultations, adopt a decision upon completion of the procedures of transboundary environmental impact assessment within the time limit laid down in paragraph 1 of this Article.

5. The competent authority shall submit the decision in writing to entities of environmental impact assessment, to the organiser (developer) of the proposed economic activity and to the drafter of documents of environmental impact assessment.

6. Where conclusions of entities of environmental impact assessment regarding the feasibility of the proposed economic activity are in conflict with each other and/or the competent authority has received proposals of the public concerned, the competent authority shall, prior to adopting a decision, invite the organiser (developer) of the proposed economic activity, the drafter of documents of the environmental impact assessment and entities of environmental impact assessment to participate in consideration of their conclusions and/or the proposals of the public concerned. The representatives of the public concerned who have presented the proposals shall also be invited.

7. Where it is established that implementation of the proposed economic activity will have significant adverse effects on the sites of the Natura 2000 network and in the absence of alternative solutions regarding the proposed economic activity, the proposed economic activity may be permitted solely in the cases when its solutions are related to public health, preservation of certain aspects of the environment or other relevant reasons in light of an opinion of the European Commission. In such cases, all possible compensatory measures as are necessary to protect the overall coherence of the Natura 2000 network must be provided for and implemented. An institution responsible for organisation of the protection and management of protected areas shall inform the European Commission of these compensatory measures in accordance with the procedure laid down by the Ministry of Environment.

8. A positive decision adopted by the competent authority shall be valid for five years from the adoption thereof. The competent authority may, acting in compliance with the procedure established and the criteria approved by the Ministry of Environment, extend the validity of the decision for a period not exceeding five years within 20 working days from the receipt of a reasoned request of the organiser (developer) of the proposed economic activity for extension of the validity of the decision.

9. Where the competent authority adopts a decision that the proposed economic activity may not be permitted in a selected location by reason of violations of respective statutory

provisions and/or the likely adverse effect on the environment, the proposed economic activity may not be carried out.

10. The competent authority and the organiser (developer) of the proposed economic activity shall, in accordance with the procedure laid down by the Ministry of Environment, inform the public of a decision and make it available to the public. Where the proposed economic activity has undergone transboundary environmental impact assessment procedures under the Convention, information on the decision shall also be submitted in accordance with the procedure laid down by the Ministry of Environment to the European Union Member State and/or a foreign state likely to be adversely affected.

CHAPTER III

FINAL PROVISIONS

Article 11. Transboundary environmental impact assessment

1. Where it transpires in the course of screening or development of a programme that the economic activity intended to be carried out in the territory of the Republic of Lithuania is likely to have a significant adverse effect on the environment of another European Union Member State or where another European Union Member State which, in its opinion, may become a state likely to be adversely affected, so requests, the Republic of Lithuania shall notify the European Union Member State of the proposed economic activity, the likely transboundary impact thereof, submit information on the nature of a decision to be adopted, specify a period within which the European Union Member State likely to be adversely affected may indicate its intention to participate in the process of transboundary environmental impact assessment and indicate a preliminary time-frame for the drawing up of a report.

2. On receipt of the information referred to in paragraph 1 of this Article, a European Union Member State likely to be adversely affected shall have the right, within a time-frame indicated in the notification, to give a notice to the Republic of Lithuania confirming the receipt of the notification and indicating whether it intends to participate in the process of transboundary environmental impact assessment. Where the European Union Member State likely to be adversely affected fails to respond within the time-frame indicated in the notification, the Republic of Lithuania shall perform environmental impact assessment in compliance with its national legal norms and effective practice.

3. Upon receipt of a response from a European Union Member State likely to be adversely affected indicating its desire to participate in performance of transboundary environmental impact assessment, the Republic of Lithuania must provide to the European

Union Member State likely to be adversely affected the appropriate information concerning the proposed economic activity and its likely significant adverse transboundary impact on the environment, the information on environmental impact assessment procedures and indicate a time-frame within which the European Union Member State likely to be adversely affected may submit its proposals. The time-frame must be of sufficient duration for incorporation of the proposals or additional information submitted by the European Union Member State likely to be adversely affected in the report prior to adoption of a decision by the competent authority.

4. Upon receipt of proposals or additional information on the proposed economic activity from a European Union Member State whose environment is likely to be adversely affected, the Republic of Lithuania shall initiate inter-state consultations with the European Union Member State likely to be adversely affected over the likely transboundary impact of the proposed economic activity and the measures which it intends to take to reduce or eliminate the effect on the environment.

5. When the economic activity intended to be carried out within the territory of the Republic of Lithuania is likely to have a significant adverse effect for a foreign state or when this foreign state requires so, environmental impact assessment shall be performed in compliance with the Convention, treaties to which the Republic of Lithuania and the respective foreign state are parties.

Article 12. Accessibility of the information required for performance of environmental impact assessment and submission of documents

1. The state or municipal institutions possessing the information on the environment required for performance of environmental impact assessment must provide the organiser (developer) of the proposed economic activity or the drafter of documents of environmental impact assessment with access to this information in accordance with the procedure laid down by the Government.

2. All participants in the process of environmental impact assessment shall have the right, in accordance with the procedure laid down by the Government, to supply documents to the competent authority and receive answers from a distance, by electronic means through a point of contact as stipulated in the Law on Services or directly with the competent authority, except in cases where it is technically impossible to reproduce or read the information provided by such means.

Article 13. Publicity of the process of environmental impact assessment

1. In the course of environmental impact assessment, the public concerned shall have the right to obtain from other participants in the process of environmental impact assessment of the proposed economic activity, in accordance with the procedure laid down by the law, information on the likely effect of the proposed economic activity on the environment.

2. Information of the public and participation in the process of environmental impact assessment of the proposed economic activity shall be organised, at its own expense and in accordance with the established procedure, by the organiser (developer) of the proposed economic activity.

3. A procedure for providing information to the public and participating in the process of environmental impact assessment of the proposed economic activity shall be laid down by the Ministry of Environment.

4. The competent authority and entities of environmental impact assessment shall protect the confidentiality of the information provided by the organiser (developer) of the proposed economic activity or the drafter of documents of environmental impact assessment as well as intellectual property rights where such information may not be disclosed according to legal acts of the Republic of Lithuania.

Article 14. Responsibility of participants in the process of environmental impact assessment

Participants in the process of environmental impact assessment shall, in accordance with the procedure laid down by the law, be responsible for compliance with provisions of this Law, provision of the correct information and the conclusions and decisions made within their remit.

Article 15. Examination of disputes

1. Disputes over the application of this Law, also over decisions, acts or omissions in the area of environmental impact assessment shall be examined in accordance with the procedure laid down by laws of the Republic of Lithuania. The public concerned shall have the right, in accordance with the procedure laid down by laws of the Republic of Lithuania, to refer to court where it believes that its application filed in accordance with the procedure laid down by the legal acts regulating the right to obtain information on the environment has been unlawfully dismissed, has been provided with a partially or completely inappropriate response or has not been given proper regard in compliance with the legal acts regulating the right to obtain information on the environment.

2. Disputes between legal and natural persons of the Republic of Lithuania and foreign states shall be resolved in accordance with the procedure laid down by laws of the Republic of

Lithuania, unless international treaties of the Republic of Lithuania provide for another procedure for examining and resolving such disputes.

3. The public concerned shall have the right, in accordance with the procedure laid down by laws of the Republic of Lithuania, to refer to court for defence of public interest challenging the substantive or procedural legality of decisions, acts or omissions in the area of environmental impact assessment.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC

ALGIRDAS BRAZAUSKAS

Annex 1
to the Law of the Republic of Lithuania
on Environmental Impact
Assessment of the Proposed Economic Activity

LIST OF THE PROPOSED ECONOMIC ACTIVITIES SUBJECT TO ENVIRONMENTAL IMPACT ASSESSMENT

1. Agriculture and aquaculture:

1.1. Intensive rearing of pigs with more than 3 000 places for pigs (over 30 kg), or intensive rearing of sows with more than 900 places for sows;

1.2. Intensive rearing of poultry with more than 85 000 places for broilers and more than 60 000 places for hens;

1.3. Dams and other installations designed for the holding back or permanent storage of water (where the amount of water exceeds 5 million cubic metres or the area of water surface exceeds 250 hectares).

2. Extractive and processing industry:

2.1. Extraction of oil or oil refining (excluding manufacturing of lubricants from crude oil);

2.2. Extraction of natural gas (where the extracted amount exceeds 500 000 cubic metres per day);

2.3. Peat extraction (where the surface of the site is equal to or exceeds 150 hectares);

2.4. Mining of other minerals or quarries (where the surface of the site is equal to or exceeds 25 hectares);

2.5. Direct exploration and/or production of unconventional hydrocarbons through hydraulic fracturing.

3. Energy industry:

3.1. Thermal power stations and other combustion installations, including industrial installations for the production of electricity, steam and hot water (with the output of 300 megawatts or more);

3.2. Nuclear power stations or other nuclear reactors and the dismantling or decommissioning of such power stations or reactors*;

3.3. Production, processing, enrichment, storage or disposal of nuclear fuel;

3.4. Gasification or liquefaction of coal or bituminous shale (with the output of 500 tonnes or more per day).

4. Production and processing of metals:

4.1. Initial smelting of steel and cast-iron;

4.2. Production of non-ferrous crude metals from ore, concentrates or secondary raw materials by chemical, metallurgical or electrolytic processes.

5. Mineral construction materials industry:

Extraction or processing of asbestos, processing of asbestos or products containing asbestos (for asbestos products, with an annual production of 20 000 tonnes and more; for friction material, with an annual production of 50 tonnes and more; for other uses of asbestos, utilisation of 200 tonnes of asbestos and more).

6. Chemical industry:

6.1. Production of organic chemicals, inorganic chemicals, phosphorous-, nitrogen- or potassium-based fertilizers (including compound fertilizers), other agrochemical products (including biocides), manufacture of pharmaceutical products on an industrial scale;

6.2. Construction of facilities for storage of petroleum, petrochemical, or chemical products (warehouses or sites) (with a capacity of 200 000 tonnes and more);

6.3. Production of explosives.

7. Wood and paper industry:

7.1. Production of paper or board (with a production capacity of 200 tonnes and more per day);

7.2. Production of pulp.

8. Engineering facilities:

8.1. Construction of sea ports, piers or terminals for loading or unloading which can take vessels of 1 350 tonnes and more;

8.2. Inland waterways, ports, piers or terminals for loading or unloading which can take vessels of 1 350 tonnes and more;

8.3. Construction of main or national roads;

8.4. Construction of roads of four and more lanes, or realignment and/or widening of roads of less than four 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);

8.5. Construction of main public railways;

8.6. Construction of airports or airfields (with a basic runway length of 2 100 m or more);

8.7. Construction of pipelines for the transport of gas, oil, chemicals (with a diameter of 800 mm and more and a length of 40 km and more);

8.8. Construction of overhead electrical power lines (with a voltage of 220 kV or more and a length of 15 km and more);

8.9. Construction of pipelines for the transport of carbon dioxide (CO₂) streams for the purposes of geological storage, including associated booster stations (with a diameter of more than 800 mm and a length of more than 40 km).

9. Other proposed economic activity:

9.1. Construction of water catchment facilities (with an annual production capacity of 10 million cubic metres and more);

9.2. Artificial groundwater recharge schemes (where the annual volume of water recharged is equivalent to or exceeds 10 million cubic metres);

9.3. Works for the transfer of the flow between river basins (where the amount of water transferred is equivalent to or exceeds 100 million cubic metres/year) or works for the transfer of

water resources between river basins (where the multi-annual average flow of the basin of abstraction is equivalent to or exceeds 2 000 million cubic metres/year and where the amount of water transferred is equivalent to or exceeds 5 % of this flow);

9.4. Waste water treatment plants of cities, towns or rural locations (with a capacity equivalent to or exceeding 50 000 population equivalent);

9.5. Construction and decommissioning of installations for the processing, utilisation, storage or disposal of radioactive waste;

9.6. Hazardous waste disposal installations for the incineration or chemical treatment, or landfill of hazardous waste;

9.7. Non-hazardous waste utilisation installations with energy recovery or waste disposal installations for the incineration or chemical treatment of non-hazardous waste (with a utilisation or disposal capacity equivalent to or exceeding 100 tonnes per day);

9.8. Construction of storage sites for the purposes of geological storage of carbon dioxide (CO₂);

9.9. Construction of installations for the capture of carbon dioxide (CO₂) streams for the purposes of geological storage from installations covered by Annex 1, or where the total yearly capture of CO₂ is 1.5 megatonnes or more.

10. Any change to or extension of the proposed economic activity included in the List of the Proposed Economic Activities Subject to Environmental Impact Assessment, where such a change or extension in itself meets the thresholds, if any, set out in this Annex.

Annex 2
to the Law of the Republic of Lithuania
on Environmental Impact
Assessment of the Proposed Economic Activity

**LIST OF
THE PROPOSED ECONOMIC ACTIVITIES
SUBJECT TO SCREENING FOR ENVIRONMENTAL IMPACT ASSESSMENT**

1. Agriculture and aquaculture, silviculture:

1.1. Rearing of pigs (less than 900, but more than 200 places for sows; less than 3 000, but more than 700 places for other pigs);

- 1.2. Other livestock rearing (with more than 200 places for livestock);
- 1.3. Rearing of poultry (less than 85 000, but more than 10 000 places for broilers; less than 60 000, but more than 10 000 places for hens);
- 1.4. Rearing of other poultry (with more than 10 000 places for other poultry);
- 1.5. Fish farming (in the sea or in ponds with an area exceeding 5 hectares);
- 1.6. Water management projects for agriculture, including irrigation and land drainage projects (with an area of more than 5 hectares);
- 1.7. Dams and other installations designed for the holding back or permanent storage of water (the amount of water less than 5 million cubic metres, but exceeding 200 000 cubic metres or the area of water surface less than 250 hectares, but exceeding 10 hectares);
- 1.8. Use of uncultivated land for intensive agricultural purposes (with an area exceeding 0.5 hectares);
- 1.9. Implementation of complex land management projects for the restructuring of rural land holdings;
- 1.10. Afforestation, except in areas where land management schemes for forest layout in territories of municipalities provide for afforestation and deforestation for the purposes of conversion to another type of land use (with an area exceeding 1 hectare in urban locations and 10 hectares in rural locations);
- 1.11. Reclamation of land from the sea.

2. Extractive and processing industry:

- 2.1. Peat extraction (with an area less than 150 hectares, but exceeding 0.5 hectares);
- 2.2. Extraction or processing of natural gas (where the extracted or processed amount exceeds 500 000 cubic metres per day);
- 2.3. Mining of other minerals or quarries (where the surface of the site is less than 25 hectares, but more than 0.5 hectares);
- 2.4. Extraction of minerals or organic matter by marine or fluvial dredging;
- 2.5. Deep drillings (geothermal, water supplies, mineral water extraction, etc., with the exception of drillings for investigating the stability of the soil);
- 2.6. Underground mining.

3. Energy industry:

- 3.1. Thermal power stations and other combustion installations or industrial installations for the production of electricity, steam and hot water (with an output of less than 300 megawatts, but more than 20 megawatts);

3.2. Construction of pipelines for carrying gas or hot water (with a length of more than 2 km);

3.3. Construction of gas storage facilities (with a capacity of more than 10 000 cubic metres);

3.4. Construction of storage facilities of other fossil fuels (warehouses or sites) (with a capacity of more than 1 000 tonnes);

3.5. Briquetting of coal or lignite;

3.6. Hydropower plants (hydroelectric power plants, windmills, sawmills or other power plants using the accumulated hydropower) (with an output of more than 0.1 megawatts);

3.7. Construction of wind power plants (where their installed power does not exceed 30 kW);

3.8. Construction of installations for the capture of carbon dioxide (CO₂) streams for the purposes of geological storage from installations not covered by point 9.9 of Annex 1.

4. Production and processing of metals:

4.1. Processing of metal ores;

4.2. Production of ferrous metals (including pig iron and steel) by primary or secondary fusion or continuous casting;

4.3. Processing of ferrous metals, including hot-rolling mills, forging, pressing, stamping, roll-forming and application of protective fused metal coats;

4.4. Smelting or casting of non-ferrous metals, including recovered products (refining, foundry casting, etc.) (with a production capacity of more than 30 tonnes per day);

4.5. Surface treatment of metals and plastic materials using an electrolytic or chemical process (with a production capacity of more than 50 000 square metres per year);

4.6. Manufacture and assembly of motor vehicles or motor-vehicle engines (with the main area of more than 1 000 square metres);

4.7. Shipyards;

4.8. Construction or repair of aircraft;

4.9. Manufacture or repair of railway equipment (with the main area of more than 1 000 square metres);

4.10. Swaging by explosives.

5. Mineral construction materials industry:

5.1. Coke ovens (dry coal distillation);

5.2. Extraction or processing of asbestos, processing of asbestos or products containing asbestos (for asbestos products, with an annual production of less than 20 000 tonnes; for friction material, with an annual production of 50 tonnes and more; for other uses of asbestos, utilisation of less than 200 tonnes of asbestos);

5.3. Manufacture of glass or glass fibre;

5.4. Smelting mineral substances, including the production of mineral fibres (with a production capacity of more than 10 tonnes per day);

5.5. Manufacture of ceramic products (with a production capacity of more than 3 tonnes per day);

5.6. Manufacture of cement;

5.7. Manufacture of construction materials or structures of concrete (with a production capacity of more than 5 000 cubic metres per year);

5.8. Manufacture of bricks, tiles and construction products, in baked clay.

6. Chemical industry:

6.1. Manufacture of lubricants from crude oil;

6.2. Production and treatment of pharmaceutical products (with a daily production of more than 1 tonne), pesticides (with a daily production of more than 5 tonnes), paint and varnishes (with a production capacity of more than 10 tonnes per day), elastomers (with a production capacity of more than 10 tonnes per day), peroxides (with a production capacity of more than 5 tonnes per day), intermediate products (with a production capacity of more than 10 tonnes per day);

6.3. Construction of facilities for storage of petroleum, petrochemical, or chemical products (warehouses or storage areas) (with a capacity of less than 200 000 tonnes, but more than 5 000 tonnes);

6.4. Production of artificial skins or artificial fibres.

7. Food and tobacco industry:

7.1. Manufacture of vegetable or animal fats and oils (with a production capacity of more than 5 tonnes per day);

7.2. Packing or canning of vegetable or animal products (with a production capacity of more than 5 tonnes per day);

7.3. Processing of milk or dairy products (with a production capacity of more than 50 tonnes per day);

7.4. Brewing or malting (with a production capacity of more than 10 tonnes of malt or 10 000 litres of beer per day);

7.5. Production of bread (with a production capacity of more than 10 tonnes per day);

7.6. Confectionery and syrup manufacture (with a production capacity of more than 5 tonnes per day);

7.7. Sugar factories;

7.8. Installations for the slaughter of animals (with a production capacity of more than 10 tonnes of carcasses per day);

7.9. Manufacture of starch or starch products (with a production capacity of more than 5 tonnes per day);

7.10. Processing of meat or fish (with a production capacity of more than 5 tonnes per day);

7.11. Manufacture of yeast (with a production capacity of more than 2 tonnes per day);

7.12. Manufacture of spirits (with a production capacity of more than 1 000 litres per day);

7.13. Manufacture of tobacco products.

8. Textile, leather, wood and paper industries:

8.1. Production or processing of cellulose;

8.2. Production of paper or board (with a production capacity of less than 200 tonnes, but more than 20 tonnes per day);

8.3. Treatment of fibres or textiles (with an annual production capacity of more than 200 000 square metres);

8.4. Tanning of skins or hides (with a production capacity of more than 500 square metres per day);

8.5. Manufacture of wood fibre slabs (with a production capacity of more than 5 000 square metres per day), manufacture of wood chip slabs (with a production capacity of more than 100 cubic metres per day) or manufacture of plywood (with a production capacity of more than 50 cubic metres per day).

9. Rubber industry:

Manufacture or treatment of elastomer-based products (with a production capacity of more than 15 tonnes per day).

10. Engineering facilities:

10.1. Construction of overhead electrical power lines (with a length of less than 15 km but more than 3 km), with the exception of the activities referred to in point 8.8 of Annex 1;

10.2. Urban development projects (with the exception of one or two-apartment houses, where their construction is provided for in municipal-level general plans), including the construction of shopping or entertainment centres, bus or trolleybus parks, car parks or garage complexes, sports and fitness complexes (with an area under development of more than 0.5 hectares);

10.3. Construction of elevated or underground railways, with the exception of the main public railways (with a length of more than 2 km);

10.4. Construction of railway, road, sea or air transport transshipment facilities or of terminals (with an area exceeding 0.5 hectares);

10.5. Construction of airports or airfields (with a basic runway length of less than 2 100 m);

10.6. Construction of regional roads (with a length of more than 2 km);

10.7. Construction of roads of four or more lanes, or realignment and/or widening of roads of less than four lanes so as to provide four or more lanes (where such new road, or realigned and/or widened section of road would be less than 10 km, but more than 2 km in a continuous length);

10.8. Construction of sea ports or piers which can take vessels of less than 1 350 tonnes, where the area of a port or pier is more than 1 hectare;

10.9. Construction of inland waterways, ports or piers for inland-waterway traffic which can take vessels of less than 1 350 tonnes, where the area of a port or pier is more than 1 hectare;

10.10. Dredging of sea port water areas and port access channels;

10.11. Construction of flood-relief hydrotechnical facilities (with an area of more than 1 hectare);

10.12. Construction of tramways, underground railways or other transport, used exclusively or mainly for passenger transport (with a length of more than 2 km);

10.13. Construction of suspended lines (e.g., lifts) or funicular railways, used exclusively or mainly for passenger transport (with a length of more than 500 m);

10.14. Construction of pipelines for the transport of oil and chemicals (with a diameter of less than 800 mm, and a length of less than 40 km);

10.15. Construction of pipelines for the transport of gas (with a diameter of less than 800 mm, and a length of less than 40 km, but more than 5 km);

10.16. Construction of aqueducts (with a length of more than 1 km);

10.17. Coastal work to combat erosion and maritime works capable of altering the coast (e.g., dykes, moles, etc.);

10.18. Construction of water catchment facilities (with an annual production capacity of less than 10 million cubic metres, but more than 350 000 cubic metres);

10.19. Building of bridges (with a length of more than 250 m);

10.20. Construction of pipelines for the transport of carbon dioxide (CO₂) streams for the purposes of geological storage, including associated booster stations (with a diameter of 800 mm and less and a length of 40 km and less).

11. Other proposed economic activities:

11.1. Construction of permanent racing or test tracks for motorized vehicles (with an area of more than 1 hectare);

11.2. Utilisation to produce energy or disposal of non-hazardous waste, with the exception of the activity referred to in paragraph 9.7 of Annex 1;

11.3. Construction of waste water treatment plants:

11.3.1. urban or rural waste water treatment plants (with a capacity of less than 50 000, but more than 2 000 population equivalent);

11.3.2. run-off water treatment plants (designed for the treatment of the run-off water collected by sewage networks from the area of 50 hectares and more);

11.3.3 industrial waste water treatment plants;

11.4. Utilisation or storage of sludge from waste water treatment plants or another contaminated matter;

11.5. Dumping of dredged material;

11.6. Artificial groundwater recharge schemes (where the annual volume of water recharged is less than 10 million cubic metres);

11.7. Works for the transfer of the flow between river basins (where the amount of water transferred is less than 100 million cubic metres/year) or works for the transfer of water resources between river basins (where the multi-annual average flow of the basin of abstraction is less than 2 000 million cubic metres/year and where the amount of water transferred is less than 5 % of this flow);

11.8. Storage of scrap iron, including scrap vehicles (with an area of more than 0.5 hectares);

11.9. Test benches for engines, turbines or reactors (with the main area of more than 500 square metres);

11.10. Destruction or recovery of explosive substances or identification of the location of destruction or recovery sites for explosive substances;

11.11. Knackers' yards (with a capacity of more than 10 heads of cattle per day);

11.12. Manufacture of primary cells (with an annual production capacity of more than 5 000 units);

11.13. Dredging of lakes, ponds (with the exception of industrial fishing ponds) and rivers (with the exception of existing waterways) or construction of construction works for water level and/or flow change in the lakes and rivers (when carrying out dredging or water level change at stretches of rivers longer than 1 km, or when cleaning a lake or pond area of more than 0.5 hectares or changing water level in a lake area of more than 1 hectare), with the exception of the activities referred to in point 1.7 of this Annex;

11.14. Extraction of sediments from the sea or inland water bodies for the purposes of construction, beach replenishment or restoration, raw materials for industry, etc.;

11.15. Enlargement of industrial site areas (with an area under expansion of more than 0.5 hectares);

11.16. Manufacture of ammunition;

11.17. Television, radio stations and radar installations (with a total power output of transmitting equipment of 20 kW and more);

11.18. Construction of crematoriums;

11.19. Establishment of new cemeteries;

11.20. Disposal or utilisation of hazardous waste, with the exception of:

11.20.1. the activity referred to in paragraph 9.6 of Annex 1;

11.20.2. storage of hazardous waste intended for handling, with not more than 10 tonnes of waste stored simultaneously.

12. Tourism and leisure:

12.1. Marinas (with an area of more than 0.2 hectares);

12.2. Development of holiday villages or hotel complexes outside urban areas (with an area under development of more than 0.5 hectares);

12.3. Permanent camp sites or caravan sites (with an area of more than 1 hectare);

12.4. Theme parks (with an area of more than 0.5 hectares).

13. A proposed economic activity included in the List of the Proposed Economic Activities Subject to Environmental Impact Assessment, where it has the purpose of experimental development or trial and is not pursued for a period exceeding two years.

14. Any change to or extension in the proposed economic activity included in the List of Proposed Economic Activities Subject to Environmental Impact Assessment or in the List of Proposed Economic Activities Subject to Screening for Environmental Impact Assessment, including reconstruction of existing structures, upgrading or replacement of production processes and technological equipment, changes in production techniques, production quantities (volumes) or types, introduction of new technologies and other changes which may have adverse effects on the environment, with the exception of the cases referred to in paragraph 10 of Annex 1.

Annex 3
to the Law of the Republic of Lithuania
on Environmental Impact
Assessment of the Proposed Economic Activity

EU LEGAL ACTS IMPLEMENTED BY THIS LAW

1. Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment (OJ 2004 *special edition*, Chapter 15, Volume 1, p. 248) with the latest amendments adopted by Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 (OJ 2009 L 140, p. 114).

2. Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ 2004 *special edition*, Chapter 15, Volume 2, p. 102) with the latest amendments adopted by Council Directive 2006/105/EC of 20 November 2006 (OJ 2006 L 363, p. 368).