

The Basic Matters relating to the Guidelines to be Established by the Competent Minister in Accordance with the Provisions of the Environmental Impact Assessment Act (The Environment Agency Public Notice No.87 of December 12, 1997)

These basic matters provide for the ground rule for the following: "the Guidelines concerning the Selection of the Items for Primary Environmental Impact Consideration at the Early Stage, and Methods for Survey, Forecast, and Evaluation relating to the relevant Items for Primary Environmental Impact Consideration" (hereinafter referred to as "the Guidelines for the Selection of the Items for Primary Environmental Impact Consideration, etc.") established by the competent minister (if the competent minister is the head of the external bureau of the Cabinet Office, then the Prime Minister) pursuant to the provisions of Article 3-2, paragraph (3) of the Environmental Impact Assessment Act (hereinafter referred to as the "Act"); "the Guidelines for the Measures concerning Asking of Opinions of the Related Administrative Organs and the Public on Items for Primary Environmental Impact Consideration at the Early Stage from the Standpoint of Environmental Conservation" (hereinafter referred to as "the Guidelines for Asking of Opinions at Early Stage") established by the competent minister pursuant to the provisions of Article 3-7, paragraph (2) of the Act; "the Judgment Criteria for Class-2 Project" (hereinafter referred to as "the judgment criteria") established by the competent minister and the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provisions of Article 4, paragraph (9) of the Act; "the Guidelines for the Selection of the Items for Environmental Impact Assessment and Methods for Reasonable Performance of Survey, Forecast, and Evaluation relating to the Relevant Items" (hereinafter referred to as "the Guidelines for the Selection of the Items for Environmental Impact Assessment, etc.") established by the competent minister pursuant to the provisions of Article 11, paragraph (4) of the Act; "the Guidelines relating to Measures for Environmental Conservation (hereinafter referred to as "the Environmental Conservation Measures")" established by the competent minister pursuant to the provisions of Article 12, paragraph (2) of the Act (hereinafter referred to as "the Guidelines for Environmental Conservation Measures"); and "the Guidelines for Preparation of the Report" established by the competent minister pursuant to the provisions of Article 38-2, paragraph (2) of the Act (hereinafter referred to as "the Guidelines for Preparation of the Report").

Section 1 Basic Matters concerning the Guidelines for the Selection of the Items for Primary Environmental Impact Consideration

1. General Matters

- (1) Selection of the items for primary environmental impact consideration and survey, forecast, and evaluation pertaining to class-1 project is conducted

based on the provisions of Article 3-2, paragraph (3) of the Act in accordance with the Guidelines for the Selection of the Items for Primary Environmental Impact Consideration.

- (2) The range of the items for primary environmental impact consideration is subject to the categories of environmental components and influential factors set forth in the appended table.
- (3) In examining the items for the primary environmental impact consideration, as a general rule, appropriate multiple plans concerning location and scale, or structure and placement of buildings, etc. pertaining to class-1 project (hereinafter referred to as the "multiple plans concerning location, etc.") are prepared, and in the case where such multiple plans concerning location, etc. are not prepared, the reason thereof is clarified.
- (4) Survey, forecast, and evaluation of the items for primary environmental impact consideration is conducted for each of the prepared multiple plans and of the selected items for the primary environmental impact consideration (hereinafter referred to as the "selected items").
- (5) The survey is conducted, to the extent necessary to appropriately perform the forecast and evaluation regarding the selected items, by collecting information on circumstances of environmental components pertaining to the selected items, natural condition such as meteorological and hydrospheric characteristics (hereinafter referred to as the "natural condition") of the area where the survey is conducted (hereinafter referred to as the "survey area"), and social condition such as population, industry, use of land and water areas, etc. (hereinafter referred to as the "social condition") within the survey area, basically from existing materials, etc. owned by the national and local governments, etc. and then by compiling and analyzing the results of such data. Gather insights from experts, etc. if it is found to be necessary to determine the seriousness of the environmental impact, and if more knowledge is found to be necessary, other methods including field study and exploration are employed.
- (6) The forecast regarding the degree of impact on environmental components likely to be caused by the implementation of a class-1 project is to be conducted, through appropriate means, by fundamentally comprehending changes in environmental condition or environmental loads in quantitative terms to the extent possible depending on the degree of the accumulation of knowledge and availability of sufficient existing materials. If such quantitative comprehension is found to be difficult, then forecast through qualitative comprehension is conducted.
- (7) The evaluation is conducted based on the results of the survey and forecast, and in the case where multiple plans concerning location, etc. have been prepared, such evaluation in principle is conducted by tabulating and comparing the degree of the environmental impact according to the selected items for each of such multiple plans. When it is also deemed necessary, survey and forecast concerning environmental components other than the selected items are conducted through appropriate means, and then the degree of the environmental impact is tabulated and

compared for each of such multiple plans.

In the case where multiple plans concerning location, etc. have not been prepared, an evaluation is conducted concerning whether the project proponent has avoided or reduced the environmental impact regarding the selected items within the possible limits.

In such a case, when the national or local governments have established the standards or objectives concerning environmental components from the standpoint of environmental conservation, then the examination on whether, consistency with such standards or objectives has been achieved is to be conducted to the extent possible.

2. Basic Policies for Survey, Forecast and Evaluation according to the Category of the Items for Primary Environmental Impact Consideration

(1) Regarding the selected items categorized under "Maintenance of Sound Conditions of Natural Components of the Environment" in the appended table, survey, forecast, and evaluation of the degree and extent of pollution of the environmental components related to the relevant selected items evaluated in terms of concentration of pollutants in the relevant environmental components and other indices, or the degree and extent of changes in the condition of the relevant environmental components (including a quantitative change of environmental components themselves) are conducted to comprehend their impact on the people's health and living environment as well as on the natural environment, with the purpose of ensuring the matters set forth in Article 14, item (i) of the Basic Environment Act (Act No. 91 of 1993).

(2) Regarding the selected items categorized under "Ensuring Biodiversity and Systematic Conservation of the Natural Environment" in the appended table, survey, forecast, and evaluation is conducted with the purpose of ensuring the matters set forth in Article 14, item (ii) of the Basic Environment Act by following the policies prescribed below:

A. Regarding the selected items categorized under "Plants" and "Animals," survey on terrestrial and aquatic plants and animals are conducted to determine distribution, and the living and growing condition of principal species extracted through the survey of the living and growing species and vegetation, distribution of principal communities, colonies, and other notable habitat in order to comprehend the degree of impact on them;

B. Regarding the selected items categorized under "Ecosystem," survey is conducted on the principal field of the natural environment conceived as a unit as listed below to comprehend the degree of impact on them:

(a) natural environment which has gone almost no human-induced alteration, or a fragile natural environment which would be difficult to be restored once such alteration occurs, such as natural forests, wetlands, seagrass beds, tidal flats, coral reefs and natural seacoasts;

(b) decreasing or deteriorating the natural environment within Satochi-Satoyama (secondary forest, planted forest, farm land, storage reservoir, grassland, etc.), wetlands in floodplain and floodplain

- forests along rivers, etc.;
- (c) natural environment which plays a vital role in local community, such as water catchment forest, windbreak forest, tidal flat with water purification function, green space with landslide prevention function, etc.;
 - (d) valuable natural environment that characterizes the local community within woodland, green space (slope forests, shrine and temple groves, homestead woodland, etc.) and riparian areas, etc. remaining in an urban area.
- (3) Regarding the selected items categorized under a "Beneficial Contact between People and Nature" in the appended table, survey, forecast, and evaluation is conducted based on the following policies with the purpose of ensuring the matters set forth in Article 14, item (iii) of the Environmental Basic Act;
- A. Regarding the selected items categorized under "Landscape," survey is conducted on principal vistaed view of scenic spots and landscape resources with a focus on condition of vistaed view and distribution of landscape resources to determine the degree of impact on them;
 - B. Regarding the selected items categorized under "Places for Activities with Nature," a survey is conducted on outdoor recreation and local communities' daily activities in nature with a focus on the condition of facilities and fields where such activities generally take place as well as the state of utilization to comprehend the degree of impact on them.
- (4) Regarding the selected items categorized under "Environmental Loads" in appended table, survey, forecast, and evaluation is conducted by taking up, out of the matters concerning the environmental impact relating to global environmental conservation specified in Article 2, paragraph (2) of the Basic Environment Act, the amount of emissions, etc. such as greenhouse gas emissions, which is deemed to be appropriate to determine the degree of the environmental loads, and out of the matters concerning waste, etc., waste generation amount, final disposal volume, etc.
- (5) Regarding the selected items categorized under "Radioactive Materials in the General Environment" in the appended table, survey, forecast, and evaluation is conducted on the condition of contamination by radioactive materials through gathering the amount of radiation.

3. General Points of Attention in Selecting the Items for Primary Environmental Impact Consideration and Methods of Survey, Forecast and Evaluation

- (1) Points of attention for the person who intends to implement a class-1 project in preparing multiple plans concerning location, etc. as well as those concerning details of information and manner of comprehension in general terms thereof necessary for the selection of the items for primary environmental impact consideration and methods of survey, forecast, and evaluation are specified in the Guidelines for the Selection of the Items for Primary Environmental Impact Consideration.

- (2) A statement to the effect that, in preparing multiple plans concerning location, etc., efforts must be made to carefully consider multiple plans concerning location and scale, and a statement to the effect that attention must be paid to the case when consideration of multiple plans concerning structure and location of buildings, etc. is vital to avoiding or reducing serious environmental impact, specified in the Guidelines for the Selection of the Items for Primary Environmental Impact Consideration
- (3) A statement to the effect that efforts must be made to include an option of not implementing the relevant project, to the extent that it is feasible, in the multiple plans concerning location, etc., specified in the Guidelines for the Selection of the Items for Primary Environmental Impact Consideration.
- (4) A statement to the effect that the information generally required in selecting items for primary environmental impact consideration and the methods of conducting a survey, forecast, and evaluation must include such details as the content of the class-1 project (hereinafter in this Section 1 referred to as the "project characteristics") and natural and social condition of the area in which the class-1 project will be implemented and its surroundings (hereinafter in this Section 1 referred to as the "regional characteristics"), specified in the Guidelines for the Selection of the Items for Primary Environmental Impact Consideration, etc.
- (5) A statement to the effect that the person who intends to implement a class-1 project, in selecting items for primary environmental impact consideration and methods of conducting a survey, forecast, and evaluation, must clarify the reason for the selection made, specified in the Guidelines for the Selection of the Items for Primary Environmental Impact Consideration.
- (6) A statement to the effect that the person who intends to implement a class-1 project, in selecting items for primary environmental impact consideration and methods of survey, forecast, and evaluation, must conduct objective and scientific examinations by seeking advice from experts, etc. as necessary, is specified in the Guidelines for the Selection of the Items for Primary Environmental Impact Consideration. In addition, a statement to the effect that, when such advice has been obtained from experts, etc., efforts must be made to clarify the details of the relevant advice, the area of expertise of the relevant experts and the institutional affiliation of the experts, is specified in the Guidelines for the Selection of the Items for Primary Environmental Impact Consideration.
- (7) A statement to the effect that, in selecting the items for primary environmental impact consideration, after appropriately categorizing influential factors according to the project characteristics unique to the type of the relevant project based on such matters as the area in which a project will be implemented, specified by order of the competent ministry by each project category referred to in Article 3-2, paragraph (2) of the Act, and based on such information as the project and regional characteristics,

the categories of environmental component likely to be seriously impacted by the relevant influential factors according to the category of the influential factor must be clarified, specified in the Guidelines for the Selection of the Items for Primary Environmental Impact Consideration.

In this case, concerning the categories of the influential factor relating to the construction implementation, the items for primary environmental impact consideration is to be selected as necessary by focusing on the seriousness of the environmental impact.

- (8) A statement to the effect that, when the person who intends to implement a class-1 project selects methods of conducting a survey, forecast and evaluation, the relevant person should select the methods that enable proper determination of the degree of seriousness of the environmental impact likely to be caused by the implementation of the project as well as the degree of effectiveness in avoiding or reducing the relevant environmental impact, specified in the Guidelines for the Selection of the Items for Primary Environmental Impact Consideration.

Section 2 Basic Matters concerning the Guidelines for Asking Opinions at an Early Stage

1. General Matters

- (1) Measures concerning asking opinions of related administrative organs and the public from the standpoint of environmental conservation when conducting examination of the items for primary environmental impact consideration pertaining to a class-1 project is taken based on Article 3-7, paragraph (2) of the Act in accordance with the Guidelines for Asking Opinions at an Early Stage.
- (2) The opinions are fundamentally requested from the head of a local government recognized to be related to the relevant class-1 project, such as the head of a prefecture, municipality or others who have jurisdiction over the area in which the class-1 project will be implemented (hereinafter referred to as "related local governments") as well as from the public, and in cases where such opinions are not requested, the reason thereof is clarified. Efforts are made to conduct such asking opinions from the related local governments and the public at the stage of making multiple plans for the relevant project.
- (3) In asking opinions from related local governments and the public, efforts are made to request opinions, to the extent possible, on a draft of a document on primary environment impact consideration. Further, efforts are made to seek opinions of the public first, before seeking opinions of the heads of the related local governments. In asking opinions from the head of related local governments, efforts are made to send the head of the related local governments in advance a summary of the opinions of the public and views of the person who intends to implement the class-1 project on the relevant opinions.

2. General Points of Attention in Asking of Opinions

Points of attention in asking opinions of the related administrative organs and the public from the standpoint of environmental conservation at the time of examination of the items for primary environmental impact consideration pertaining to a class-1 project is specified in the Guidelines for asking opinions at an early stage. The relevant general points to consider include the following matters:

- (1) In asking opinions from the public, a statement to that effect is to be made public through appropriate means such as publication in the official gazette, the related local government's newsletter, daily newspaper, or posting on a website, and a statement to the effect that, information such as "the name and address of a person who intends to implement a class-1 project (in the case of a corporation, its name, the name of its representative, and the location of its principal office)," "the name, type and scale of the class-1 project," "the area in which the class-1 project will be implemented," "method and period of publication, etc." and other necessary matters should be included in the contents of the relevant publication, is to be specified in the Guidelines for asking of opinions at an early stage.
- (2) A statement to the effect that, the publication of a draft of a document on primary environment impact consideration or the document on primary environment impact consideration for the public at the time of requesting opinions from the public will be conducted by ensuring an appropriate period of time for publication and through appropriate means such as the use of publication materials or the internet, is to be specified in the Guidelines for asking of opinions at an early stage.
- (3) A statement to the effect that, in seeking opinions of the head of the related local governments, a draft of document on primary environment impact consideration or document on primary environment impact consideration will be sent to the relevant local governments and appropriate period for stating opinions will be ensured, is to be specified in the Guidelines for asking of opinions at an early stage.

Section 3 Basic Matters concerning Judgment Criteria

1. General Matters

- (1) Judgment concerning class-2 project is conducted based on the provisions of Article 4, paragraph (3) of the Act in accordance with the judgment criteria.
- (2) The judgment criteria provides for the case when the environmental impact caused by a project is likely to be serious to the extent of requiring measures prescribed in Article 4, paragraph (3), item (i) of the Act.
- (3) The judgment criteria, based on the general contents of each type of a class-2 project, includes the following matters:
 - A. the judgment criterion based on the contents of an individual project;
 - B. the judgment criterion based on the condition of the environment in the area in which a class-2 project should be implemented and its surroundings, and other circumstances (hereinafter referred to as

"condition of the environment and other circumstances").

2. The Contents of the Judgment Criteria

(1) The judgment criterion based on the contents of an individual project

The judgment criterion based on the contents of an individual project is to include the following contents:

- A. the case where the relevant project is likely to have an extremely serious environmental impact in comparison to general contents of other projects of the same type; for example, the case where technologies or a construction method to be used for the relevant project have few previous practical examples and thus insufficient knowledge in terms of their potential environmental impact which may result in extremely adverse consequences for the environment;
- B. the case where the relevant project will be implemented in connection with other closely related projects of the same type in an integrated manner, and thus be affected by extremely serious environmental impact

(2) The judgment criterion based on the condition of the environment and other circumstances.

The judgment criterion based on the condition of the environment and other circumstances includes the following contents:

- A. the presence of an area or objects, etc. which is vulnerable to environmental impact, such as the following:
 - (a) the case where the degree of environmental impact may be extremely serious in places such as closed water areas, etc. where the pollutants discharged during the implementation of the relevant project tend to accumulate;
 - (b) the case where the degree of environmental impact may be extremely serious in an area or to objects, such as a school, hospital, residential district, drinking water sources intake point, etc. which require particular consideration in terms of protection to the health or conservation of living environment;
 - (c) the case where the degree of environmental impact may be extremely serious on a natural environment which has undergone almost no human-induced alterations, or a natural environment which provides wild animals with vital living and growing environment, or other important natural environments as listed below:
 - (i) a natural environment which has undergone almost no human-induced alterations, or a vulnerable natural environment which would be difficult to be restored once such alteration occurs, such as natural forests, wetlands, seagrass beds, tidal flats, coral reefs, and natural seacoasts;
 - (ii) decreasing or deteriorating a natural environment within satochi-satoyama (secondary forest, planted forest, farm land, storage reservoir, grassland, etc.), wetlands in floodplain and floodplain forests along rivers, etc.;
 - (iii) a natural environment which plays a vital role in local community,

such as water catchment forests, windbreak forests, tidal flats with water purification functions, and green space with landslide prevention functions, etc.;

- (iv) a valuable natural environment that characterizes a local community comprised among woodlands, green spaces (a sloped forest, shrine and temple groves, homestead woodland, etc.), and riparian area, etc. remaining in urban area.

B. the presence of an area or objects designated by laws and regulations from the standpoint of environmental conservation.

For example, a case when the environmental impact may be extremely serious on the areas or objects designated by laws and regulations for the purpose of, or as contributing to, environmental conservation, such as areas for which standards for controlling total emissions are established based on the Air Pollution Control Act (Act No. 97 of 1968) or the Water Pollution Prevention Act (Act No. 138 of 1970), or the areas designated as natural parks based on the Natural Parks Act (Act No. 161 of 1957);

C. the presence of an area where the environmental condition is already seriously deteriorated or is highly likely to be deteriorated.

For example, the case where an area which has not achieved environmental quality standards established under the Basic Environment Act, has serious environmental impact affecting the items that are not yet achieved..

3. General Points of Attention in Establishing the Judgment Criteria

General points of attention in establishing the judgment criteria are as follows:

- (1) The judgment criteria is established to enable the person who makes a judgment (hereinafter referred to as the "person authorized to judge") to make an objective judgment based on information such as the type and scale of a class-2 project of which a notification has been filed pursuant to the provisions of Article 4, paragraph (1) of the Act, the area in which the class-2 project should be implemented, an outline of the class-2 project, and the knowledge concerning the social and natural condition of the area available to the person authorized to judge.
- (2) The judgment criteria is established, in keeping with the particulars set forth in Article 2, paragraphs (1) and (2) above, to appropriately reflect opinions of prefectural governors obtained pursuant to the provisions of Article 4, paragraph (2) of the Act.

Section 4 Basic Matters concerning the Guidelines for the Selection of the Items for Environmental Impact Assessment

1. General Matters

- (1) The items for an environmental impact assessment and methods of survey, forecast, and evaluation pertaining to the target project are selected based on the provisions of Article 11, paragraph (1) of the Act and in accordance with the Guidelines for the Selection of the Items for Environmental

Impact Assessment.

- (2) The range of the items for an environmental impact assessment is to be subject to the categories of environmental components and influential factors set forth in the appended table.
- (3) Survey, forecast, and evaluation are to be conducted according to the selected items for an environmental impact assessment (hereinafter referred to as the "selected items"). In conducting a survey, forecast, and evaluation, the information which has been collected and compiled at the stage of examination of the items for primary environmental consideration and its results are to be utilized to the fullest.
- (4) The survey is to be conducted, to the extent necessary to appropriately perform forecast and evaluation regarding the selected items, by collecting information on circumstances of environmental factors pertaining to the selected items as well as information on natural and social condition within the survey area, through such means as collecting existing materials, etc. owned by the national and local governments, etc., obtaining knowledge from experts, etc., and through methods including field study and exploration, etc., and then by compiling and analyzing the result of such data gathering.
- (5) The forecast regarding the degree of impact on environmental components relating to the selected items likely to be caused by the implementation of a target project are to be conducted, principally by comprehending changes in the environmental condition or environmental loads during construction as well as operation in quantitative terms through methods such as numerical calculation based on a mathematical model, experiment with a model, etc., citation from existing examples, or analyses, etc. If such quantitative comprehension is found to be difficult, then forecast through qualitative comprehension is to be conducted.
- (6) The evaluation is to be conducted, based on the results of survey and forecast, by clarifying the project proponent's view on whether the project proponent has avoided or reduced, within the possible limits, the impact on environmental components relating to the selected items likely to be caused by the implementation of a target project. In this case, if the standards or targets regarding environmental components relating to the selected items have been established from the standpoint of environmental conservation by the national or local government, whether compliance to such standards or targets has been achieved are to be also examined.
- (7) In conducting survey, forecast, and evaluation, attention is to be paid to enable examination of the likely impact on environmental components relating to other selected items through such means as tabulation the results of the survey, forecast, and evaluation for each selected item.

2. Basic Policies for a Survey, Forecast and Evaluation by Category of Environmental Component

- (1) Regarding the selected items categorized under "Maintenance of Sound Condition of Natural Components of the Environment" in the appended

table, survey, forecast, and evaluation of the degree and extent of pollution of the environmental components related to the relevant selected items evaluated in terms of concentration of pollutants in the relevant environmental components and other indices or the degree and extent of change in the condition of the relevant environmental components (including quantitative change of environmental components themselves) are to be conducted to comprehend their impact on the people's health and living environment as well as on the natural environment, with the purpose of ensuring the matters set forth in Article 14, item (i) of the Basic Environment Act.

- (2) Regarding the selected items categorized under "Ensuring Biodiversity and the Systematic Conservation of Natural Environment" in the appended table, survey, forecast, and evaluation is to be conducted with the purpose of ensuring the matters set forth in Article 14, item (ii) of the Basic Environment Act by following the policies described below:
 - A. Regarding the selected items categorized under "Plants" and "Animals," survey on terrestrial and aquatic plants and animals are to be conducted to determine the distribution and the living and growing condition of principal species extracted through the survey of the living and growing species and vegetation, as well as distribution of principal communities, colonies and other notable habitat in order to comprehend the degree of impact on them;
 - B. Regarding the selected items categorized under "Ecosystem," related to the ecosystem that characterizes locality, a number of notable species, etc. are selected from the viewpoint of their superiority in terms of their upper location in ecological hierarchy, typicality in terms of their representing typical characteristics of the relevant ecosystem, and specialty in terms of their serving as indices of special environment, etc., in accordance with the overall comprehension of the characteristic features of the ecosystem based on the survey results referred to in A above, etc., then survey is to be conducted on the ecology of such species, their interaction with other species and condition of their living and growing environment, through the methods to determine the likely impact on the relevant species and other methods that enable appropriate estimates of the likely impact on the ecosystem.
- (3) Regarding the selected items categorized under "Beneficial Contact between People and Nature" in the appended table, survey, forecast, and evaluation are to be conducted based on the following policies with the purpose of ensuring the matters set forth in Article 14, item (iii) of the Basic Environment Act;
 - A. With regard to the selected items categorized under "Landscape," survey are to be conducted on vistaed view of scenic spots and landscape resource with a focus on the condition of the vistaed view and distribution of landscape resources to determine the degree of impact on them;
 - B. Regarding the selected items categorized under "Places for Activities with Nature," a survey is to be conducted on outdoor recreation and local

daily activities of the community in nature with a focus on the condition of facilities and fields where such activities generally take place as well as the state of their utilization to comprehend the degree of impact on them.

- (4) Regarding the selected items categorized under "Environmental loads" in the appended table, the survey, forecast, and evaluation are to be conducted by taking up, out of the matters concerning an environmental impact relating to global environmental conservation specified in Article 2, paragraph (2) of the Basic Environment Act, the amount of emissions, etc. such as greenhouse gas emissions, which is deemed to be appropriate to determine the degree of the environmental load, and out of the matters concerning waste, etc. waste generation amount, final disposal volume, etc.
- (5) Regarding the selected items categorized under "Radioactive Materials in General Environment" in the appended table, the survey, forecast, and evaluation are to be conducted on the condition of contamination by radioactive materials through the measurement of radiation quantity.

3. General Points of Attention in Selecting Items for Environmental Impact Assessment and Methods of Survey, Forecast, and Evaluation

- (1) Points of attention for the project proponent concerning details of information to be compiled in general and manner of compilation thereof in selecting the items for Environmental Impact Assessment as well as methods of survey, forecast, and evaluation are specified in the Guidelines for the Selection of the Items for Environmental Impact Assessment.

In this case, it is specified that the relevant information includes details such as the background and contents of the examination relating to environmental conservation consideration during the process of actualization of the project contents after the planning stage, and also, as necessary, details such as the contents of the relevant project (hereinafter referred to as "project characteristics") as well as information additionally collected after the examination of the items for primary environmental impact consideration relating to the natural and social condition of the area in which the target project pertaining to the relevant project will be implemented and its surroundings (hereinafter referred to as "regional characteristics"). Points of attention in compiling information concerning the project characteristics includes that the details concerning the background and contents of the examination relating to environmental conservation consideration during the process of actualization of the contents pertaining to the relevant project should also be compiled. Points of attention in compiling information concerning the regional characteristics includes that the regional characteristics is to be comprehended based on the latest available literature and materials, etc., that the source of such materials should be included, and that information such as the transition from the past status to future conditions and the details of the environmental conservation measures taken by the national

and local governments in the relevant areas are to be compiled.

- (2) A statement to the effect that the project proponent, in selecting items for environmental impact assessment and methods of survey, forecast, and evaluation, must clarify the reason for the selection made is specified in the Guidelines for the Selection of the Items for Environmental Impact Assessment.
- (3) A statement to the effect that the project proponent, in selecting items for environmental impact assessment and methods of survey, forecast, and evaluation, must conduct objective and scientific examinations by seeking advice from experts, etc. as necessary, are to be specified in the Guidelines for the Selection of the Items for Environmental Impact Assessment. In addition, a statement to the effect that, when such advice has been obtained from experts, etc., efforts must be made to clarify the details of the relevant advice, the area of expertise of the relevant experts and the institutional affiliation of the experts, are specified in the Guidelines for the Selection of the Items for Environmental Impact Assessment.
- (4) A statement to the effect that, if new facts concerning an environmental impact have been discovered in the process of conducting an Environmental Impact Assessment, efforts are to be made as necessary to review the selected items and methods or to conduct additional survey, forecast, and evaluation are specified in the Guidelines for the Selection of the Items for Environmental Impact Assessment, etc.

4. Matters Relating to the Selection of the Items for Environmental Impact Assessment

- (1) In the Guidelines for the Selection of the Items for Environmental Impact Assessment, the general contents of the project according to the type of target project are to be clarified, and the contents under each subcategory of environmental component set forth in the appended table are to be specified based on the relevant contents of the project, and then under each subcategory of influential factor, the subcategories of the environmental components which are likely to be impacted by the relevant influential factor (hereinafter referred to as "reference items") are categorized. In this case, attention is to be paid to the following matters:
 - A. For the subcategory of an influential factor, according to the contents, etc. of a project plan at the time of an environmental impact assessment, factors such as emissions of substances, etc., or an environmental impact resulting in destruction or modification of the existing environment are tabulated for each of the following: a) implementation of construction relating to the relevant target project; b) presence of land after the completion of the relevant construction (excluding those in service of other target projects) or structures (hereinafter referred to as "land, etc.") (in the case of projects other than the projects that fall under Article 2, paragraph (2), item (i), (g) of the Act, including business activities to be conducted after the land, etc. are put into service or other human activities);

- B. The subcategory of an environmental component is to be appropriately specified by considering regulations or targets established by laws, if any, as well as the seriousness of the likely environmental impact, etc.
- (2) A statement to the effect that, in selecting the items for an environmental impact assessment according to individual project, after having appropriately categorized influential factors for each project depending on project characteristics, and based on such details as information concerning project characteristics and regional characteristics as well as information obtained through procedures prescribed in Chapter III of the Act and also by considering the reference items, the subcategories of environmental component which are likely to be impacted by the influential factors according to the subcategories of the relevant influential factors must be clarified, specified in the Guidelines for the Selection of the Items for Environmental Impact Assessment.

In this case, if the structures in the area in which the relevant target project will be implemented are removed or dismantled as part of the target project, or if the structures included in the objective of the relevant target project is scheduled to be removed or dismantled after the implementation of the target project, the influential factors relating to such removal or disposal are to be tabulated.

5. Matters Relating to the Selection of Methods of Survey, Forecast, and Evaluation

- (1) Points of attention for the project proponent in selecting the methods of survey, forecast, and evaluation are to be specified in the Guidelines for the Selection of the Items for Environmental Impact Assessment. The relevant points to consider are to include the following matters:

A. Type of Information to be Collected, and Survey Method

By taking into consideration the characteristics of the selected items as well as project characteristics and regional characteristics, type of particular information to be collected through survey or measurement and particular method of survey or measurement according to the type of the relevant information (hereinafter referred to as "survey method") is to be selected so as to ensure necessary accuracy in forecast and evaluation relating to the selected items. In considering the regional characteristics, it is assumed that the relevant regional characteristics over time, will change.

In cases where a survey method is specified by laws and regulations, an adequate survey method is employed based on the relevant survey method.

B. Survey Area

By taking into consideration the characteristics of information subject to the survey as well as the project characteristics and regional characteristics, the area which includes the range in which the condition of its environment will be changed to some extent by the implementation of the target project, or the area in which the condition of its environment

will be directly modified and its surroundings, etc. is defined as the survey area.

C. Survey Site

In defining survey sites within the survey area, representative sites of the area and other sites which are appropriate and effective in information gathering are to be defined as the survey sites, based on details of information to be comprehended in accordance with the characteristics of the selected items and the condition of the objects which are likely to be seriously impacted.

D. Period and Timing of Survey

In setting the period and time of a survey, the appropriate and effective period and time is set based on the details of the information to be comprehended in accordance with the characteristics of the selected items, meteorological and hydrospheric characteristics of the region, and social circumstances, etc. In this case, concerning the survey objects whose seasonal fluctuation must be comprehended, survey period necessary to appropriately comprehend such fluctuation ensured, and as for a year-round survey, it commences as necessary from the time when less fluctuation in observation results is expected.

In addition, in the cases where a long-term observation result is available and field study will be conducted, the relevant observation result and the results obtained from the field study are compared.

E. Method of Compiling Information Obtained from a Survey

The information obtained from survey is compiled so as to demonstrate the source and adequacy of such information by referring to the names of materials that contain the relevant information, the preconditions for the survey conducted to obtain the relevant information, the grounds for definition of a survey area, etc., and the date and time when the survey was conducted, etc.

In addition, concerning the information relating to the living and growing environment for endangered species, consideration such as compiling the information on species and places in the form not identifiable in case of disclosure is to be made as necessary.

F. Selection of a Survey Method with Less Environmental Impact

In order to avoid or reduce environmental impact associated with the implementation of a survey itself, a survey method with least environmental impact is to be selected to the extent possible.

- (2) Points to consider for the project proponent in selecting a method of forecast are specified in the Guidelines for Selection of the Items for Environmental Impact Assessment, etc. The relevant points to consider are to include the following matters:

A. Forecast method

With due consideration to the characteristics of the selected items as well as project characteristics and regional characteristics, specific method of forecast (hereinafter referred to as "forecast method") are to be selected so as to ensure necessary standards required for evaluation of

the selected items.

B. Forecast area

The range of the area subject to a forecast (hereinafter referred to as "forecast area") is appropriately defined out of the survey areas according to each selected item by duly considering the project characteristics and regional characteristics.

C. Forecast site

Forecast sites within the forecast area is to be set from sites such as representative sites of the area, sites which are highly likely to be affected, sites suitable to accurate comprehension of possible impact on objects, etc. to be protected, in accordance with the characteristics of the selected items and the condition of the objects to be protected, geographical, meteorological, and hydrospheric characteristics, etc.

D. Period Subject to a Forecast

Period subject to a forecast is defined, by duly considering the project characteristics, meteorological and hydrospheric characteristics of the region, and social condition, etc., in terms of the time when a steady state is maintained or the effects of the environmental impact reaches its maximum, once the service begins (limited to where it is able to define such period), or the time when the effects of the environmental impact reaches its maximum during the construction, etc., so as to accurately comprehend the environmental impact for each of the selected items.

In addition, in cases where it takes an extended period from the time of putting lands, etc. into service upon the completion of a construction to the achievement of a steady state or where the preconditions of a forecast significantly vary within the forecast period, or where lands, etc. are scheduled to be put into use before the completion of the construction relating to the target project, a midterm forecast is to be conducted as necessary.

E. Clarification of the Preconditions of a Forecast

Regarding the grounds for the definition of a forecast area, etc. in relation to the forecast method, features and application scope of the forecast method, preconditions of forecast, primary units and parameters, etc. used for a forecast, etc., their respective details and adequacy as well as their relation to the forecast results are to be clarified in compilation in the light of the condition, etc. of the region.

F. How to define Future Environmental Conditions

A forecast of the environmental conditions are to be conducted to clearly show the environmental conditions of the future that may be brought about by business activities, etc. other than the relevant target project (in cases where it is difficult to estimate the future environmental conditions, the current environmental conditions). In this case, efforts are to be made to project the environmental conditions of the region in future by collecting information owned by the related local governments.

Moreover, in cases where the national government or local government have taken environmental conservation measures or policies, and where

the effect of the relevant environmental conservation measures, etc. is included in estimating environmental conditions in the future, the contents of the relevant measures, etc. are to be clarified.

G. Considering Forecast Uncertainties

Forecast uncertainties associated with the limitation of scientific knowledge are tabulated according to its degree and seriousness of the environmental impact that could result from such uncertainty. In this case, the degree of forecast uncertainty is comprehended as necessary according to the degree of variability among the forecast results obtained by changing the preconditions of the forecast.

- (3) Points of attention for the project proponent in selecting the method of evaluation are to be specified in the Guidelines for Selection of the Items for Environmental Impact Assessment, etc. The relevant points of attention include the following matters:

A. Evaluation Relating to Avoidance or Reduction of the Environmental Impact

An evaluation is conducted on whether the environmental impact caused by the implementation of the target project on the environmental components relating to the selected items has been avoided or reduced, using measures such as chronological or simultaneous examination and comparison of multiple plans concerning a wide range of environmental conservation measures including those related to the structure and location of buildings, environmental conservation facilities, and construction method, etc. and examination of whether a feasible and better technology is employed. In this case, efforts are to be made to clarify the grounds for the evaluation and background of the examination.

These evaluations are to be conducted by the project proponent within the possible limits.

B. Examination of whether consistency with environmental conservation measures by the national or local government is maintained

In conducting an evaluation, if standards or targets concerning environmental components relating to the selected items have been established through environmental conservation measures including environmental quality standards, the basic environment plan and other such measures taken by the national or local government, then the relevant evaluation is to also include examination on the status of achievement of the relevant standards, etc. as well as on whether consistency is maintained between the targets and contents of the basic environment plan, etc. and the results of the survey and forecast, while making efforts to establish the view that the relevant standards or targets are referred to in the relevant evaluation.

Moreover, regarding the environmental components that are likely to be affected for an extended period by the implementation of construction activities and for which the environmental standards relating to the relevant environmental components have been established, an examination is to be also conducted on whether the consistency with the

relevant standards are **maintained**.

C. Other Points of Attention

If the effect of the environmental conservation measures, etc. implemented by persons other than the project proponent is included in the evaluation, the contents of the relevant measures, etc. is to be clarified.

- (4) In indicating the points of attention, as prescribed in paragraphs (1) or (2) above, in the Guidelines for Selection of the Items for Environmental Impact Assessment, survey or forecast methods may be specified respectively for the survey method, survey area, survey period and time, forecast method, forecast area, the period subject to forecast, etc. which the project proponent can refer to when considering the regional characteristics, etc. (hereinafter referred to as "reference method"). Such reference method is specified based on the general contents of the target project according to its type and the purport of the points of attention specified in paragraph (1) or (2) above, and by considering the characteristics of the reference items, the seriousness of the likely impact on the environmental components related to the reference items, and scientific knowledge which has been already obtained. Such reference method is also indicated along with the points of attention.

In this case, efforts are to be made to reflect the latest scientific knowledge in the reference method and also to include multiple methods therein for the project proponent to select a method most suitable to particular project characteristics and regional characteristics, etc.

- (5) In specifying a reference method, a statement to the effect that, survey and forecast methods by individual project are to be selected based on the details including information concerning project characteristics and regional characteristics as well as information obtained in the procedures prescribed in Chapter III of the Act and also by considering the reference items, are to be specified in the Guidelines for Selection of the Items for Environmental Impact Assessment.

6. Points to consider in selecting items or methods by considering reference items or reference method

As points of attention in selecting items and methods based on information concerning project characteristics and regional characteristics as well as information obtained in the procedures prescribed in Chapter III of the Act, etc. and also by considering the reference items or reference methods, the following details are to be specified in the Guidelines for Selection of the Items for Environmental Impact Assessment:

- (1) The difference between particular details of an individual project and the general details of the target project according to its type which served as the basis of selection of reference items and reference methods are to be comprehended;
- (2) It is possible that reference items may not be selected, or a simplified form of a survey or forecast method may be selected in cases where there will obviously be no environmental impact or such impact is very small, or that

there will be no affected region or object for a considerable period of time, or that the degree of impact is clearly predictable based on similar examples;

- (3) Attention is paid to select a more detailed survey or forecast method than a reference method if there is a region or object that is vulnerable to an environmental impact, or a region or object designated by laws and regulations from the standpoint of environmental conservation, or a region whose environment is already seriously deteriorated or highly likely to be deteriorated.

Section 5 Basic Matters Concerning the Guidelines for Environmental Conservation Measures

1. General Matters

- (1) Environmental conservation measures relating to the target project are considered based on the provisions of Article 12, paragraph (1) of the Act in accordance with the Guidelines for Environmental Conservation Measures.
- (2) Environmental conservation measures are considered by the project proponent, within the possible limits, regarding the environmental impact on the environmental components relating to the selected items likely to be caused by the implementation of the target project, with the purpose of avoiding or reducing the relevant impact or achieving to satisfy the environmental conservation standards or targets relating to the relevant impact.

2. Points of Attention in Considering Environmental Conservation Measures

Points of attention in considering environmental conservation measures are specified in the Guidelines for Environmental Conservation Measures. The relevant points of attention include the following matters:

- (1) Priority is given to avoiding or reducing environmental impact in considering environmental conservation measures, and based on the results of such consideration, measures to compensate, from the standpoint of environmental conservation, for the value of the environmental components which are damaged (hereinafter referred to as "compensating measures") are considered, as necessary and within the limits possible, by means of creating an environmental component similar to one that will be damaged by the implementation of the relevant project, etc.
- (2) Environmental conservation measures are narrowed down to be considered by the project proponent within the possible limits;
- (3) In considering environmental conservation measures, the following matters are specifically clarified to the extent possible:
 - A. the effect of the environmental conservation measures and the degree of the uncertainty of such effect, as necessary;
 - B. the environmental impact that may be caused by the implementation of environmental conservation measures;

- C. the environmental impact that exists despite implementation of environmental conservation measures;
 - D. the contents of environmental conservation measures, implementation period, responsible entities, and other details of the implementation method of environmental conservation measures.
- (4) In cases where compensating measures are implemented, a question of whether it is difficult or not to take measures to avoid or reduce environmental impact is considered along with, concerning environmental component to be damaged and environmental component to be created by compensating measures, their respective location, type and contents of environmental component to be damaged or created, so as to clarify in concrete terms to the extent possible the effect of the compensating measures and the grounds for the decision made on the feasibility of such measures.
 - (5) In considering environmental conservation measures, adequacy of the environmental conservation measures which are being considered for adoption is verified through means such as comparative examination of multiple proposals concerning environmental conservation measures and examination of whether a feasible and better technology is employed, etc., and the proceedings of these examinations are compiled for clarification. In this case, if the relevant examination is conducted on a step-by-step basis, specific contents of an environmental conservation measure are compiled for clarification for each step of the examination. In addition, if multiple plans concerning the location, etc. have been compared, the details of the process of decision-making on the location, etc. relating to the target project from multiple plans are compiled to clarify how the environmental impact can be avoided or reduced in the course of such decision-making.
 - (6) If there is a uncertainty with the forecast relating to the selected items is significant, or when environmental conservation measures whose effect is not sufficiently confirmed by expert knowledge are being taken, or where the contents of environmental conservation measures will be made more detailed during construction or after the launch of the service, then, according to the degree of seriousness of the environmental impact, and in the case where compensating measures will be taken, based on the degree of uncertainty of the effect expected from the relevant compensating measures as well as the degree of sufficiency of expert knowledge concerning the relevant compensating measures and according to the seriousness of the environmental impact caused by the relevant project, the necessity of a survey to comprehend the environmental condition, etc. during construction or after the service begins (hereinafter referred to as "follow-up survey") is considered. At the same time, the intention is made known to publish the items for the follow-up survey and details of its method, the results of the follow-up survey and a policy regarding measures to be taken when the seriousness of the environmental impact becomes apparent by the results of the follow-up survey.

Moreover, in cases where a follow-up survey is conducted, attention is paid to the following matters:

- A. Items for a follow-up survey and its method is established so as to make them adequate according to the degree of necessity of the follow-up survey, the characteristics of the items on which such follow-up survey will be conducted, and the regional characteristics, etc. and based on objective and scientific grounds secured by means of obtaining advice, etc. from experts as necessary, and also to enable comparative examination of the results of the follow-up survey and those of the Environmental Impact Assessment;
- B. In order to avoid or reduce the environmental impact associated with the implementation of a follow up survey, the method of the follow up survey with the least environmental impact is to be selected and adopted;
- C. In conducting a follow-up survey, in the cases where environmental monitoring, etc. conducted by local governments, etc. will be utilized and where facilities, etc. relating to the relevant target project will be apparently transferred to other entity, etc., a method and details of cooperation with or making a request to the other entity is to be made known;
- D. Objective and scientific examination is conducted by means of obtaining advice, etc. from experts as necessary when determining the completion of a follow-up survey and the implementation and completion of environmental conservation measures based on the results of the follow-up survey.

Section 6 Basic Matters concerning the Guidelines for Preparation of the Report

1. General Matters

- (1) A report relating to a target project is prepared based on the provisions of Article 38-2, paragraph (2) of the Act in accordance with the Guidelines for Preparation of the Report.
- (2) A report in principle is prepared once the construction relating to the target project has been completed, and in this case, the effect of the environmental conservation measures taken when the relevant construction implemented is confirmed, and the results of such confirmation is included in the report.
- (3) The results, etc. of a follow-up survey or environmental conservation measures is to be published as necessary during construction or after the launch of the service.

2. Particulars to be stated in the report

- (1) Particulars to be stated in the report are as follows:
 - A. basic information regarding a target project such as the name and address of the project proponent (in the case of a corporation, its name, the name of its representative, and the location of its principal office), the name, type, and scale of a target project, the area in which the target project was implemented;

- B. items, method, and results of the follow-up survey;
 - C. details, effects, and degree of uncertainty of the environmental conservation measures;
 - D. details, etc. of expert opinions, if such opinions were received;
 - E. if a follow-up survey will be conducted or environmental conservation measures will be taken after the preparation of the report, then its schedule and intention to publish its results.
- (2) If a business operation is transferred to other person during construction relating to the target project, or where the business entity and the entity in charge of operation and management after the launch of the service are not the same entity, the method and details of cooperation with or making request to the other entity is to be included in the report.

Section 7 Replacement of terms and phrases such as the project proponent, etc. based on the special provisions for a target project, etc. specified in a city plan

Pursuant to the provisions of Article 38-6, paragraph (1) or (2) of the Act, if the city plan stipulator serves as the project proponent relating to the relevant target project, regarding the application of Section 1, the term "the project proponent" in 1 (7) is deemed to be replaced with "the city planning proponent"; the phrase "a person who intends to implement a class-1 project" in 3 (1), (5), (6), and (8) is deemed to be replaced with "the city plan stipulator."; In addition, regarding the application of Section 2, the phrase "a person who intends to implement a class-1 project" in 1 (3) is deemed to be replaced with "the city plan stipulator"; the phrase "the name and address of a person who intends to implement a class-1 project (in the case of a corporation, its name, the name of its representative, and the location of its principal office)" in 2 (1) is deemed to be replaced with "the name of the city plan stipulator."

Pursuant to the provisions of Article 40, paragraph (2) of the Act, if the city plan stipulator serves as the project proponent relating to the relevant target project, regarding the application of Section 4, the phrase "the project proponent has" in 1 (6) is deemed to be replaced with "the city plan stipulator has"; and the phrase "the project proponent's" is deemed to be replaced with "the city plan stipulator's"; the term "the project proponent" in 3 (1) through (3) is deemed to be replaced with "the city plan stipulator"; the term "the project proponent" in 5 (1) and (2) is deemed to be replaced with "the city plan stipulator"; the phrase "for the project proponent" in 5 (3) is deemed to be replaced with "for the city plan stipulator"; the phrase "by the project proponent" is deemed to be replaced with "by the city plan stipulator"; the phrase "other than the project proponent" is deemed to be replaced with "other than the city plan stipulator"; the term "the project proponent" in 5 (4) is deemed to be replaced with "the city plan stipulator." Regarding the application of Section 5, the term "the project proponent" in 1 (2) is deemed to be replaced with "the city plan stipulator"; the term "the project proponent" in 2 (2) with is deemed to be replaced "the city plan stipulator."

Pursuant to the provisions of Article 40-2, in cases where the city plan stipulator conducts an environmental impact assessment and follows other

procedures relating to the relevant target project, regarding the application of Section 6, the term "the project proponent" in Article 2, paragraph (1) A is deemed to be replaced with "the city plan stipulator."

Section 8 Others

Regarding these basic matters, scientific knowledge used in the standards and the Guidelines specified by the competent minister, their adequacy is to be subject to constant review, and this basic matters, the standards, and Guidelines are to be revised as necessary based on the relevant review and examination relating to implementation status of the environmental impact assessment.

In particular, the overall contents of these basic matters are to be reviewed every five years, and the result of such reviews are to be published.

Revised statement (The Ministry of the Environment Notification No. 78 of December 14, 2000) Abstract

This Basic Matters comes into force as from January 6, 2001

Revised statement (The Ministry of the Environment Notification No. 26 of March 30, 2005) Abstract

This Basic Matters comes into force as from March 30, 2005

Revised statement (The Ministry of the Environment Notification No. 63 of April 2, 2012) Abstract

This Basic Matters comes into force as from April 2, 2012

Revised statement (The Ministry of the Environment Notification No. 83 of June 27, 2014) Abstract

This Basic Matters comes into effect as from June 27, 2014

Appended table

Category of Effect Factor			Construction	Presence • Service			
Category of Environmental Component			Sub category				
			Sub category				
Maintenance of Sound Conditions of Natural Components of the Environment	Air Quality	Ambient air Quality					
		Noise, Infrasound					
		Vibration					
		Offensive Odor					
		Other					
	Water Quality	Water					
		Sediment					
		Ground Water					
		Other					
	Soil Quality and Other Environment	Landform, Geology					
		Ground					
		Soil					
		Other					
	Ensuring Biodiversity and Systematic	Plants					
		Animals					

Conservation of the Natural Environment	Ecosystem							
Beneficial Contact between People and Nature	Landscape							
	Places for Activities with Nature							
Environmental Loads	Waste, etc.							
	Greenhouse Gas, etc.							
Radioactive Materials in the General Environment	Radiation Quantity							