

*Consolidated version valid as of 23 June 2023*

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

15 August 1996 No I-1495  
Vilnius

**CHAPTER I**  
**GENERAL PROVISIONS**

**Article 1. Purpose of the Law**

1. This Law shall regulate the processes of screening for environmental impact assessment of the proposed economic activity and environmental impact assessment of the proposed economic activity and relations between participants in these processes.

2. This Law has 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.

3. The provisions of this Law shall not apply to the construction of the military infrastructure included in a list referred to in point 10 of Article 6 of the Law of the Republic of Lithuania on Mobilisation and Support of the Host Country, to the proposed economic activity planned in such military infrastructure and in the areas for which military infrastructure projects are prepared in accordance with the procedure laid down by the Law of the Republic of Lithuania on Land, where the projects serve exclusively national defence purposes and the performance of related procedures of screening for environmental impact assessment of the proposed economic activity or environmental impact assessment will have an adverse effect on such national defence purposes.

**Article 2. Definitions**

1. ‘Competent authority’ means an institution authorised by the Government of the Republic of Lithuania which coordinates the processes of screening for environmental impact assessment of the proposed economic activity and environmental impact assessment, adopts a conclusion on screening for environmental impact assessment of the proposed economic activity and a decision on the environmental impact of the proposed economic activity and performs other functions specified by this Law.

2. 'Surrounding environment of a Natura 2000 site' means the environment of a locality of the pursuit of the proposed economic activity, the environment of a locality directly adjacent thereto and/or the environment of a locality with natural links to a site of the Natura 2000 protected areas network if due to the natural links among sites or the nature and/or size of the proposed economic activity the proposed economic activity may adversely affect the coherence of the Natura 2000 site or natural habitats or species protected therein.

3. 'Envisaged significant adverse effects on the environment' means a quantitative and/or qualitative change of the environment, its elements, natural and anthropogenic systems uniting the elements which requires envisaging appropriate measures to be avoided, reduced, offset or remedied.

4. 'Proposed economic activity' means an envisaged economic activity covering construction, reconstruction of structures, production, the introduction, upgrading or modification of technological equipment and the production process, changes in production methods, production quantities or types, extraction of subsurface resources and exploitation of earth cavities, utilisation of other natural resources, the activity provided for in land use planning, forest management and water management projects and other economic activities likely to affect the environment.

5. 'Surrounding environment of the proposed economic activity' means the environment of a locality of the pursuit of the proposed economic activity, the environment of a locality immediately adjacent thereto and/or the environment of a locality with natural links which, due to the nature and/or size of the proposed economic activity, is likely to be exposed to significant adverse effects.

6. 'Screening for environmental impact assessment of the proposed economic activity' means a process covering:

1) the preparation of information from the organiser of the proposed economic activity or the drafter of environmental impact assessment documents which will determine whether the proposed economic activity is subject to environmental impact assessment;

2) the examination by the competent authority of the information provided by the organiser of the proposed economic activity or the drafter of environmental impact assessment documents according to which it is determined whether the environmental impact assessment of the proposed economic activity is obligatory with a view to establishing whether the environmental impact assessment of the proposed economic activity is obligatory, consultations with entities of environmental impact assessment and the public concerned, adoption of a reasoned conclusion on screening for environmental impact assessment and publication thereof.

7. 'Organiser of the proposed economic activity' means a natural person, a legal person or a division thereof (including a foreign legal person or another organisation, also a division thereof) planning the economic activity which is subject to environmental impact assessment or which is subject to screening for environmental impact assessment of the proposed economic activity.

8. 'Environmental impact assessment of the proposed economic activity' means the process of identification, description of and provision of conclusions on the potential environmental impact of the proposed economic activity covering:

1) the environmental impact assessment of the proposed economic activity performed by the drafter of documents of environmental impact assessment, the preparation of an environmental impact assessment programme, provided that the environmental impact assessment programme is prepared in accordance with the procedure laid down by this Law, and a report on environmental impact assessment;

2) the evaluation of environmental impact assessment documents and of proposals of the public concerned, also the examination of the proposals of the public concerned and the preparation of conclusions on an environmental impact assessment programme and a report on environmental impact assessment and the environmental impact of the proposed economic activity, as performed by entities of environmental impact assessment;

3) the provision of information to the public, the participation of the public concerned in the process of environmental impact assessment when performing transboundary environmental impact assessment, as well as consultations with other states;

4) the examination and evaluation of environmental impact assessment documents performed by the competent authority, the examination and evaluation of proposals of the public concerned, the examination and evaluation of additional information provided by the drafter of the environmental impact assessment documents and/or the organiser of the proposed economic activity having regard to conclusions of entities of environmental impact assessment on an environmental impact assessment programme, a report on environmental impact assessment and the environmental impact of the proposed economic activity, as well as to results of transboundary environmental impact assessment, if such has been performed;

5) the adoption of a decision of the competent authority regarding the environmental impact of the proposed economic activity and publication thereof.

9. 'Documents of environmental impact assessment' means an environmental impact assessment programme and a report on environmental impact assessment.

10. 'Drafter of documents of environmental impact assessment' means a natural person, a legal person or a division thereof (including a foreign legal person or another organisation, also a

division thereof) preparing documents of environmental impact assessment and performing other functions assigned to the drafter of documents of environmental impact assessment by this Law.

11. 'Entity of environmental impact assessment' means a state institution or a municipal mayor or the director of the municipal administration authorised by him/her examining and evaluating documents of environmental impact assessment, providing conclusions within the respective remit and participating in the process of screening for environmental impact assessment of the proposed economic activity.

12. 'Environmental impact' means a change envisaged to occur in the environment as a result of the proposed economic activity.

13. 'Notice of the commencement of environmental impact assessment' means a notice submitted by the organiser of the proposed economic activity or the drafter of documents of environmental impact assessment that an environmental impact assessment of the proposed economic activity is commenced.

14. 'Decision on the environmental impact of the proposed economic activity' means a document adopted by the competent authority and indicating whether the proposed economic activity, by virtue of its nature, size, location and/or environmental effects, the measures planned in order to avoid, reduce, offset and remedy envisaged significant adverse effects on the environment, meets the requirements of legal acts on environmental protection, public health, protection of immovable cultural heritage, fire safety and civil protection, whether it will have significant adverse effects on the environment and setting out the conditions for the implementation of the proposed economic activity in relation to the environmental impact assessment performed.

15. 'Public concerned' means the public affected or likely to be affected by the taking of decisions, acts or omissions in the area of environmental impact assessment or having an interest in the process of screening for environmental impact assessment and/or environmental impact assessment. For the purposes of this definition, the public legal persons (with the exception of the legal persons established by the State or a municipality or institutions thereof) promoting environmental protection shall in any case be deemed the public concerned.

16. 'Proposed economic activity presumed as being in the overriding public interest and in the interest of public safety' means the proposed economic activity intended for the production of energy from renewable energy installations within the meaning of Commission Recommendation (EU) 2022/822 of 18 May 2022 on speeding up permit-granting procedures for renewable energy projects and facilitating Power Purchase Agreements.

17. 'Public' means one or more natural and/or legal persons, their associations, organisations or groups.

18. Other concepts used in this Law shall be interpreted as they are defined in the Law of the Republic of Lithuania on Environmental Protection, the Law of the Republic of Lithuania on Energy from Renewable Sources, the Law of the Republic of Lithuania on the Protected Species of Fauna, Flora and Fungi, the Law of the Republic of Lithuania on Protected Areas, the Law of the Republic of Lithuania on Construction, the Law of the Republic of Lithuania on Territorial Planning, the Law of the Republic of Lithuania on the Subsurface.

### **Article 3. Environmental impact assessment and screening for environmental impact assessment**

1. The environmental impact assessment of the proposed economic activity shall be performed where:

1) the proposed economic activity is included in the List of Proposed Economic Activities Subject to Environment Impact Assessment set out in Annex 1 to this Law;

2) during a screening for the environmental impact assessment of the proposed economic activity (hereinafter: a 'screening for environmental impact assessment'), it is determined that the proposed economic activity is subject to environmental impact assessment;

3) the implementation of the proposed economic activity may affect Natura 2000 sites and where it is established, in accordance with the procedure laid down by the Minister of Environment, that these effects on the environment are likely to be significant;

4) the organiser of the proposed economic activity included in the List of Proposed Economic Activities Subject to Screening for Environmental Impact Assessment set out in Annex 2 to this Law decides to commence an environmental impact assessment without performing a screening for environmental impact assessment.

2. A screening for environmental impact assessment shall be performed in respect of the proposed economic activity included in the List of Proposed Economic Activities Subject to Screening for Environmental Impact Assessment set out in Annex 2 to this Law.

3. A screening for environmental impact assessment and/or an environmental impact assessment of the proposed economic activity (hereinafter: 'environmental impact assessment') must be completed prior to the issue of a permit as stipulated by law (a construction permit, an authorisation to exploit subsurface resources or cavities, an integrated pollution prevention and control permit, an emission allowance and any other permits that are mandatory for the pursuit of the economic activity included in the lists of proposed economic activities set out in Annex 1 and Annex 2 to this Law). Until the completion of the screening for environmental impact assessment and/or the environmental impact assessment, no permit shall be issued.

4. Where the proposed economic activity serves exclusively the purposes of the protection of the state border, national defence or the proposed economic activity is to be pursued following an emergency event within the meaning of the Law of the Republic of Lithuania on Civil Protection, the competent authority may, having received information from the organiser of the proposed economic activity, take a decision not to perform a screening for environmental impact assessment or an environmental impact assessment if the conduct of procedures with regards to such an activity may have an adverse effect on the purposes of national defence, fire safety or civil protection.

5. No screening for environmental impact assessment shall be performed for the construction of solar power stations. An environmental impact assessment for the construction of solar power stations shall be performed only where it is obligatory under point 3 of paragraph 1 of this Article. Solar power stations shall be planned, constructed and operated in compliance with the environmental requirements set out by the Minister of Environment.

6. Where the proposed economic activity is prohibited by law, a screening for the environmental impact assessment of such proposed economic activity or an environmental impact assessment may not be performed.

7. Where the competent authority has adopted a screening conclusion on environmental impact assessment (hereinafter: a 'screening conclusion') and/or a decision on the environmental impact of the proposed economic activity, but before or after the commencement of the proposed economic activity the proposed economic activity is changed or extended and this change or extension corresponds to the cases referred to in point 11 of Annex 1 or points 14 and 15 of Annex 2, a screening for environmental impact assessment or an environmental impact assessment shall be performed.

8. The proposed economic activity may not be divided into smaller-size proposed economic activities if this could result in avoiding an environmental impact assessment or a screening for environmental impact assessment. If it is established that the proposed economic activity is divided into smaller-size proposed economic activities in order to avoid the environmental impact assessment or the screening for environmental impact assessment, a permit referred to in Article 3(3) of this Law shall not be issued and this proposed economic activity may not be pursued.

9. In order to assess potential cumulative effects on the environment, including public health, the following must be considered in the course of an environmental impact assessment or a screening for environmental impact assessment:

1) all the planned objects of the same proposed economic activity which are functionally and/or chronologically related;

2) other economic activities pursued in the surrounding environment of the proposed economic activity;

3) other proposed economic activities in the surrounding environment of the proposed economic activity in respect whereof a decision on the environmental impact of the proposed economic activity that the activity meets the requirements of legal acts on environmental protection, public health, protection of immovable cultural heritage, fire safety and civil protection has been adopted and is valid, or a screening conclusion that environmental impact assessment is not obligatory has been adopted and is valid.

#### **Article 4. Objectives of an environmental impact assessment and a screening**

1. The objectives of an environmental impact assessment shall be as follows:

1) to determine, describe and assess the potential direct and indirect effects of the proposed economic activity on the following elements of the environment: soil, land surface and subsurface, air, water, climate, landscape and biodiversity, focusing in particular on species and natural habitats of Community interest, also on other species protected by the Law on the Protected Species of Fauna, Flora and Fungi, material assets, immovable cultural properties and the interactions between these elements;

2) to identify, describe and assess the potential direct and indirect effects of biological, chemical and physical factors caused by the proposed economic activity on public health, also on the interactions between elements of the environment and public health;

3) to determine the potential impact of the proposed economic activity on the elements of the environment referred to in point 1 of this paragraph and on public health by virtue of the risk of vulnerability of the proposed economic activity due to emergency events and/or potential emergencies;

4) to determine the measures to be undertaken in order to avoid, to reduce, remedy or, if possible, to offset envisaged significant adverse effects on the environment and public health;

5) to determine whether the proposed economic activity, by virtue of its nature, size, location and/or environmental effects, meets the requirements of legal acts on environmental protection, public health, protection of immovable cultural heritage, fire safety and civil protection or whether it will have significant adverse effects on the elements of the environment, public health referred to in point 1 of this paragraph and their interaction.

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

## **Article 5. Participants of the processes of screening for environmental impact assessment and environmental impact assessment**

1. Participants of the processes of screening for environmental impact assessment and environmental impact assessment shall be:

- 1) the competent authority;
- 2) entities on environmental impact assessment:
  - a) the mayor of a municipality in the territory whereof the economic activity is to be pursued or the director of the municipal administration authorised by him;
  - b) institutions authorised by the Minister of Health;
  - c) the institutions authorised by the Minister of the Interior and responsible for fire safety and civil protection;
  - d) institutions authorised by the Minister of Culture and responsible for the protection of cultural properties;
  - e) the institutions of protected areas authorised by the Minister of Environment, where the pursuit of the proposed economic activity may affect the areas protected by the State, including Natura 2000 sites; the areas of particularly protected landscape and particularly prominent landscape complexes defined in the comprehensive plan of the territory of the Republic of Lithuania as approved by the Government; location sites or habitat sites of protected species;
  - f) the State Nuclear Power Safety Inspectorate, where the proposed economic activity is related to nuclear facilities;
  - g) other state institutions involved in the process of environmental impact assessment in accordance with the procedure laid down in paragraph 2 of this Article;
  - h) a municipal mayor(s) not referred to in point a or the director(s) of the municipal administration authorised thereby and involved in the process of environmental impact assessment in accordance with the procedure laid down in paragraph 2 of this Article;
- 3) the organiser of the proposed economic activity;
- 4) the drafter of documents of environmental impact assessment authorised by the organiser of the proposed economic activity;
- 5) the public concerned;
- 6) an institution authorised by the Government coordinating, in accordance with the procedure laid down by the Minister of Environment, the process of transboundary environmental impact assessment in the case of transboundary environmental impact assessment.

2. Entities of environmental impact assessment may also be state institutions referred to in subpoints g and h of point 2 of paragraph 1 of this Article if during the examination of documents of environmental impact assessment, the competent authority, having regard to the nature, size of



the proposed economic activity, location and environmental features, invites them in accordance with the procedure established by the Minister of Environment to participate in the process of environmental impact assessment. In such cases, the competent authority shall notify in writing the organiser of the proposed economic activity and the drafter of documents of environmental impact assessment of the institutions, as listed in subpoints g and h of point 2 of paragraph 1 of this Article, participating in the process of environmental impact assessment.

3. The drafter of documents of environmental impact assessment must meet the following requirements:

1) a natural person must:

a) be of sufficiently good repute. A natural person shall not be considered to be of sufficiently good repute if he/she has been convicted, in accordance with the procedure laid down by law, of a corruption crime within the meaning of the Law of the Republic of Lithuania on Prevention of Corruption and has an unexpired or unexpunged conviction or an unexpired term of bail and/or has been sanctioned in accordance with the procedure laid down by the Code of Administrative Offences of the Republic of Lithuania for providing incorrect information required for conducting a screening for environmental impact assessment of the proposed economic activity or for approving an environmental impact assessment programme or for taking a decision on the proposed economic activity;

b) hold an appropriate higher education degree in a field corresponding to the specific nature of the documents of environmental impact assessment or parts thereof which are being drafted;

c) have professional experience of at least one year in a field corresponding to the specific nature of the documents of environmental impact assessment or parts thereof which are being drafted;

2) a legal person must:

1) be of sufficiently good repute. A legal person shall not be considered to be of sufficiently good repute if it is a legal person which, within the last five years, has been sanctioned in accordance with the procedure laid down by the Law on Environmental Protection for the provision of incorrect information required for performing a screening for environmental impact assessment of the proposed economic activity or for approving an environmental impact assessment programme or for taking a decision on the proposed economic activity; and/or a legal person whose manager and/or professionals are not considered to be of good repute pursuant to subpoint a of point 1 of this paragraph as natural persons;

b) have professionals who hold an appropriate higher education degree in a field corresponding to the specific nature of the documents of environmental impact assessment or parts thereof which are being drafted;

c) have professional experience of at least one year in a field corresponding to the specific nature of the documents of environmental impact assessment or parts thereof which are being drafted.

## **Article 6. Functions and rights of participants of the processes of screening for environmental impact assessment and environmental impact assessment**

1. The competent authority shall:

1) coordinate the processes of screening for environmental impact assessment and environmental impact assessment;

2) examine the information provided by the organiser of the proposed economic activity or the drafter of documents of environmental impact assessment according to which it is determined whether the environmental impact assessment of the proposed economic activity is obligatory (hereinafter: the 'screening information'), proposals of entities of environmental impact assessment and the public concerned regarding the screening information and/or performance of environmental impact assessment and adopt a conclusion on screening for environmental impact assessment, examine, assess and approve environmental impact assessment programmes, examine and evaluate proposals of the public concerned and the evaluation of these proposals, environmental impact assessment reports (hereinafter: a 'report'), take a decision on the environmental impact of the proposed economic activity, inform the public thereof. The procedure for examining the documents listed in this point shall be established by the Minister of Environment.

2. The organiser of the proposed economic activity shall, at its own expense:

1) organise the procedures of screening for environmental impact assessment and/or environmental impact assessment;

2) prepare the screening information;

3) prepare a notice of the commencement of environmental impact assessment;

4) participates the processes of screening for environmental impact assessment and environmental impact assessment in accordance with the procedure established by this Law and the Minister of Environment.

3. The drafter of documents of environmental impact assessment shall:

1) prepare the screening information;

2) identify, describe and assess the potential environmental impact of the proposed economic activity;

3) draft a report on the commencement of environmental impact assessment and documents of environmental impact assessment;

4) carry out the procedures of screening for environmental impact assessment, environmental impact assessment and provision of information to the public as specified in this Law in accordance with the procedure laid down by this Law and the Minister of Environment.

4. Entities of environmental impact assessment shall, within their remit as specified in paragraph 5 of this Article:

1) examine proposals of the public concerned and the evaluation of these proposals;

2) examine and evaluate documents of environmental impact assessment;

3) submit reasoned conclusions regarding documents of environmental impact assessment and the environmental impact of the proposed economic activity, participate in the process of screening for environmental impact assessment in accordance with the procedure laid down by this Law and the Minister of Environment.

5. Entities of environmental impact assessment shall, in performing the functions specified in paragraph 4 of this Article, submit the following conclusions:

1) the institutions authorised by the Minister of Health – regarding the potential effects on public health of the factors of the proposed economic activity affecting public health;

2) the institutions authorised by the Minister of Culture and responsible for the protection of cultural properties – in the area of the protection of immovable cultural heritage regarding the potential impact of the proposed economic activity on immovable cultural heritage;

3) the institutions authorised by the Minister of the Interior and responsible for fire safety and civil protection – regarding the incidents, emergency events, emergencies likely to occur during the pursuit of the proposed economic activity, measures for prevention or mitigation thereof and response thereto;

4) the institutions of protected areas authorised by the Minister of Environment – regarding the effects of the pursuit of the proposed economic activity on the areas protected by the State, including Natura 2000 sites; the areas of particularly protected landscape and particularly prominent landscape complexes defined in the comprehensive plan of the territory of the Republic of Lithuania as approved by the Government; location sites or habitat sites of protected species;

5) a municipal mayor or the director of the municipal administration authorised thereby – regarding the environmental impact assessment of the proposed economic activity and the potential environmental impact of this activity, having regard to solutions of approved and valid territorial planning documents and the possibilities of modifying them in accordance with the

requirements of legal acts governing territorial planning and to data of the municipality's environmental monitoring conducted in accordance with the Law of the Republic of Lithuania on Environmental Monitoring.

6. The public concerned shall, in accordance with the procedure established by the Minister of Environment, participate in the processes of screening for environmental impact assessment and environmental impact assessment, submit proposals regarding the proposed economic activity and its environmental impact assessment.

7. In performing the functions specified in paragraph 1 of this Article, the competent authority shall have the right to involve, in accordance with the procedure established by the Minister of Environment, consultants to evaluate a report and the conclusions of entities of environmental impact assessment accompanying it, proposals of the public concerned and evaluations thereof and to present conclusions where it lacks expertise to consider these documents. Participation of consultants shall be organised by the competent authority at its own expense in compliance with the Law of the Republic of Lithuania on Public Procurement.

8. The competent authority, when examining the documents of the screening information and environmental impact assessment revised and/or supplemented according to its reasoned requests, and entities of environmental impact assessment, when examining the documents of environmental impact assessment revised and/or supplemented according to their reasoned requests, may not require to provide the information and/or data which they did not indicate when examining the screening information or documents of environmental impact assessment for the first time, but could have required them.

9. Where the competent authority or an entity of environmental impact assessment is the organiser of the proposed economic activity subject to the procedures specified in Article 7 and/or Articles 8-12 of this Law, the competent authority or the entity of environmental impact assessment must, for the performance of the functions referred to in paragraphs 1, 2 and 4 of this Article, establish a procedure according to which functions are divided among divisions of the authority in order to avoid conflicts of interest in performing the duties assigned to them by this Law.

## **CHAPTER II**

### **SCREENING FOR ENVIRONMENTAL IMPACT ASSESSMENT**

#### **Article 7. Screening for environmental impact assessment**

1. Where the proposed economic activity included in the List of the Proposed Economic Activities Subject to Screening for Environmental Impact Assessment as set out in Annex 2 to this

Law is to be pursued in a Natura 2000 site or in the surrounding environment of the site, the organiser of the proposed economic activity shall, prior to commencing the preparation of the screening information or during its preparation, refer in accordance with the procedure established by the Minister of Environment to an institution of protected areas for determining the significance of the effects of the pursuit of the proposed economic activity on such sites. If the institution of protected areas determines, in accordance with the procedure established by the Minister of Environment, that the pursuit of the proposed economic activity included in the List of the Proposed Economic Activities Subject to Screening for Environmental Impact Assessment as set out in Annex 2 to this Law may affect Natura 2000 sites and these effects are likely to be significant, an environmental impact assessment of this proposed economic activity shall be performed without a screening for environmental impact assessment.

2. The organiser of the proposed economic activity or the drafter of documents of environmental impact assessment shall, in accordance with the procedure established by the Minister of Environment, prepare information for a screening for environmental impact assessment and submit it to the competent authority.

3. Having examined the screening information, the competent authority shall perform a screening for environmental impact assessment having regard to:

1) the size, nature of the proposed economic activity, its interaction with other economic activities being pursued and/or other economic activities planned in the surrounding environment of the proposed economic activity in respect whereof a decision on the environmental impact of the proposed economic activity that this activity meets the requirements of legal acts on environmental protection, public health, protection of immovable cultural heritage, fire safety and civil protection has been adopted and is valid or a screening conclusion that environmental impact assessment is not obligatory has been adopted and is valid; the utilisation of natural resources, such as water, land (its surface and subsurface), soil and biodiversity; waste generation; the potential impact of the proposed economic activity on soil, surface and subsurface, air, water, climate, landscape and biodiversity, with a focus on species and natural habitats of Community interest, also on other species protected by the Law on the Protected Species of Fauna, Flora and Fungi, material assets, immovable cultural properties and the interactions between these elements; the potential effects on public health of the biological, chemical and physical factors caused by the proposed economic activity and the risk of occurrence of emergency events and/or emergencies;

2) the environmental sensitivity of a locality which is likely to be affected by the proposed economic activity, characteristics of the ecosystem, the existing land use, natural and subsurface resources in the locality, their abundance, quantity, quality and regenerative capacity; the absorption capacity of the natural environment, paying particular attention to protected areas, also

on the protection purposes of a Natura 2000 site, densely populated areas, wetlands, forest areas, protection zones, data of performed environmental monitoring, areas in which the permitted level of contamination has already been exceeded or areas of historical, cultural or archaeological significance;

3) the size and extent of the impact of the proposed economic activity, its probability and nature, magnitude, complexity, duration, frequency, reversibility, transfrontier nature, the cumulative effect with the economic activity being pursued or planned to be pursued at that locality and the possibilities of avoiding or preventing the effect.

4. The competent authority shall, in accordance with the procedure established by the Minister of Environment, inform entities of environmental impact assessment and the public about the receipt of the screening information and the possibility of submitting proposals regarding the screening information and/or the environmental impact assessment of the proposed economic activity not later than within three working days from the receipt of such information. Proposals regarding the screening information and/or the environmental impact assessment of the proposed economic activity shall be submitted to the competent authority by the entities of environmental impact assessment within ten working days from the receipt of such information or, by the public concerned, within ten working days from the publication of the information. If no proposals regarding the screening information and/or the environmental impact assessment of the proposed economic activity are submitted to the competent authority within the time limit laid down in this paragraph, it shall be considered that the public concerned does not have any proposals regarding the screening information and/or the environmental impact assessment of the proposed economic activity.

5. The competent authority shall, having examined in accordance with the procedure laid down by this Law and the Minister of Environment the screening information, proposals submitted by entities of environmental impact assessment, the public concerned and based on the requirements set out in paragraph 3 of this Article, adopt within ten working days from the receipt of the proposals of the entities of environmental impact assessment referred to in paragraph 4 of this Article a screening conclusion on whether an environment impact assessment is obligatory and shall submit it in writing to the organiser of the proposed economic activity, the drafter of the documents of environmental impact assessment and the entities of environmental impact assessment or may require the organiser of the proposed economic activity or the drafter of documents of environmental impact assessment to provide supplementary information required to perform a screening for environmental impact assessment. In such cases, the organiser of the proposed economic activity or the drafter of documents of environmental impact assessment shall supplement the screening information and re-submit it to the competent authority, which shall

adopt a screening conclusion within ten working days from the receipt of the supplemented screening information.

6. The competent authority shall make the adopted screening conclusion available to the public in accordance with the procedure established by the Minister of Environment not later than within three working days from the adoption thereof. The screening conclusion shall become effective on the next day following its publication and shall be valid for a period of three years. Upon the expiry of validity of the screening conclusion, unless a permit referred to in Article 3(3) of this Law has been issued on the basis thereof, the procedure of screening for environmental impact assessment shall be repeated. In the course of the pursuit of the economic activity, the measures to avoid and/or prevent significant adverse effects on the environment as specified in the screening conclusion adopted by the competent authority must be implemented even if the validity of the conclusion has expired.

7. The competent authority may, in accordance with the procedure established by the Minister of Environment, take a decision to extend the validity of the screening conclusion for a period not longer than three years within ten working days from the receipt of a reasoned request of the organiser of the proposed economic activity for extension of the validity of the screening conclusion if the organiser of the proposed economic activity has provided reasoned information to the effect that there has been no change in the proposed economic activity, the conditions of the pursuit and the location thereof based on which the screening conclusion had been adopted. The competent authority shall publish a decision on the extension of the validity of the screening conclusion in accordance with the procedure established by the Minister of Environment.

8. Where the screening information provided by the organiser of the proposed economic activity or the drafter of documents of environmental impact assessment does not meet the requirements set out by the Minister of Environment or where the proposed economic activity is to be pursued in a Natura 2000 site or in the surrounding environment thereof, however the organiser of the proposed economic activity or the drafter of documents of environmental impact assessment fails to submit a conclusion of the institution of protected areas authorised by the Minister of Environment that the pursuit of the proposed economic activity will not have significant effects on Natura 2000 sites or the surrounding environment thereof, the competent authority shall not perform a screening for environmental impact assessment and shall, not later than within five working days from the receipt of the screening information, inform thereof the organiser of the proposed economic activity and/or the drafter of documents of environmental impact assessment in accordance with the procedure established by the Minister of Environment.

### **CHAPTER III**

## ENVIRONMENTAL IMPACT ASSESSMENT

### **Article 8. Environmental impact assessment programme**

1. In the cases referred to in Article 3(1) of this Law, the organiser of the proposed economic activity shall have the right to decide whether to prepare an environmental impact assessment programme (hereinafter: a 'programme') or a notice of the commencement of environmental impact assessment. The programme shall be obligatory if a transboundary environmental impact assessment of the proposed economic activity must be performed on the grounds referred to in Article 10(3) of this Law, and the submission of the programme to another state is stipulated by international treaties concluded between the Republic of Lithuania and another state.

2. The programme shall establish the content of a report and the issues to be considered.

3. The drafter of documents of environmental impact assessment shall submit the programme prepared in accordance with the procedure established by the Minister of Environment to entities of environmental impact assessment for conclusions and shall inform the public and the competent authority about the programme.

4. The competent authority shall publish the information on the programme in accordance with the procedure established by the Minister of Environment not later than within three working days from the receipt thereof. The date of receipt of the information on the programme by the competent authority shall be considered as the commencement of environmental impact assessment, except for the cases where the competent authority has received a notice of the commencement of environmental impact assessment in accordance with the procedure laid down in Article 9 of this Law prior to the receipt of this information.

5. Entities of environmental impact assessment shall examine a programme, evaluate the information contained therein and, within ten working days from the receipt thereof, submit reasoned conclusions to the drafter of documents of environmental impact assessment. Having regard to the size, nature of the proposed economic activity, location and environmental features, the entities of environmental impact assessment responsible for fire safety and civil protection and protection of immovable cultural properties shall have the right to indicate, when submitting conclusions on the programme, whether they will examine a report. If the entities of environmental impact assessment responsible for fire safety and civil protection and protection of immovable cultural properties indicate that they will not examine the report, the report shall not be submitted thereto.

6. If, prior to the approval of a programme but not later than within 20 working days from the receipt of the programme by the executive institution of a municipality, the council of the



municipality on the territory whereof the proposed economic activity is to be pursued, acting in accordance with the Law on the Republic of Lithuania on Local Self-Government and other laws establishing the remit of municipal institutions and within the limits of its remit, adopts a reasoned negative decision regarding the feasibility of the proposed economic activity, the procedures of environmental impact assessment may not be continued during the period of validity of the reasoned negative decision adopted by the municipal council, except for the cases where the proposed economic activity has been recognised as a project of national importance or is a project of regional importance or the proposed economic activity is necessary for the implementation of a project of national importance or a project of regional importance. The municipal administration shall, without delay but not later than within three working days, inform the competent authority and the organiser of the proposed economic activity about the reasoned negative decision adopted by the municipal council and shall submit the reasoned negative decision of the municipal council. The competent authority shall, upon receipt of this decision of the municipal council, provide information thereon to the public in accordance with the procedure established by the Minister of Environment.

7. The public concerned shall have the right to submit proposals on the programme to the competent authority and to the organiser of the proposed economic activity or to the drafter of documents of environmental impact assessment within a set time limit for submission of proposals, which must be at least ten working days from the publication of the information on the programme as received by the competent authority.

8. Entities of environmental impact assessment shall have the right to present reasoned requests to the drafter of documents of environmental impact assessment to supplement or to 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, which shall, within five working days from the receipt thereof, examine the programme, evaluate the information contained therein and present their reasoned conclusions to the drafter of documents of environmental impact assessment.

9. The drafter of documents of environmental impact assessment shall submit an evaluation of proposals of the public concerned prepared in conjunction with the organiser of the proposed economic activity, conclusions of entities of environmental impact assessment and the programme to the competent authority for examination.

10. Upon examining and evaluating the programme as well as the accompanying proposals of the public concerned and an evaluation of the proposals and based on conclusions of the entities of environmental impact assessment, the competent authority shall, within ten working days from the receipt of the programme, approve the programme or submit reasoned requests to the drafter

of documents of environmental impact assessment to supplement and/or revise the programme. The approved programme and information thereon shall be published by the competent authority in accordance with the procedure established by the Minister of Environment. The programme shall remain valid for a period of three years from its approval. A report shall be submitted to the entities of environmental impact assessment before the expiry of the validity of the programme.

11. If the competent authority has submitted, in compliance with paragraph 10 of this Article, reasoned requests to revise or to supplement the programme, the competent authority shall, upon examining and evaluating the programme, approve it within five working days from the receipt of the revised or supplemented programme.

12. Where the proposed economic activity is subject to the procedures of transboundary environmental impact assessment in accordance with Article 10 of this Law, the programme shall be approved only upon receipt of a conclusion on transboundary environmental impact assessment from the coordinating authority referred to in Article 10(4) of this Law.

#### **Article 9. Notice of the commencement of environmental impact assessment**

1. Preparation of a notice of the commencement of environmental impact assessment (hereinafter: a 'notice of the commencement of environmental impact assessment') shall be obligatory where the environmental impact assessment of the proposed economic activity is obligatory under provisions of Article 3(1) of this Law and the organiser of the proposed economic activity decides not to prepare a programme.

2. A notice of the commencement of environmental impact assessment shall be prepared by the organiser of the proposed economic activity or by the drafter of documents of environmental impact assessment. The format and content of the notice of the commencement of environmental impact assessment shall be approved by the Minister of Environment.

3. The organiser of the proposed economic activity or the drafter of documents of environmental impact assessment shall, not later than 15 working days prior to the provision of information to the public on the presentation of a report to the public in accordance with the procedure laid down in Article 11(3) of this Law, submit a notice of the commencement of environmental impact assessment to entities of environmental impact assessment and the competent authority, which shall publish the received information within three working days from the receipt of the notice of the commencement of environmental impact assessment in accordance with the procedure established by the Minister of Environment and inform the public in accordance with the procedure established by the Minister of Environment. The date of receipt of the notice of the commencement of environmental impact assessment by the competent authority shall be considered to be the date of the commencement of environmental impact assessment.

4. The competent authority and entities of environmental impact assessment shall have the right to submit reasoned proposals to the organiser of the proposed economic activity or the drafter of documents of environmental impact assessment within ten working days from the receipt of the notice of the commencement of environmental impact assessment. The public concerned shall have the right to submit proposals to the competent authority and to the organiser of the proposed economic activity or to the drafter of documents of environmental impact assessment within ten working days from the publication of the received notice of the commencement of environmental impact assessment by the competent authority. The drafter of documents of environmental impact assessment shall, together with the organiser of the proposed economic activity, present an evaluation of the received proposals in a report.

5. A report shall be submitted to entities of environmental impact assessment not later than within three years from the submission of a notice of the commencement of environmental impact assessment to the entities of environmental impact assessment and the competent authority.

#### **Article 10. Transboundary environmental impact assessment**

1. Transboundary environmental impact assessment shall be performed in compliance with this Law, the 1991 United Nations Convention on Environmental Impact Assessment in a Transboundary Context (hereinafter: the 'Convention'), international treaties concluded between the Republic of Lithuania and another state.

2. Where it transpires during a selection for environmental impact assessment that the proposed economic activity to be pursued on the territory of the Republic of Lithuania could have significant effects on the environment of any other Member State of the European Union and/or a non-Member State of the European Union which has acceded to the Convention (hereinafter: an 'affected state'), the competent authority shall, within ten working days from the receipt of the screening information, apply to an environmental protection institution authorised by the Government and coordinating the process of transboundary environmental impact assessment (hereinafter: the 'coordinating authority'), requesting to submit a conclusion on the necessity to apply procedures of transboundary environmental impact assessment to the proposed economic activity. Having examined the information received and having regard to the nature, size of the proposed economic activity, location and environmental features, the coordinating authority shall, within five working days from the receipt of the information, submit to the competent authority a conclusion on the necessity to apply procedures of transboundary environmental impact assessment. When adopting a screening conclusion, the competent authority shall take into account the conclusion of the coordinating authority. Where the coordinating authority submits to the competent authority the conclusion on the necessity to apply procedures of transboundary

environmental impact assessment prior to the adoption of a screening conclusion, the procedures of transboundary environmental impact assessment of the proposed economic activity shall not be performed.

3. If, at the time of submission of a programme or a notice of the commencement of environmental impact assessment to the competent authority, it transpires that the proposed economic activity to be pursued on the territory of the Republic of Lithuania may have significant effects on the environment of the affected state or the coordinating authority has received from the affected state a request for performing a transboundary environmental impact assessment, the procedures of transboundary environmental impact assessment referred to in this Article shall apply to such proposed economic activity in addition to other procedures applicable thereto as referred to in this Law.

4. Upon commencement of environmental impact assessment and establishment of the circumstances referred to in paragraph 3 of this Article, the competent authority shall, within ten working days from the receipt of the programme or of the notice of the commencement of environmental impact assessment, request the coordinating authority to submit a conclusion on the necessity to apply procedures of transboundary environmental impact assessment to the proposed economic activity. Having examined the received information and having regard to the nature, size of the proposed economic activity, location and environmental features, the coordinating authority shall, within five working days from the receipt of the information, submit to the competent authority, the organiser of the proposed economic activity and the drafter of documents of environmental impact assessment a conclusion on the necessity to apply procedures of transboundary environmental impact assessment.

5. Where, upon commencement of environmental impact assessment, it is necessary to conduct the procedures of transboundary environmental impact assessment of the proposed economic activity, the coordinating authority shall, when submitting the conclusion referred to in paragraph 4 of this Article, instruct the organiser of the proposed economic activity and the drafter of documents of environmental impact assessment to prepare and provide to the coordinating authority the information specified by the Minister of Environment in the language indicated in a bilateral agreement, if such an agreement exists, in other cases – in the English language and, where the affected state so requests, also in its state language.

6. Having received the information referred to in paragraph 5 of this Article from the drafter of documents of environmental impact assessment or from the organiser of the proposed economic activity, the coordinating authority shall send a notification to the affected state together with a description of the proposed economic activity, the available information on the potential significant transboundary environmental impact of the proposed economic activity, the

information on possible solutions; request the affected state to inform the public and the competent authorities of its state setting a time limit of at least 25 working days within which the affected state may inform whether it wishes to participate in the process of transboundary environmental impact assessment.

7. If the affected state fails to respond within the time limit set in the notification or notifies that it will not participate in the process of transboundary environmental impact assessment of the proposed economic activity, the coordinating authority shall inform thereof the competent authority, the organiser of the proposed economic activity and the drafter of documents of environmental impact assessment and shall indicate that environmental impact assessment is continued in compliance with the provisions of national law.

8. If the affected state notifies that it will participate in the process of transboundary environmental impact assessment of the proposed economic activity, the coordinating authority shall inform thereof the competent authority, the organiser of the proposed economic activity and the drafter of documents of environmental impact assessment and instruct the drafter of documents of environmental impact assessment to prepare and, not later than ten working days prior to the provision of information to the public as referred to in Article 11(3) of this Law on the presentation of the report to the public, submit to the coordinating authority a report in the English language and a non-technical summary report of the scope specified by the Minister of Environment in the language indicated in a bilateral agreement, if such an agreement exists, in other cases – in the English language and, where the affected state so requests, also in its official language.

9. If it transpires in the course of preparation of the report by the drafter of documents of environmental impact assessment that additional information needs to be obtained about the environment of the affected state, the drafter of documents of environmental impact assessment shall, in accordance with the procedure established by the Minister of Environment, refer to the coordinating authority, which shall, not later than within ten working days from the receipt of the request, forward it to the affected state. Having received a response from the affected state regarding the provision of information on its environment, the coordinating authority shall forward it to the drafter of documents of environmental impact assessment within five working days from the receipt of the information.

10. Having received from the drafter of the environmental impact assessment documents a report and a non-technical summary report, the coordinating authority shall, within ten working days of receipt of the summary report, submit it to the affected state together with information on further environmental impact assessment procedures and proposed inter-state consultations, including the possibility of holding a bilateral or multilateral meeting, and shall request that the

information be provided to the public and the competent authorities of the affected state, setting a time limit for response of at least 30 working days.

11. Having received the response from the affected state, the coordinating authority shall, within five working days from the receipt of the response, forward it to the drafter of documents of environmental impact assessment and the organiser of the proposed economic activity, inform of the planned transboundary consultations coordinated with the affected state. Upon completion of the transboundary consultations, the coordinating authority shall, within five working days, inform thereof the competent authority, the drafter of documents of environmental impact assessment and the organiser of the proposed economic activity, instruct the competent authority to continue environmental impact assessment in accordance with the procedure laid down in Article 12 of this Law and established by the Minister of Environment.

12. Having received, in accordance with the procedure laid down in Article 12 (14) of this Law and established by the Minister of Environment, a decision of the competent authority on the environmental impact of the proposed economic activity, the coordinating authority shall submit it to the affected state in the language indicated in a bilateral agreement with the affected state, if such an agreement exists, in other cases – in the English language and, where the affected state so requests, also in its official language.

13. Where the proposed economic activity to be pursued on the territory of another Member State of the European Union and/or a non-Member State of the European Union which has acceded to the Convention is likely to have significant transboundary environmental impact (hereinafter: the ‘state of origin’), the coordinating authority may request transboundary consultations in accordance with the provisions of the Convention.

14. Having received from the state of origin the information related to environmental impact assessment of the proposed economic activity on its territory, the coordinating authority shall, in accordance with the procedure established by the Minister of Environment, organise the provision of information to the public and the state and/or municipal institutions concerned, receipt of conclusions and proposals therefrom and submission thereof to the state of origin.

### **Article 11. Report on environmental impact assessment**

1. The drafter of documents of environmental impact assessment shall draw up a report on the basis of a programme approved by the competent authority or, if a notice of the commencement of environmental impact assessment has been submitted, taking into account the proposals received in accordance with the procedure laid down in Article 9(4) of this Law. Requirements for the preparation of the report shall be approved by the Minister of Environment.

2. The drafter of documents of environmental impact assessment may use for the preparation of the report the up-to-date information received in the course of performance of a strategic environmental assessment or any other assessment.

3. Having prepared the report, the drafter of documents of environmental impact assessment shall organise the presentation of the report to the public in accordance with the procedure established by the Minister of Environment, providing to the public the information on access to the report not later than 20 working days before it. The public shall have the right to access the report and to submit proposals to the competent authority and the drafter of documents of environmental impact assessment prior to presentation of the report to the public, at the time of presentation of the report and prior to the expiry of the time limit referred to in paragraph 10 of this Article.

4. The drafter of documents of environmental impact assessment together with the organiser of the proposed economic activity shall, in accordance with the procedure established by the Minister of Environment, evaluate proposals of the public concerned, adjust, where necessary, the report based on the proposals and submit it to entities of environmental impact assessment together with the proposals of the public concerned and the evaluation of these proposals.

5. The entities of environmental impact assessment shall examine the report, evaluate the report, the proposals of the public concerned and the evaluation of the proposals of the public concerned and, within the remit indicated in Article 6(5) of this Law, submit to the drafter of documents of environmental impact assessment reasoned conclusions regarding the report and the environmental impact of the proposed economic activity or comments and proposals in accordance with the procedure laid down in paragraph 7 of this Article within 20 working days from the receipt of the report or, regarding a report on the proposed economic activity presumed as being in the overriding public interest and in the interest of public safety, within 15 working days from the receipt of the report. In the reasoned conclusions, the entities of environmental impact assessment must indicate: motives as to the approval or disapproval of the proposed economic activity based on requirements of legal acts; the specific alternative(s) subject to the approval or disapproval, provided that alternatives have been considered in the report; the conditions to be met prior to commencing the pursuit of the activity and/or during the pursuit of the economic activity and/or upon completion of the pursuit of the economic activity, provided that such conditions can be determined in accordance with the requirements of specific legal acts, and provide a reasoned opinion on the evaluation methods, results, the quality of the report and the measures proposed to avoid, reduce, offset or remedy envisaged significant adverse effects on the environment. The

format of the conclusion regarding the environmental impact of the proposed economic activity shall be established by the Minister of Environment.

6. If no programme has been prepared and if, prior to the adoption of a decision on the proposed economic activity but not later than within 20 working days from the receipt of the report by the municipal administration, the council of the municipality on the territory whereof the proposed economic activity is to be pursued, acting without prejudice to its remit and in compliance with the Law on Local Self-Government and other laws establishing the remit of municipal institutions, adopts a negative reasoned decision on the feasibility of the proposed economic activity, the procedures shall be suspended in accordance with the procedure laid down in Article 8(6) of this Law, except for the cases specified in Article 8(6) of this Law.

7. Entities of environmental impact assessment shall have the right to present reasoned requests for the drafter of documents of environmental impact assessment to supplement and/or revise a 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 which have submitted the comments and/or the proposals. The latter shall examine and evaluate the supplemented and/or revised report and submit reasoned conclusions on the report and the environmental impact of the proposed economic activity to the drafter of documents of environmental impact assessment within ten working days from the receipt of the supplemented and/or revised report.

8. Having identified the shortcomings of the report on the proposed economic activity presumed as being in the overriding public interest and in the interest of public safety and prior to submitting reasoned requests for the drafter of documents of environmental impact assessment to supplement or to revise the report, the entity of environmental impact assessment shall, not later than prior to the expiry of the time limit laid down in paragraph 5 of this Article, inform of the identified shortcomings and, on its own initiative or at the request of the drafter of documents of environmental impact assessment, organise a meeting to discuss the identified shortcomings of the report.

9. The drafter of documents of environmental impact assessment shall submit to the competent authority a report revised and/or supplemented in accordance with conclusions of entities of environmental impact assessment, conclusions of the entities of environmental impact assessment on the report and the environmental impact of the proposed economic activity and proposals and an evaluation of proposals of the public concerned.

10. The competent authority shall, within three working days from the receipt of the report, publish a notice on the report and access thereto in accordance with the procedure established by the Minister of Environment. The public concerned shall have the right to submit to the competent



authority, within ten working days from the publication of the notice, written proposals on the environmental impact assessment of the proposed economic activity and on the report.

11. If the report is substantially amended (the scope of the economic activity is changed, new technological and/or location alternatives are planned) or substantially revised (where the report has not appropriately or adequately assessed potential environmental impact), the drafter of documents of environmental impact assessment shall, placed by the competent authority under the obligation to do so or on the initiative of the organiser of the proposed economic activity, repeatedly present the amended report to the public in accordance with the procedure laid down in paragraph 3 of this Article.

12. Where, in the cases specified in paragraph 11 of this Article, the report is substantially amended or substantially revised, the drafter of documents of environmental impact assessment must, after repeatedly presenting the report to the public, obtain new conclusions of entities of environmental impact assessment in accordance with the procedure laid down in paragraphs 4-7 of this Article and submit them to the competent authority in accordance with the procedure laid down in paragraph 9 of this Article.

#### **Article 12. Decision on the environmental impact of the proposed economic activity**

1. Having examined proposals of the public concerned and the evaluation of these proposals, having examined and evaluated a report, acting on the basis of conclusions of entities of environmental impact assessment regarding the report and the environmental impact of the proposed economic activity and having regard to results of the meetings organised in accordance with the procedure laid down in paragraphs 8, 9 or 10 of this Article, the competent authority shall, within 25 working days from the receipt of the report or, as regards a report on the proposed economic activity presumed as being in the overriding public interest and in the interest of public safety, within 20 working days from the receipt of the report:

- 1) submit reasoned requests to revise or supplement the report, or
- 2) take a decision on the environmental impact of the proposed economic activity.

2. Having identified the shortcomings of the report on the proposed economic activity presumed as being in the overriding public interest and in the interest of public safety and prior to submitting reasoned requests to supplement or to revise the report, the competent authority shall, not later than prior to the expiry of the time limit laid down in paragraph 1 of this Article, inform of the identified shortcomings and, on its own initiative or at the request of the drafter of documents of environmental impact assessment, organise a meeting to discuss the identified shortcomings of the report.

3. Where, pursuant to Article 6(7) of this Law, the competent authority involves consultants, the said authority shall perform the actions referred to in paragraph 1 of this Article and, based on conclusions of the consultants, submit reasoned requests to revise or to supplement the report or take a decision on the environmental impact of the proposed economic activity within 50 working days from the receipt of the report. The competent authority shall take a reasoned decision to involve consultants and submit it to the organiser of the proposed economic activity and the drafter of documents of environmental impact assessment within ten working days from the receipt of the report.

4. The time limit for taking a decision on the environmental impact of the proposed economic activity may be extended once by not more than 25 working days or, as regards the proposed economic activity presumed as being in the overriding public interest and in the interest of public safety, by not more than 20 working days for objective reasons beyond the control of the competent authority. 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 of the proposed economic activity and to the drafter of documents of environmental impact assessment and indicate reasons for extending the time limit.

5. Where the competent authority submits reasoned requests to revise and/or to supplement the report, the drafter of documents of environmental impact assessment must revise and/or supplement the report and resubmit it to the competent authority. The competent authority shall examine the revised and/or supplemented report and take a decision thereon within 15 working days or, as regards the proposed economic activity presumed as being in the overriding public interest and in the interest of public safety, within ten working days or, without prejudice to provisions of paragraph 8 of Article 6 of this Law, resubmit reasoned requests to revise or to supplement the report.

6. Where a transboundary environmental impact assessment of the proposed economic activity has been performed in accordance with provisions of Article 10 of this Law, the drafter of documents of environmental impact assessment must prepare and, prior to the adoption of a decision on the environmental impact of the proposed economic activity, submit to the competent authority an evaluation of proposals of the affected state.

7. Where the proposed economic activity is subject to provisions of Article 10 of this Law or provisions of paragraph 12 of this Article regarding consultations with the European Commission, the time limit for the taking of a decision on the environmental impact of the proposed economic activity as referred to in paragraphs 1, 2 and 4 of this Article shall not apply. Having regard to the results of the transboundary consultations, the competent authority shall take a decision on the environmental impact of the proposed economic activity not later than within ten

working days from the receipt of the evaluation of proposals of the affected state as referred to in paragraph 6 of this Article. If the European Commission has been consulted in accordance with paragraph 12 of this Article, the competent authority shall take the decision on the environmental impact of the proposed economic activity not later than within ten working days after the completion of the consultations.

8. Where the conclusions of the entities of environmental impact assessment regarding the environmental impact of the proposed economic activity contradict each other and/or a conclusion of an entity of environmental impact assessment on the report and the environmental impact of the proposed economic activity do not conform to provisions of Article 11(5) of this Law, the competent authority shall, prior to adopting a decision on the environmental impact of the proposed economic activity, organise a meeting in accordance with the procedure established by the Minister of Environment to which the organisers of the proposed economic activity, the drafter of documents of environmental impact assessment and the entities of environmental impact assessment referred to in this paragraph shall be invited to consider the conclusions of the entities of environmental impact assessment.

9. Having received proposals of the public concerned in accordance with Article 11(10) of this Law, the competent authority shall, prior to adopting a decision on the environmental impact of the proposed economic activity, organise, in accordance with the procedure established by the Minister of Environment, a meeting to which the organiser of the proposed economic activity, the drafter of documents of environmental impact assessment and representatives of the public concerned who have submitted proposals shall be invited to consider proposals of the public concerned.

10. Where the competent authority has doubts about the conformity of the proposed economic activity with legal requirements or about potential significant adverse effects on the environment, the competent authority shall, prior to adopting a decision on the environmental impact of the proposed economic activity, organise, in accordance with the procedure established by the Minister of Environment, a public meeting to which it shall invite the organiser of the proposed economic activity, the drafter of documents of environmental impact assessment, where necessary, consultants, where such have been involved in accordance with Article 6(7) of this Law, and the entities of environmental impact assessment to consider change of the size or location of the proposed economic activity or of the conditions and/measures aimed at avoiding the potential significant adverse effects on the environment.

11. If the organiser of the proposed economic activity, the drafter of documents of environmental impact assessment, an entity of environmental impact assessment and/or a representative/representatives, having been informed of a consideration in accordance with the

procedure established by the Minister of Environment, fail participating in the consideration of the conclusions of the entities of environmental impact assessment and/or the proposals of the public concerned without compelling reasons, the competent authority shall consider the received proposals in the absence thereof.

12. If it is established that the pursuit of the proposed economic activity will have significant adverse effects on Natura 2000 sites and there are no alternative solutions for the proposed economic activity, the competent authority shall take a decision on the environmental impact of the proposed economic activity, except for the decision referred to in paragraph 18 of this Article, only in the cases when the proposed economic activity must be pursued for imperative reasons of overriding public interest, including social or economic reasons. When adopting the decision, the imperative reasons of overriding public interest, including social or economic reasons, shall be deemed to exist where it has been proved that the proposed economic activity is necessary due to the actions or plans the purpose whereof is to protect the fundamental values of citizens' life (health, safety, the environment) or due to the implementation of major state and public policy programmes or due to the pursuit of economic or social activities and provision of public services. In such cases, the coherence of Natura 2000 shall be preserved through envisaging and implementation of measures for restoring populations of natural habitats, habitats of species or species or improving these habitats in a part of the same area, an extended area, another area or a new area to be included in the mentioned ecological network or of other compensatory measures whose compensatory effect would be equivalent to the adverse effects caused by the pursuit of the proposed economic activity, where it is demonstrated that measures taken at this scale will be fully effective in restoring the structure and functionality of the area in the short term, or greater than such adverse effects. The compensatory measures shall be envisaged and implemented in such a way that their impact would emerge earlier than the adverse effects caused by the pursuit of the proposed economic activity. An institution of protected areas shall inform the European Commission of these compensatory measures in accordance with the procedure established by the Minister of Environment. Where the relevant Natura 2000 site hosts a priority natural habitat type and/or a priority plant or animal species, the only possible considerations of the presence of imperative reasons of overriding public interest shall be those related to human health or public safety or to significant beneficial effects on the environment. As regards the possibility of applying the considerations related to imperative reasons of overriding public interest other than those stated, it shall be necessary, in accordance with the procedure established by the Minister of Environment, to refer to the European Commission for its opinion on such a matter.

13. The decision on the environmental impact of the proposed economic activity must indicate: contact details of the organiser of the proposed economic activity and the drafter of

documents of environmental impact assessment; the title, location and description of the proposed economic activity; the conditions and measures of the pursuit of the proposed economic activity to avoid, reduce, offset and remedy significant adverse effects on the environment; a description of environmental monitoring measures, if applicable; a summary of conclusions of entities of environmental impact assessment; information on the provision of information to and participation of the public, including a summary of the reasons on the basis of which proposals of the public were accepted and/or rejected; information on the transboundary procedures carried out, if applicable, and the results thereof; the considerations on which the decision is based; the specific alternative(s) accepted or rejected if the report considered alternatives; the nature of the decision on the environmental impact of the proposed economic activity; the procedure for appealing against the decision on the environmental impact of the proposed economic activity. The format of the decision on the environmental impact of the proposed economic activity shall be established by the Minister of Environment.

14. The competent authority shall submit the decision on the environmental impact of the proposed economic activity to entities of environmental impact assessment and the organiser of the proposed economic activity in writing. The competent authority shall, in accordance with the procedure established by the Minister of Environment, publish the decision on the environmental impact of the proposed economic activity within three working days from the adoption thereof. Where the proposed economic activity has been subject to procedures of transboundary environmental impact assessment in accordance with the provisions of Article 10 of this Law, the competent authority shall, in accordance with the procedure established by the Minister of Environment, inform the coordinating authority of the decision within five working days from the adoption thereof.

15. The decision on the environmental impact of the proposed economic activity taken by the competent authority shall be valid for a period of five years from the adoption thereof, except for the decision referred to in paragraph 18 of this Article, which shall be valid for an indefinite period. When pursuing the economic activity, the conditions and/or measures specified in the decision of the competent authority regarding the environmental impact of the proposed economic activity to avoid, reduce, offset and/or remedy significant adverse effects on the environment must be fulfilled even if the period of validity of the decision has expired.

16. The competent authority may, in accordance with the procedure established by the Minister of Environment, take a decision to extend the validity of a decision on the environmental impact of the proposed economic activity for a period not exceeding five years within 15 working days from a reasoned request of the organiser of the proposed economic activity for extending the validity of the decision if the organiser of the proposed economic activity has provided the

reasoned information to the effect that the proposed economic activity, the conditions of the pursuit and location thereof based on which the decision on the environmental impact of the proposed economic activity was taken have not changed.

17. The competent authority shall, in accordance with the procedure established by the Minister of Environment, publish the decision on the extension of the validity of the decision on the environmental impact of the proposed economic activity.

18. If the competent authority takes a decision on the environmental impact of the proposed economic activity and states that the proposed economic activity does not meet the requirements of legal acts of environmental protection, public health, protection of immovable cultural heritage, fire safety and civil protection and will have significant adverse effects on the environment, the permit referred to in Article 3(3) of this Law shall not be issued, and this proposed economic activity may not be pursued.

19. The decision of the competent authority regarding the environmental impact of the proposed economic activity, including the conditions and/or measures specified therein to avoid, reduce, offset and remedy significant adverse effects on the environment, must be binding on the organiser of the proposed economic activity during the stages of preparation for the pursuit of the economic activity and/or the pursuit of the economic activity and/or completion of the pursuit of the economic activity.

#### **CHAPTER IV**

### **PUBLICITY OF, AND AVAILABILITY OF INFORMATION ON, THE PROCESSES OF SCREENING FOR ENVIRONMENTAL IMPACT ASSESSMENT AND ENVIRONMENTAL IMPACT ASSESSMENT**

#### **Article 13. Submission of documents for a screening for environmental impact assessment and an environmental impact assessment**

All participants of the processes of screening for environmental impact assessment and environmental impact assessment shall have the right to submit documents to the competent authority, entities of environmental impact assessment in accordance with the procedure established by the Government and to receive replies from them remotely, by electronic means through a point of contact, as stipulated in the Law of the Republic of Lithuania on Services, or by directly contacting the competent authority and the entities of environmental impact assessment, except for the cases where it is not technically feasible to reproduce or to read the information provided by such means.

**Article 14. Publicity of the processes of screening for environmental impact assessment and environmental impact assessment**

1. In the course of a screening for environmental impact assessment and an environmental impact assessment, the public concerned shall have the right to obtain, in accordance with the procedure laid down by law, information on potential environmental impact of the proposed economic activity from other participants of the processes of screening for environmental impact assessment and environmental impact assessment.

2. A procedure for the provision of information to and participation of the public in the processes of screening for environmental impact assessment of the proposed economic activity and environmental impact assessment shall be established by the Minister of Environment.

3. The competent authority and entities of environmental impact assessment shall protect the confidentiality of the information provided by the organiser of the proposed economic activity or the drafter of documents of environmental impact assessment if such information may not be disclosed according to legal acts of the Republic of Lithuania.

**CHAPTER V  
FINAL PROVISIONS**

**Article 15. Liability of participants of the processes of screening for environmental impact assessment and environmental impact assessment**

Participants of the processes of screening for environmental impact assessment and environmental impact assessment shall be held liable for infringements of provisions of this Law in accordance with the procedure laid down by the Law on Environmental Protection and the Code of Administrative Offences.

**Article 16. Right to refer to court of participants of the processes of screening for environmental impact assessment and environmental impact assessment**

1. The public shall have the right to refer to court if it considers that its application filed in accordance with the procedure laid down by the legal acts governing the processes of screening for environmental impact assessment and environmental impact assessment has been unlawfully dismissed, has been provided with a partially or completely inappropriate response or has not been given proper regard in accordance with the legal acts governing the processes of screening for environmental impact assessment and environmental impact assessment.

2. The public concerned shall have the right to refer to court disputing the substantive or procedural legitimacy of decisions, acts or omissions in the areas of screening for environmental impact assessment and environmental impact assessment.

3. Decisions or acts/omissions of the competent authority related to the taking of decisions may be appealed against in accordance with the procedure laid down by the Law of the Republic of Lithuania on the Procedure for Settlement of Pre-trial Administrative Disputes or the Law of the Republic of Lithuania on Administrative Proceedings.

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

PRESIDENT OF THE REPUBLIC

ALGIRDAS BRAZAUSKAS



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

### **1. Agriculture and aquaculture:**

- 1.1. Intensive rearing of pigs in structures with 3 000 places or more for pigs (over 30 kg);
- 1.2. Intensive rearing of sows in structures with 900 places or more for sows;
- 1.3. Intensive rearing of poultry in structures:
  - 1.3.1. with 85 000 places or more for broilers;
  - 1.3.2. with 60 000 places or more for hens;
- 1.4. Dams and other installations designed for the holding back or permanent storage of water (where the amount of water is equal to or exceeds 5 million cubic metres or the area of water surface is equal to or exceeds 250 hectares).

### **2. Extractive and processing industry:**

- 2.1. Extraction of conventional hydrocarbons (petroleum) in the mainland territory of the Republic of Lithuania (where the amount of oil extracted in the oil field exceeds 500 tonnes of oil per day);
- 2.2. Extraction of conventional hydrocarbons (gas) in the mainland territory of the Republic of Lithuania (where the amount of gas extracted in the gas field exceeds 500 000 cubic metres of gas per day);
- 2.3. Extraction of conventional hydrocarbons (oil or gas) in the maritime area of the Republic of Lithuania;
- 2.4. Extraction of dispersed hydrocarbons (gas or oil);
- 2.5. Peat extraction (where the surface of the site is equal to or exceeds 150 hectares);
- 2.6. Other mineral extraction (where the surface of the site is equal to or exceeds 25 hectares);
- 2.7. Exploration of dispersed hydrocarbons in boreholes by injecting, through hydraulic rock splitting, of more than 10 000 cubic metres of water, sand or artificial solids and a mixture of chemicals into a borehole during the whole process of splitting;
- 2.8. Refining of traditional hydrocarbons (oil) (excluding manufacturing of lubricants from crude oil).

### **3. Energy industry:**

3.1. Thermal power stations and other combustion installations, including industrial installations for the production of electricity, steam or hot water (with the rated thermal input of 150 megawatts or more);

3.2. Nuclear power stations and other nuclear reactors including the dismantling or decommissioning of such power stations or reactors (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load). Nuclear power stations and other nuclear reactors shall no longer be classified as the mentioned type of installation when nuclear fuel and other parts contaminated with radionuclides are permanently removed from the installation site;

3.3. Reprocessing of irradiated nuclear fuel;

3.4. Production and enrichment of nuclear fuel;

3.5. Processing and/or storage of irradiated nuclear fuel or radioactive waste;

3.6. Final disposal of irradiated nuclear fuel;

3.7. Final disposal of radioactive waste;

3.8. Decommissioning of installations for the processing and/or storage of irradiated nuclear fuel or radioactive waste;

3.9. Gasification or liquefaction of coal or bituminous shale with the output of 500 tonnes or more per day;

3.10. Wind power plants:

3.10.1. in the territorial sea of the Republic of Lithuania and/or the exclusive economic zone of the Republic of Lithuania in the Baltic Sea;

3.10.2. onshore, where it is planned to construct 7 or more wind power plants and the distance between the wind power plants planned to be constructed and the wind power plants already constructed, under construction or planned to be constructed is 5 km or less (measured between shaft centres) or where these numbers and distances are reached, including the wind power plants already constructed, under construction or planned to be constructed.

#### **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:**

5.1. Extraction or processing of asbestos, production of products containing asbestos: production of asbestos-cement products with an annual production of more than 20 000 tonnes;

5.2. Production of friction materials with an annual production of more than 50 tonnes;

5.3. Other processing or use of asbestos, with utilisation of more than 200 tonnes per year.

#### **6. Chemical industry:**

6.1. Production on an industrial scale using chemical conversion processes of organic chemicals (including hydrocarbons (linear or cyclic, saturated or unsaturated, aliphatic or

aromatic); oxygen-containing organic compounds: alcohol, aldehydes, ketones, carboxylic acids, esters and mixtures thereof, acetates, ethers, epoxy resins; sulfur-containing organic compounds; nitrogen-containing organic compounds: amines, amides, nitros and nitro compounds or nitrates, nitriles, cyanates, isocyanates; phosphorus-containing organic compounds; halogenated hydrocarbons; metallic organic compounds; plastic materials (polymers, synthetic fibers and cellulose fibers); synthetic rubber, dyes and pigments; surface-active agents and surfactants);

6.2. Production on an industrial scale using chemical conversion processes of inorganic chemicals (including gases such as ammonia, chlorine or chlorine hydrogen, fluorine or fluorine hydrogen, carbon oxides, sulfur compounds, nitrogen oxides, hydrogen, sulfur dioxide, carbonyl chloride (phosgene), acids such as chromic acid, hydrogen fluoride acid, phosphoric acid, nitric acid, hydrochloric acid, sulphuric acid, oleum, sulphurous acids; ammonium hydroxide, potassium hydroxide and sodium hydroxide; ammonium chloride, potassium chlorate, potassium carbonate, sodium carbonate, perborate, silver nitrate; non-metals, metal oxides or other inorganic compounds such as calcium carbide, silicon, silicon carbide);

6.3. Production of phosphorous-, nitrogen- or potassium-based fertilisers (including compound fertilisers) and/or production of other agrochemical products on an industrial scale using chemical conversion processes;

6.4. Production of plant health products and of biocides on an industrial scale using chemical conversion processes;

6.5. Production of pharmaceutical products on an industrial scale using a chemical or biological process;

6.6. Storage of petroleum, petrochemical, chemicals and chemical mixtures in storage facilities with a capacity of 200 000 tonnes or more of products stored simultaneously;

6.7. Production of explosives.

## **7. Wood and paper industry:**

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

7.2. Production of pulp from timber or similar fibrous materials.

## **8. Engineering structures:**

8.1. Construction of sea ports (including terminals for loading and unloading) or piers, including terminals for loading and/or unloading, which can take vessels of 1 350 tonnes or more, excluding ferry piers;

8.2. Construction of inland waterways, ports (including terminals for loading or unloading) which can take vessels of 1 350 tonnes or more;

8.3. Construction of main or national roads;

8.4. Construction of roads of four or more lanes, or realignment of roads of less than four lanes so as to provide four or more lanes (where such new road or realigned 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 metres or more;
- 8.7. Construction of pipelines with a diameter of 800 mm or more and a length of 40 km or more for the transport of gas, oil, chemicals;
- 8.8. Construction of overhead electrical power lines with a voltage of 220 kilowatts or more and a length of 15 km or more;
- 8.9. Construction of pipelines with a diameter of 800 mm or more and a length of 40 km or more for the transport of carbon dioxide (CO<sub>2</sub>) streams for the purposes of geological storage, including associated booster stations.

**9. Waste management:**

- 9.1. Disposal or recovery of hazardous waste by means of thermal treatment, such as incineration, pyrolysis, gasification, degasification, plasma process, or by combining any techniques;
- 9.2. Disposal or recovery of hazardous waste by means of chemical treatment;
- 9.3. Disposal of hazardous waste in a hazardous waste landfill;
- 9.4. Disposal or recovery of non-hazardous waste by means of thermal treatment, such as incineration, pyrolysis, gasification, degasification, plasma process, or by combining any techniques in installations with a capacity of 100 tonnes or more per day;
- 9.5 Recovery or disposal of non-hazardous waste by means of chemical treatment in installations with a capacity of 100 tonnes or more per day.

**10. Other proposed economic activities:**

- 10.1. Groundwater abstraction with a capacity of 10 million cubic metres or more;
- 10.2. Artificial groundwater recharge schemes with a capacity of 10 million cubic metres or more of recharged water per year;
- 10.3. Works for the transfer of water resources between river basins (where the amount of water transferred is equivalent to or exceeds 100 million cubic metres/year and/or where the multi-annual average flow of the basin of abstraction is equal to or exceeds 2 000 million cubic metres/year and where the amount of water transferred is equal to or exceeds 5 % of that flow), excluding drinking water;
- 10.4. Urban or rural waste water treatment plants with a capacity equal to or exceeding 150 000 population equivalent;
- 10.5. Storage of carbon dioxide (CO<sub>2</sub>) in geological repositories;
- 10.6. Installations for the capture of carbon dioxide (CO<sub>2</sub>) stored in geological repositories from the installations used for the activities referred to in subpoint 10.5 of this Annex or installations which capture 1.5 million tonnes or more of carbon dioxide (CO<sub>2</sub>) per year.

- 11. The change to or extension of a proposed economic activity included in the list set out in this Annex or in Annex 2 to the Law of the Republic of Lithuania on Environmental Impact

Assessment of the Proposed Economic Activity, where such a change or extension meets or exceeds the thresholds, if any, set out in this Annex. For the purposes of determining the extent of the change or extension of an activity as referred to in this point, the changes or extensions of the activity made during the last five calendar years shall be aggregated starting from the adoption of the most recent decision on the environmental impact of the proposed economic activity.

Note. If the rearing of the different species of animals referred to in subpoints 1.1 to 1.3 of this Annex is planned and the number of places planned for a specific species is below the threshold set for it, an environmental impact assessment shall be obligatory if the number of places resulting from conversion to any one species is equal to or exceeds the lower threshold set for it, i.e. the sum total of ratios of the places planned for the rearing of the respective species to the thresholds referred to in subpoints 1.1 to 1.3 of this Annex is equal to or exceeds 1. Conversion shall be carried out according to the following formula:

$$\frac{A_1}{A_{R1}} + \frac{A_2}{A_{R2}} + \dots + \frac{A_n}{A_{Rn}} \geq 1,$$

where

$A_1, A_2, \dots, A_n$  is the planned number of places for the rearing of the respective species;

$A_{R1}, A_{R2}, \dots, A_{Rn}$  is the threshold of places for the rearing of the respective species as referred to in subpoints 1.1 to 1.3 of this Annex.

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

**1. Agriculture and aquaculture, silviculture:**

1.1. Intensive rearing of animals or poultry in structures with the following number of places for them:

1.1.1. for pigs over 30 kg – with more than 1 500 but less than 3 000 places;

1.1.2. for sows (with sucking piglets) – with more than 450 but less than 900 places;

1.1.3. for piglets from 7 up to 30 kg (3 months) – with 25 000 places or more;

1.1.4. for cows, bulls – with 250 places or more;

1.1.5. for calves under 1 year – with 1 000 places or more;

1.1.6. for livestock growth from 1 to 2 years – with 350 places or more;

1.1.7. for sheep, goats – with 2 500 places or more;

1.1.8. for horses from 1 year – with 250 places or more;

1.1.9. for foals under 1 year – with 500 places or more;

1.1.10. for rabbits – with 5 000 places or more;

1.1.11. for chinchillas – with 25 000 places or more;

1.1.12. for minks and/or martens – with 3 500 places or more;

1.1.13. for foxes – with 1 500 places or more;

1.1.14. for coypu – with 2 500 places or more;

1.1.15. for ostriches – with 250 places or or more;

1.1.16. for hens – with less than 60 000 but more than 20 000 places;

1.1.17. for broilers – with less than 85 000 but more than 20 000 places;

1.1.18. for ducks – with 12 000 places or more;

1.1.19. for turkeys grown for up to 70 days – with 15 000 places or more;

1.1.20. for turkeys grown for up to 133 days – with 7 500 places or more;

1.1.21. for geese – with 7 500 places or more;

1.1.22. for quails – with 20 000 places or more;

1.2. Fish farming or breeding (in the sea or in aquaculture ponds with the total area equal to or exceeding 5 hectares);

1.3. Water management projects for agriculture, including irrigation and land drainage projects (where the area drained is equal to or exceeds 5 hectares or where 50 cubic metres or more of water are used for irrigation per day);

1.4. Dams and other installations designed for the holding back or permanent storage of water (where the amount of water exceeds 200 000 cubic metres, but is less than 5 million cubic metres or where the area of water surface is less than 250 hectares, but exceeds 10 hectares);

1.5. Use of natural or semi-natural areas (natural meadows and pastures, forests, other plantations, marshes, unused land) for intensive agricultural activities (where the area to be used is 0.5 hectares or more);

1.6. Economic activity in the course of planning whereof a land use planning project for rural development or a land parcel formation and rearrangement project is prepared (where the area of the planned territory is 1 hectare or more) according to which land use will be changed for the purpose of implementation of planned solutions, excluding:

1.6.1. determination of the construction zone of structures of a farmstead – a single-apartment residential building with ancillary farm structures;

1.6.2. the cases when the economic activities set out in Annex 1 to the Law of the Republic of Lithuania on Environmental Impact Assessment of the Proposed Economic Activity Law or in this Annex are to be pursued in the planned area;

1.7. Afforestation or deforestation for the purposes of conversion to another type of land use, where:

1.7.1. a forest is established in an area of land exceeding 10 hectares;

1.7.2. a forest is removed in rural areas in an area of land of 1 hectare or more, in cities – in an area of land of any size, except for the cases where open natural habitats or habitats of species of Community interest are restored;

1.8. Reclamation of land from the sea.

## **2. Extractive and processing industry:**

2.1. Peat extraction (where the area of the site is less than 150 hectares, but exceeds 0.5 hectares);

2.2. Extraction of conventional hydrocarbons (petroleum) in the mainland territory of the Republic of Lithuania (where the amount extracted in the oil field is 500 tonnes or less per day);

2.3. Extraction of conventional hydrocarbons (gas) in the mainland territory of the Republic of Lithuania (where the amount of gas extracted in the gas field is 500 000 cubic metres or less per day);

2.4. Other mineral extraction (where the area of the site is less than 25 hectares, but more than 0.5 hectares);

2.5. Extraction of minerals or organic matter by marine or fluvial dredging;

2.6. Deep drillings (geothermal, water supplies, mineral water extraction, direct exploratory wells of dispersed and traditional hydrocarbons, etc.) with the depth of 300 metres or more, excluding the activities referred to in subpoint 2.7 of Annex 1 to the Law on Environmental Impact Assessment of the Proposed Economic Activity and drillings for investigating the stability of the soil;

2.7. Underground mining.

### **3. Energy industry:**

3.1. Thermal power stations and other combustion installations, including industrial installations for the production of electricity, steam or hot water, with the rated thermal input of less than 150 megawatts but more 5 megawatts;

3.2. Pipelines with a length of 2 km or more for carrying steam or hot water;

3.3. Natural gas storage facilities with a capacity of 10 000 cubic metres or more;

3.4. Underground storage of combustible gases with a capacity of 10 000 cubic metres or more;

3.5. Storage of other fossil fuels in structures (warehouses or storage areas) with a capacity of 1 000 tonnes or more, excluding the activities referred to in subpoints 3.3 and 6.6 of this Annex;

3.6. Briquetting of coal or lignite;

3.7. Hydroelectric energy production (hydropower plants, mills, sawmills using accumulated water power);

3.8. Wind power plants where:

3.8.1. it is planned to construct three or more wind power plants with the height of at least one of them being 50 m or more (measured up to the highest point of the structure, including the height of the blade), excluding the activities referred to in subpoint 3.10 of Annex 1 to the Law on Environmental Impact Assessment of the Proposed Economic Activity;

3.8.2. a wind power plant is planned to be constructed at a distance of less than 1 km from a protected area, except for the installation of not more than one wind power plant with a height of not more than 25 m (measured up to the highest point of the structure) in a farmstead or near farm buildings;

3.9. Installations for the capture of carbon dioxide (CO<sub>2</sub>) stored in geological repositories from the installations other than those referred to in subpoint 10.6 of Annex 1 to the Law on Environmental Impact Assessment of the Proposed Economic Activity.

### **4. Production, processing and treatment of metals:**

4.1. Processing of metallic ores, excluding the activities referred to in subpoint 4.2 of Annex 1 to the Law on Environmental Impact Assessment of the Proposed Economic Activity;



4.2. Production (primary or secondary fusion or casting) of ferrous metals, including pig iron and steel, excluding the activities referred to in subpoint 4.1 of Annex 1 to the Law on Environmental Impact Assessment of the Proposed Economic Activity;

4.3. Processing and/or treatment of ferrous metals, including:

4.3.1. operation of hot-rolling mills with a capacity of 5 tonnes or more per day;

4.3.2. forging (using pneumatic, hydraulic or steam hammers);

4.3.3. pressing, stamping, roll-forming with a capacity of 5 tonnes or more per day;

4.3.4. application of protective fused metal coats with an input exceeding 0.5 tonnes of crude steel per day;

4.4. Smelting or alloyage of non-ferrous metals (excluding precious metals), including processing of secondary raw materials (refining, foundry casting, etc.) with a capacity of 15 tonnes or more per day;

4.5. Surface treatment of metals and plastic materials using an electrolytic or chemical process with a capacity of 50 000 m<sup>2</sup> or more per year;

4.6. Manufacture of motor vehicles and manufacture and assembly of motor-vehicle engines;

4.7. Building, conversion or repair of ships;

4.8. Construction or repair of aircraft;

4.9. Manufacture of railway equipment with a capacity of 5 tonnes or more per day;

4.10. Forging, pressing or stamping of metals by explosives.

#### **5. Mineral construction materials industry:**

5.1. Coke ovens (dry coal distillation);

5.2. Processing of asbestos, production of products containing asbestos, excluding the activities referred to in point 5 of Annex 1 to the Law on Environmental Impact Assessment of the Proposed Economic Activity;

5.3. Manufacture of glass or glass fibre;

5.4. Smelting of mineral substances (e.g. production of natural asphalt (bitumen) from natural resins or oil refining), including the production of mineral fibres;

5.5. Production of man-made mineral fibres;

5.6. Manufacture of ceramic products from clay by firing, in particular roofing tiles, blocks, bricks, hearth tiles, including porcelain, with a capacity of 3 tonnes or more per day;

5.7. Manufacture of cement.

#### **6. Chemical industry:**

6.1. Treatment of intermediate chemicals and production of chemicals with a production capacity of 5 tonnes or more per day, excluding the activities referred to in subpoints 6.1 and 6.2 of Annex 1 to the Law on Environmental Impact Assessment of the Proposed Economic Activity;

- 6.2. Production of pesticides with a production capacity of 5 tonnes or more per day;
  - 6.3. Production of paint and varnishes with a production capacity of 5 tonnes or more per day;
  - 6.4. Production of peroxides with a production capacity of 5 tonnes or more per day;
  - 6.5. Production of elastomers with a production capacity of 5 tonnes or more per day;
  - 6.6. Storage of petroleum, petrochemical products, chemicals and chemical mixtures in structures (warehouses or storage areas) with a capacity of less than 200 000 tonnes but more than 5 000 tonnes;
- 6.1. Production of pharmaceutical products with a production capacity of 5 tonnes or more per day, excluding the activities referred to in subpoint 6.5 of Annex 1 to the Law on Environmental Impact Assessment of the Proposed Economic Activity.

**7. Food industry:**

- 7.1. Manufacture of vegetable or animal fats and oils with a capacity of 5 tonnes or more per day;
- 7.2. Canning or packing of vegetable or animal products with a capacity of 5 tonnes or more per day;
- 7.3. Production of dairy products with a production capacity of 50 tonnes or more per day;
- 7.4. Malting or brewing with a capacity of 10 tonnes or more of malt per day or 10 000 litres or more of beer per day;
- 7.5. Confectionery or syrup manufacture with a capacity of 5 tonnes or more per day;
- 7.6. Sugar factories;
- 7.7. Processing of meat or fish, including slaughter of animals or slaughter of poultry with a capacity of 5 tonnes or more per day;
- 7.8. Manufacture of starch with a capacity of 5 tonnes or more per day;
- 7.9. Processing of fish, including production of fish oil, with a capacity of 5 tonnes or more per day.

**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. Pre-treatment (operations such as washing, bleaching, mercerisation) or dyeing of fibres or textiles (where the dyeing or treatment capacity is 100 000 square metres or more of textile per year; where the dyeing or treatment capacity is 5 tonnes or more of fibre per day);
- 8.4. Tanning of skins or hides with a production capacity of 500 square metres or more per day.

**9. Rubber industry:**

Manufacture or treatment of elastomer-based products with a production or treatment capacity of 10 tonnes or more per day.

**10. Engineering and other structures:**

10.1. Construction of overhead electrical power lines with a length of 3 km or more, excluding the activities referred to in subpoint 8.8 of Annex 1 to the Law on Environmental Impact Assessment of the Proposed Economic Activity;

10.2. Urban development projects (excluding residential buildings, 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 (where the area occupied by the object and appurtenances thereof is more than 1 hectare);

10.3. Construction of railways with a length of 2 km or more other than those referred to in subpoint 8.5 of Annex 1 to the Law on Environmental Impact Assessment of the Proposed Economic Activity, excluding the installation of railway traffic safety and environmental protection measures;

10.4. Construction of intermodal transshipment facilities and of intermodal terminals (where the area under development is 0.5 hectares or more);

10.5. Construction of airports or airfields with a runway length of less than 2 100 metres;

10.6. Construction of roads with a length of 2 km or more other than those referred to in subpoints 8.3 and 8.4 of Annex 1 to the Law on Environmental Impact Assessment of the Proposed Economic Activity, excluding inland roads of local significance and/or engineering traffic safety measures (acceleration and deceleration lanes, pedestrian and bicycle paths, modification of existing intersections within lane boundaries for traffic safety reasons), environmental protection measures (wildlife protection, noise barrier systems) and restoration of road technical standard parameters within lane boundaries without changing the road category;

10.7. Construction of seaports or inland ports (including fishing harbours, terminals for loading or unloading) which can take vessels of less than 1 350 tonnes, or with the land and water area of 0.5 hectares or more;

10.8. Construction and/or dredging of inland waterways which can take vessels of 1 350 tonnes and more;

10.9. Dredging of sea port water areas;

10.10. Construction of flood-relief hydrotechnical structures;

10.11. Tramways, elevated or underground railways, suspended lines or similar lines of a particular type with a length of 2 km or more used exclusively or mainly for passenger transport;

10.12. Ski runs, ski lifts, cable cars and associated developments with a length of 500 metres or more;

10.13. Pipelines with a diameter of 800 mm or more and a length of less than 40 km for the transport of oil or chemicals;

10.14. Pipelines with a diameter of 800 mm or more and a length of less than 40 km, but more than 5 km for the transport of gas;

10.15. Pipelines with a diameter of less than 800 mm and a length of 5 km or more for the transport of gas;

10.16. Aqueducts with a length of 0.5 km or more;

10.17. Construction or installation of coastal structures to combat erosion or installations capable of altering the coast (e.g., dykes, moles, etc.);

10.18. Groundwater abstraction (where the annual volume of water abstracted is less than 10 million cubic metres, but more than 350 000 cubic metres);

10.19. Pipelines with a diameter of 800 mm or more and a length of less than 40 km for the transport of carbon dioxide (CO<sub>2</sub>) streams for the purposes of geological storage, including associated booster stations.

#### **11. Other proposed economic activities:**

11.1. Permanent racing or test tracks for motorized vehicles with an area of 1 hectare or more;

11.2. Recovery or disposal of non-hazardous waste by means of thermal treatment, such as incineration, pyrolysis, gasification, degasification, plasma process, or by combining any techniques in installations with a capacity of less than 100 tonnes per day;

11.3. Recovery or disposal of non-hazardous waste by means of chemical treatment in installations with a capacity of less than 100 tonnes per day;

11.4. Recovery of non-hazardous waste by means of biological treatment in installations with a capacity of 10 tonnes or more per day;

11.5. Storage of non-hazardous waste, including its preparation for recovery, but excluding preparation for re-use, or disposal where 100 tonnes or more of waste are stored simultaneously and/or the capacity of preparation for recovery or disposal is 10 tonnes or more per day;

11.6. Disposal of non-hazardous waste other than referred to in subpoints 11.2-11.5 of this Annex;

11.7. Management of hazardous waste:

11.7.1. Disposal or recovery of hazardous waste, excluding the activities referred to in subpoints 9.1, 9.2 and 9.3 of Annex 1 to the Law on Environmental Impact Assessment of the Proposed Economic Activity;

11.7.2. Storage of hazardous waste, including its preparation for recovery, but excluding preparation for re-use, or disposal where 10 tonnes or more of waste are stored simultaneously and/or the capacity of preparation for recovery or disposal is 5 tonnes or more per day;

- 11.7.3. Preparation of hazardous waste for re-use, including storage of such waste;
- 11.8. Biogas production, excluding biogas power plants with installed capacity equal to or less than 1 MW;
- 11.9. Waste water treatment plants:
  - 11.9.1. urban or rural waste water treatment plants with a capacity of less than 150 000, but more than 2 000 population equivalent;
  - 11.9.2. run-off water treatment plants designed for the treatment of the run-off water collected by sewage networks from the area of 50 hectares or more;
- 11.10. Storage or disposal of sludge in specially equipped areas;
- 11.11. Artificial groundwater recharge schemes (where the annual volume of water recharged is less than 10 million cubic metres);
- 11.12. Works for the transfer of water resources between river basins (where the amount of water transferred is less than 100 million cubic metres per year and/or where the multi-annual average flow of the basin of abstraction is less than 2 000 million cubic metres per year and where the amount of water transferred is less than 5 % of this flow), excluding drinking water;
- 11.13. Storage facilities for scrap metal, including end-of-life vehicles with a total storage area of 0.5 hectares or more or the total storage capacity of 500 tonnes or more;
- 11.14. Test benches for engines, turbines or reactors with a test to area of 500 square metres or more;
- 11.15. Installations for the recovery or destruction of explosive substances;
- 11.16. Disposal or destruction of redundant or unfit livestock, excluding the destruction of fallen or infirm livestock in an epidemiologically affected area in order to prevent the spread of communicable diseases;
- 11.17. Dredging of river channels and/or reshaping of river bank(s), including the construction or removal of islands, dams;
- 11.18. Development of production, industrial and warehousing objects whereat the activities not included in Annex 1 to the Law on Environmental Impact Assessment of the Proposed Economic Activity and this Annex are to be pursued within a territory formed for industrial or other business purposes and intended for common use of the objects constituting an operational or functional unit, where the object and appurtenances thereof occupy an area of 1 hectare or more.

## **12. Tourism and leisure:**

- 12.1. Marinas for sail or motor craft with an area of 0.2 hectares or more;
- 12.2. Holiday villages, hotel complexes, rural tourism farmsteads and associated developments outside urban areas with 100 beds or more and without centralised infrastructure of engineering networks;

12.3. Permanent campsites and caravan sites with a plot area of 1 hectare or more;

12.4. Theme parks (for example, zoos, golf courses, tennis courts, shooting ranges, water amusement parks on surface water bodies, etc.) with an area of 1 hectare or more.

13. A proposed economic activity included in the list of activities set out in Annex 1 of the Law on Environmental Impact Assessment of the Proposed Economic Activity, where it has the purpose of experimental development or trial and is pursued for a period not exceeding two years.

14. The change to or extension of a proposed economic activity included in the list of activities set out in Annex 1 to the Law on Environmental Impact Assessment of the Proposed Economic Activity other than the change or extension referred to in point 11 of Annex 1 to the Law on Environmental Impact Assessment of the Proposed Economic Activity, where the change or extension of the proposed economic activity may have significant adverse effects on the environment or if such a change or extension meets, or exceeds, the lower thresholds, if any, set out in this Annex, including reconstruction of existing structures, upgrading or modification of the production process and technological equipment, changes in production methods, production quantities (volumes) or types, introduction of new technologies.

15. The change to or extension of a proposed economic activity included in the list of activities set out in this Annex, including reconstruction of existing structures, upgrading or modification of the production process and technological equipment, changes in production methods, production quantities (scale) or types, introduction of new technologies, where such a change to or extension of the proposed economic activity may have significant adverse effects on the environment, except for the cases referred to in point 11 of Annex 1 to the Law on Environmental Impact Assessment of the Proposed Economic Activity. The requirement of this point shall apply to activities for which:

15.1. thresholds have not been set – if the change to or extension of the proposed economic activity may have significant adverse effects on the environment;

15.2. thresholds have been set – if the activity pursued or the change to or extension of the activity is below the lower thresholds set in the list, and following the change or extension it will meet the threshold;

15.3. thresholds have been set – where such a change or extension meets, or exceeds, the lower thresholds set in this list.

Note.

1. If the rearing of the different species of animals referred to in point 1.1 of this Annex is planned and the number of places planned for a specific species is below the threshold set for it, a screening for environmental impact assessment shall be obligatory if the number of places resulting from conversion to any one species is equal to or exceeds the lower threshold set for it, i.e. the sum total of ratios of the places planned for the rearing of the respective species to the

lower thresholds referred to in sub-subpoints 1.1.1 to 1.1.22 of this Annex is equal to or exceeds

1. Conversion shall be carried out according to the following formula:

$$\frac{A_1}{A_{R1}} + \frac{A_2}{A_{R2}} + \dots + \frac{A_n}{A_{Rn}} \geq 1,$$

where

$A_1, A_2, \dots, A_n$  is the planned number of places for the rearing of the respective species;

$A_{R1}, A_{R2}, \dots, A_{Rn}$  is the threshold of places for the rearing of the respective species as referred to in sub-subpoints 1.1.1 to 1.1.22 of this Annex.

2. One place as referred to in sub-subpoints 1.1.7, 1.1.10 to 1.1.15, 1.1.18, 1.1.21 and 1.1.22 of this Annex shall correspond to one adult animal or bird, i.e. juveniles shall be excluded.

3. For the purposes of determining the extent of the change or extension of an activity as referred to in subpoints 15.2 and 15.3 of this Annex, the changes or extensions of the activity made during the last five calendar years shall be aggregated starting from the adoption of the most recent decision on the environmental impact of the proposed economic activity or of a screening conclusion.

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Assessment

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

Annex 3

### **LEGAL ACTS OF THE EUROPEAN UNION IMPLEMENTED BY THIS LAW**

1. Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, as last amended by Council Directive 2013/17/EC of 13 May 2013.

2. Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment, as last amended by Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014.