

○東京都環境影響評価条例

○ Tokyo Metropolitan Government Ordinance on Environmental Impact
Assessment

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東京都環境影響評価条例を公布する。

The Tokyo Metropolitan Government Ordinance on Environmental Impact Assessment
is hereby promulgated.

東京都環境影響評価条例

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(目的)

(Purpose)

第一条 この条例は、環境影響評価及び事後調査の手續に関し必要な事項を定めることにより、計画の策定及び事業の実施に際し、公害の防止、自然環境及び歴史的環境の保全、景観の保持等(以下「環境の保全」という。)について適正な配慮がなされることを期し、もつて都民の健康で快適な生活の確保に資することを目的とする。

Article 1 The purpose of this Ordinance is to provide for necessary matters for the procedures for environmental impact assessments and post-investigations, aiming to ensure proper consideration for environmental pollution control, preservation of the natural and historical environment, preservation of scenic views, etc. (hereinafter referred to as “environmental conservation”) upon formulating plans and implementing

projects, thereby contributing to ensuring the healthy and comfortable life of the citizens of Tokyo.

(平一四条例一二七・一部改正)

(Partially amended by Ordinance No. 127 of 2002)

(定義)

(Definitions)

第二条 この条例において次の各号に掲げる用語の意義は、それぞれ当該各号に定めるところによる。

Article 2 In this Ordinance, the meanings of the terms listed in the following items shall be as defined in each of the respective items.

一 環境影響評価 環境に著しい影響を及ぼすおそれのある事業の実施が環境に及ぼす影響について事前に調査、予測及び評価(以下「調査等」という。)を行うとともに、これらを行う過程において、その事業に係る環境の保全のための措置を検討し、この措置が講じられた場合における環境に及ぼす影響を予測し、及び評価することをいう。

(i) Environmental impact assessment Meaning conducting pre-investigations, predictions, and assessments of environmental impact resulting from implementing a project that may have a significant environmental impact (hereinafter referred to as the “investigation, etc.”), while also considering environmental conservation measures pertaining to the project, and predicting and evaluating possible environmental impacts resulting from the implementation of the measures.

二 計画段階環境影響評価 個別計画又は広域複合開発計画(以下「対象計画」という。)の策定に際し、環境影響評価を行うことをいう。

(ii) Planning-stage environmental impact assessment Meaning conducting an environmental impact assessment upon formulating an individual plan or wide-area complex development plan (hereinafter referred to as “target plan”).

三 事業段階環境影響評価 対象事業の実施に際し、環境影響評価を行うことをいう。

(iii) Project-stage environmental impact assessment Meaning conducting an environmental impact assessment upon implementing a target project.

四 事後調査 対象事業に係る工事の施行中及び完了後に当該対象事業が環境に及ぼす影響について調査することをいう。

(iv) Post-investigation Meaning investigating the impact of a target project on the environment during and after the completion of the construction work pertaining to said target project.

五 対象事業 別表に掲げる事業でその実施が環境に著しい影響を及ぼすおそれのあるものとしてその内容及び規模が東京都規則(以下「規則」という。)で定める要件に該当するものをいう。

(v) Target project Meaning the projects listed in the attached table whose implementation may have a significant environmental impact and whose contents and scale fall under the requirements provided for in the Tokyo Metropolitan Government Regulations (hereinafter referred to as the “Regulations”).

六 個別計画 単数の別表に掲げる事業であつて、その内容及び規模が規則で定める要件に該当するものに係る計画のうち、当該事業の実施場所、規模その他規則で定める基本的な事項を定める計画(広域複合開発計画を構成する事業に係る計画を含む。)をいう。

(vi) Individual plan Meaning a single individual project of those listed in the attached table whose contents and scale fall under the requirements provided for by the Regulations, and which provides for the implementation site and scale of said project and other basic matters provided for by the Regulations (including a plan pertaining to the project that comprises a wide-area complex development project).

七 広域複合開発計画 規則で定める面積以上の地域において、複数の別表に掲げる事業について実施(異なる時期の実施を含む。)を予定し、その実施が複合的かつ累積的に環境に著しい影響を及ぼすおそれのある開発計画であつて、対象地域、規模その他規則で定める基本的な事項を定める計画をいう。

(vii) Wide-area complex development plan Meaning a development plan scheduled to implement the multiple projects listed in the attached table (including implementation at different times) in an area larger than the area provided for by the Regulations, and whose implementation is likely to have a significant environmental impact in a complex and cumulative manner, and that provides for the target area and scale and other basic matters provided for by the Regulations.

八 事業者 対象計画を策定しようとする者又は対象事業を実施しようとする者若しくは対象事業を実施する者が定まっていない場合に於ては知事が対象事業を実施しようとする者であると認める者をいう。

(viii) Project proponent Meaning a person who intends to formulate a target plan or a person who intends to implement a target project, or in the case where the person who implements a target project has not yet been determined, a person recognized by the governor as intending to implement the target project.

九 計画段階関係地域 事業者が対象計画を策定しようとする地域及びその周辺地域で当該対象計画に基づく事業の実施が環境に影響を及ぼすおそれがある地域として、第十三条及び第三十条第一項の規定により知事が定める地域をいう。

(ix) Planning-stage related area Meaning an area in which a project proponent intends to formulate a target plan, and its surrounding area, designated by the governor pursuant to the provisions of Article 13 and Article 30, paragraph (1), as an

area where the implementation of a project based on said target plan is likely to have an environmental impact.

十 事業段階関係地域 事業者が対象事業を実施しようとする地域及びその周辺地域で当該対象事業の実施が環境に影響を及ぼすおそれがある地域として、第四十九条第一項の規定により知事が定める地域をいう。

(x) Project-stage related area Meaning an area where a project proponent intends to implement a target project, and its surrounding area, designated by the governor pursuant to the provisions of Article 49, paragraph (1), as an area where the implementation of said project is likely to have an environmental impact.

十一 計画段階関係区市町村長 計画段階関係地域を管轄する特別区の区長及び市町村長をいう。

(xi) Mayor of the relevant special ward/municipality at the planning stage Meaning the mayor of the special ward or municipality that has jurisdiction over the planning-stage related area.

十二 事業段階関係区市町村長 事業段階関係地域を管轄する特別区の区長及び市町村長をいう。

(xii) Mayor of the relevant special ward/municipality at the project-stage Meaning the mayor of the special ward or municipality that has jurisdiction over the project-stage related area.

十三 許認可等 法令又は条例に基づく許可、認可、特許、免許、指示、命令、承認、確認、届出の受理その他これらに類する行為又は都市計画法(昭和四十三年法律第百号)の規定による都市計画の決定(変更を含む。以下同じ。)をいう。

(xiii) Permission, etc. Permissions, authorizations, patents, licenses, instructions, orders, approvals, confirmations, acceptance of notifications, and other similar acts under laws and ordinances, or city planning decisions (including changes; the same applies hereinafter) under the provisions of the City Planning Act (Act No. 100 of 1968).

十四 許認可権者 許認可等の権限を有する者をいう。

(xiv) Approver Meaning a person who has the authority to grant permissions, etc.
(平一〇条例一〇七・平一四条例一二七・一部改正)

(Partially amended by Ordinance No. 107 of 1998 and Ordinance No. 127 of 2002)

(知事の基本的責務)

(Fundamental Responsibilities of the Governor)

第三条 知事は、良好な環境を保全し、もつて都民の健康で快適な生活を確保するため、この条例に定める手続が適正かつ円滑に行われるよう努めなければならない。

Article 3 The governor must endeavor to ensure that the procedures provided for in

this Ordinance are carried out properly and smoothly in order to preserve a good environment, thereby ensuring the healthy and comfortable life of the citizens of Tokyo.

(調査等の方法の研究等)

(Research on Methods of the Investigation)

第四条 知事は、この条例に定める手続の適正かつ円滑な運用を図るため、調査等の方法の研究及び開発、環境影響評価に係る情報の収集及び整理その他の必要な措置を講ずるよう努めなければならない。

Article 4 The governor must endeavor to research and develop methods of the investigation, etc., collect and organize information pertaining to environmental impact assessments, and implement other necessary measures to ensure the proper and smooth operation of the procedures provided for in this Ordinance.

(資料の公開)

(Disclosure of Materials)

第五条 知事は、都民(東京都の区域内に事務所又は事業所を有する法人その他の団体を含む。以下同じ。)、事業者並びに特別区の区長及び市町村長に、この条例に定める手続の実施に関し必要な資料を公開し、又は提供するよう努めなければならない。

Article 5 The governor must endeavor to disclose or provide to the citizens of Tokyo (including corporations and other organizations having an office or place of business within the area of Tokyo; the same applies hereinafter), project proponents, and mayors of special wards and municipalities the materials necessary for the implementation of the procedures provided for in this Ordinance.

(区市町村長との連携)

(Coordination with Ward and Municipal Mayors)

第六条 知事は、この条例の施行に当たっては、特別区の区長及び市町村長と緊密な連携を保ち、その理解と協力を求めるよう努めなければならない。

Article 6 The governor must, in the enforcement of this Ordinance, endeavor to maintain close coordination with the mayors of the special wards and municipalities, and to seek their understanding and cooperation.

(事業者の責務)

(Responsibilities of Project Proponents)

第七条 事業者は、対象計画の策定及び対象事業の実施に際し、環境の保全について適正な配慮をするため、その責任と負担において、この条例に定める手続を誠実に履行しなければならない。

Article 7 A project proponent must faithfully implement the procedures provided for in this Ordinance at its own responsibility and expense in order to give appropriate consideration to environmental conservation when formulating a target plan and

implementing a target project.

(平一四条例一二七・一部改正)

(Partially amended by Ordinance No. 127 of 2002)

(都民の責務)

(Responsibilities of the Citizens of Tokyo)

第八条 都民は、この条例に定める手続の実施に積極的に参加し、環境影響評価の制度の適正な運営に協力しなければならない。

Article 8 The citizens of Tokyo must actively participate in the implementation of the procedures provided for in this Ordinance and cooperate in the proper operation of the environmental impact assessment scheme.

(環境影響評価の項目)

(Items for Environmental Impact Assessment)

第九条 環境影響評価の項目は、公害の防止、生活環境、自然環境、歴史的環境、人と自然との豊かな触れ合い、環境への負荷等について、規則で定めるもののうちから選択するものとする。

Article 9 Items for an environmental impact assessment shall be selected from among those provided for by the Regulations regarding environmental pollution control, living environment, natural environment, historical environment, rich interaction between people and nature, environmental impact, etc.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(技術指針の作成)

(Establishment of Technical Guidelines)

第十条 知事は、既に得られている科学的知見に基づき、対象計画の策定及び対象事業の実施が環境に及ぼす影響を明らかにするために必要な調査等についての項目、方法、範囲その他の事項について、技術上の指針(以下「技術指針」という。)を定めるものとする。

Article 10 (1) The governor shall, based on the scientific knowledge already obtained, provide for technical guidelines (hereinafter referred to as the “Technical Guidelines”) for the items, methods, scope, and other matters concerning the Investigations, etc. necessary to clarify the environmental impact of the formulation of a target plan and the implementation of the target project.

2 技術指針については、常に適切な科学的判断が加えられ、必要な改定が行われなければならない。

(2) Appropriate scientific judgment must always be applied to the Technical Guidelines, and necessary revisions must be made to them.

3 知事は、技術指針を定め、又は改定しようとするときは、東京都環境影響評価審議会(以下「審議会」という。)の意見を聴かなければならない。

(3) The governor, when intending to establish or revise Technical Guidelines must hear the opinion of the Tokyo Metropolitan Council for Environmental Impact Assessment (hereinafter referred to as the “Council”).

4 知事は、技術指針を定め、又は改定したときは、その内容を公示しなければならない。

(4) The governor, when having established or revised Technical Guidelines, must publicly announce the contents thereof.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

第二章 計画段階環境影響評価の手続

Chapter 2 Procedures for a Planning Stage Environmental Impact Assessment

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

第一節 環境配慮書の作成等

Section 1 Preparation of an Environmental Impact Consideration Document

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(環境配慮書の作成)

(Preparation of an Environmental Impact Consideration Document)

第十一条 事業者は、対象計画を策定しようとするときは、技術指針に基づき、社会的要素及び経済的要素を踏まえ、採用可能なものとして、実施場所又は対象地域、規模その他規則で定める要件が異なる複数の対象計画の案(以下「複数の対象計画案」という。)を策定し、当該複数の対象計画案が環境に及ぼす影響について調査等を行うとともに、規則で定めるところにより次に掲げる事項を記載した環境配慮書及びその概要(以下「環境配慮書等」という。)を作成し、知事に提出しなければならない。

Article 11 (1) A project proponent must, when intending to formulate a target plan, formulate multiple draft target plans with different implementation sites or target areas, scales, and other requirements provided for by the Regulations (hereinafter referred to as “multiple draft target plans”), as those that can be adopted based on the Technical Guidelines and taking into consideration social and economic factors; conduct the investigation, etc. on environmental impact of said multiple draft target plans; prepare an environmental impact consideration document (hereinafter referred to as “environmental impact consideration document, etc.”), stating the following matters as provided for by the Regulations, and its summary; and submit them to the governor.

一 事業者の氏名及び住所(法人にあつては、名称、代表者の氏名及び主たる事務所の所在地)

(i) Name and address of the project proponent (in the case of a corporation, its name, name of the representative, and location of the principal office)

二 対象計画の案の名称、目的及び内容

(ii) Name, purpose and content of the draft target plan

三 対象計画の案に基づく事業の必要性及び複数の対象計画案の策定に至った経過

(iii) Necessity of the project based on the draft target plan and the process that led up to the formulation of multiple draft target plans

四 複数の対象計画案ごとの環境影響評価の項目

(iv) Items for an environmental impact assessment for each of multiple draft target plans

五 複数の対象計画案の策定に当たり環境上配慮する目標及び方針

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(vi) Comparison of the concept and contents in formulating multiple draft target plans

七 複数の対象計画案ごとの環境に及ぼす影響の予測及び評価

(vii) Prediction and evaluation of the environmental impact for each of multiple draft target plans

八 複数の対象計画案ごとの事業の実施を予定する地域及びその周辺地域で当該事業の実施が環境に影響を及ぼすおそれがある地域並びにその地域の概況

(viii) An area where the project for each of multiple draft target plans are planned to be implemented and its surrounding area and where the implementation of said project is likely to have an environmental impact and the general situation of the area.

九 前各号に掲げるもののほか、規則で定める事項

(ix) In addition to what is listed in the preceding items, matters provided for by the Regulations.

2 事業者は、前項の規定により環境配慮書等を作成するに当たり、第四十条第一項第四号に規定する対象事業に係る調査等の手法に相当する事項を記載できるときは、当該対象事業に係る調査等の手法について、環境配慮書等に記載し、提出することができる。

(2) In the preparation of an environmental impact consideration document, etc. pursuant to the provisions of the preceding paragraph, if it is possible to state matters equivalent to the methods of investigation, etc. pertaining to the target project as provided for in Article 40, paragraph (1), item (iv), the project proponent may state in the environmental impact consideration document, etc. the methods of the investigation,

etc. pertaining to said target project and submit it.

- 3 知事は、一又は二以上の事業者が相互に関連する二以上の対象計画を策定しようとするときは、これらの事業者に対し、これらの対象計画について、併せて環境配慮書等を作成し、提出するよう求めるものとする。

(3) When one or more project proponents intend to formulate two or more mutually related target plans, the governor shall request these project proponents to also prepare and submit an environmental impact consideration document, etc. for these target plans.

- 4 二以上の事業者が一の対象計画又は相互に関連する二以上の対象計画を策定しようとする場合において、これらの事業者のうちから代表する者を定めたときは、その代表する者が、当該一の対象計画について環境配慮書等を作成し、又は当該二以上の対象計画について併せて環境配慮書等を作成し、提出しなければならない。

(4) When two or more project proponents intend to formulate one target plan or two or more mutually related target plans, and when a representative is designated from among these project proponents, the representative must prepare an environmental impact consideration document, etc. for said one target plan, and also prepare and submit an environmental impact consideration document, etc. for said two or more target plans.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(複数の対象計画案を策定できない場合の書面の提出等)

(Submission of Documents In the Case Where Multiple Draft Target Plans Cannot Be Formulated)

第十二条 事業者(前条第四項又は第四十条第三項(第四十八条第二項において準用する場合を含む。)の規定により、代表する者が定められたときは、当該代表する者。第一号、第二十一条第一項、第二十三条、第三十二条第一項第一号、第三十五条において準用する第二十三条、第三十七条第三項、第四十条第一項第一号、第四十八条第一項第一号、第五十五条第一項第一号、第五十八条第二項第一号、第六十一条、第六十二条第三項及び第六十六条第一項第一号を除き、この章から第四章までにおいて同じ。)は、前条の規定にかかわらず、複数の対象計画案を策定できないときは、環境配慮書等の提出に代えて、規則で定めるところにより、次に掲げる事項を記載した書面を知事に提出しなければならない。

Article 12 (1) A project proponent (if a representative is designated pursuant to the provisions of paragraph (4) of the preceding Article or Article 40, paragraph (3) (including as applied mutatis mutandis pursuant to Article 48, paragraph (2)), the said representative; the same applies in this Chapter through Chapter 4, except for item (i),

Article 21, paragraph (1), Article 23, Article 32, paragraph (1), item (i), Article 23 as applied mutatis mutandis in Article 35, Article 37, paragraph (3), Article 40, paragraph (1), item (i), Article 48, paragraph (1), item (i), Article 55, paragraph (1), item (i), Article 58, paragraph (2), item (i), Article 61, Article 62, paragraph (3) and Article 66, paragraph (1), item (i)) must, notwithstanding the provisions of the preceding Article, submit a document that states the following matters to the governor, in lieu of submitting an environmental impact consideration document, etc. as provided for by the Regulations, if it is unable to formulate multiple draft target plans.

一 事業者の氏名及び住所(法人にあつては、名称、代表者の氏名及び主たる事務所の所在地)

(i) Name and address of the project proponent (in the case of a corporation, its name, name of the representative, and location of the principal office)

二 対象計画の案の名称、目的及び内容の概要

(ii) Name, purpose and summary of content of the draft target plan

三 対象計画の案の策定に当たり環境上配慮する事項

(iii) Matters for environmental considerations in the formulation of the target plan

四 対象計画の案に基づく事業の実施を予定する地域及びその周辺地域で当該事業の実施が環境に影響を及ぼすおそれがある地域並びにその地域の概況

(iv) An area where the project based on the draft target plan is planned to be implemented and its surrounding area and where the implementation of said project is likely to have an environmental impact and the general situation of the area.

五 複数の対象計画案を策定できない理由

(v) Reasons that make it impossible to formulate multiple draft target plans

2 知事は、前項の規定による書面の提出があつたときは、当該書面の写しを審議会に送付するとともに、当該書面に記載された対象計画の案の内容について更に環境上配慮すべき事項、複数の対象計画案を策定できない理由の妥当性その他の事項に関し審議会の意見を聴かなければならない。

(2) The governor must, when having received a document under the provisions of the preceding paragraph, send a copy of said document to the Council and hear the Council's opinion on the matters that require further environmental considerations for the draft target plan stated in said document, the relevance of the reasons that make it impossible to formulate multiple draft target plans, and other matters.

3 知事は、前項の規定により審議会の意見を聴いたときは、これを勘案して、環境の保全の見地から、環境上配慮すべき事項等について意見書を作成しなければならない。

(3) The governor must, when having heard the Council's opinion pursuant to the provisions of the preceding paragraph, take them into consideration and prepare a

written opinion on matters require environmental considerations, etc. from the standpoint of environmental conservation.

- 4 知事は、前項の意見書を作成したときは、当該意見書を事業者に送付するとともに、その内容を公表するものとする。

(4) The governor shall, when having prepared a written opinion in the preceding paragraph, send said written opinion to the project proponent and publicly announce the contents thereof.

- 5 事業者は、前項の規定による意見書の送付を受けたときは、速やかに当該意見書を勘案して検討を加え、対象計画について複数の対象計画案を策定するときは第一号に規定する措置を、複数の対象計画案を策定しないときは個別計画にあつては第二号に規定する措置を、広域複合開発計画にあつては第三号に規定する措置をとらなければならない。

(5) A project proponent must, when having received a written opinion under the provisions of the preceding paragraph, promptly review the said written opinion and implement the measures provided for in item (i) when formulating multiple draft target plans for the target plan, the measures provided for in item (ii) for the individual plan when not formulating multiple draft target plans, and the measures provided for in item (iii) for the wide-area complex development plan.

- 一 この章の規定による計画段階環境影響評価の手續(第八項の規定により読み替えて適用される場合を除く。)を行うことを、規則で定めるところにより、書面をもつて知事に報告すること。

(i) To report in writing to the governor, as provided for by the Regulations, the fact that the procedures for a planning stage environmental impact assessment under the provisions of this Chapter (excluding cases where the provisions of this paragraph are applied by replacing the terms and phrases pursuant to the provisions of paragraph [8]) will be carried out.

- 二 この章の規定(この条を除く。)による計画段階環境影響評価の手續を行わないこと及び複数の対象計画案が策定できないことの理由を、規則で定めるところにより、書面をもつて知事に報告すること。

(ii) To report in writing to the governor, as provided for by the Regulations, the fact that the procedures for a planning stage environmental impact assessment under the provisions of this Chapter (excluding this Article) will not be carried out and the reasons that make it impossible to formulate multiple draft target plans.

- 三 第八項の規定により読み替えて適用されるこの章の規定による計画段階環境影響評価の手續を行うこと及び複数の対象計画案が策定できないことの理由を、規則で定めるところにより、書面をもつて知事に報告すること。

(iii) To report in writing to the governor, as provided for by the Regulations, the fact

that the procedures for a planning stage environmental impact assessment under the provisions of this Chapter as applied by replacing terms and phrases pursuant to the provisions of paragraph (8) will be carried out and the reasons that make it impossible to formulate multiple draft target plans.

- 6 知事は、前項の書面の提出があつた場合は、その書面に記載された内容について、次の各号に掲げる場合に応じ、当該各号に掲げる措置を行うものとする。

(6) The governor shall, when having received a document in the preceding paragraph, implement the measures listed in each of the respective items with respect to the contents of the document in accordance with the cases listed in the following items.

一 前項に規定する書面に記載された内容が相当であると認めるとき。 当該書面の内容を承認し、規則で定めるところにより、その旨を事業者に通知するとともに、当該書面及び知事が承認した旨を公表すること。

(i) When the contents stated in the document provided for in the preceding paragraph are found to be appropriate. Approve the contents of said document, notify thereof to the project proponent as provided for by the Regulations, and publicly announce said document and the fact that the governor has approved it.

二 前項に規定する書面に記載された内容が相当でないと認めるとき。 当該書面の内容を承認せず、規則で定めるところにより、その旨を事業者に通知するとともに、当該書面及び知事が承認しない旨を公表すること。

(ii) When the contents stated in the document provided for in the preceding paragraph are found to be inappropriate. Not approve the contents of said document, and notify thereof to the project proponent as provided for by the Regulations and publicly announce said document and the fact that the governor does not approve it.

- 7 第五項第二号に規定する措置をとつた事業者で、前項の規定による承認を受けたものに係る対象計画については、この章の規定(この条を除く。)は適用しない。

(7) The provisions of this Chapter (excluding this Article) do not apply to the target plan pertaining to a project proponent that has implemented the measures provided for in paragraph (5), item (ii) and has obtained approval under the provisions of the preceding paragraph.

- 8 第五項第三号の措置をとつた事業者で、第六項の承認を受けたものに係る対象計画については、前条第一項中「実施場所又は対象地域、規模その他規則で定める要件が異なる複数の対象計画の案(以下「複数の対象計画案」という。)」とあるのは「単数の対象計画の案」と、「当該複数の対象計画案」とあるのは「当該単数の対象計画の案」と、同項第三号中「複数の対象計画案」とあるのは「単数の対象計画の案」と、同項第四号中「複数の対象計画案ごと」とあるのは「単数の対象計画の案」と、同項第五号中「複数の対象計画案」とあるのは「単数の対象計画の案」と、同項第六号中「複数の対象計画

案」とあるのは「単数の対象計画の案」と、「考え方及び内容の比較」とあるのは「考え方」と、同項第七号及び第八号中「複数の対象計画案ごと」とあるのは「単数の対象計画の案」と読み替えてこの章の規定を適用する。

- (8) For a target plan pertaining to a project proponent that has implemented the measures in paragraph (5), item (iii) and has obtained approval under paragraph (6) , the term “multiple draft target plans with different implementation sites or target areas, scales, and other requirements provided for by the Regulations (hereinafter referred to as “multiple draft target plans”)” in paragraph (1) of the preceding Article is deemed to be replaced with “a single draft target plan”; the term “said multiple draft target plans” is deemed to be replaced with “said single draft target plan”; the term “multiple draft target plans” in item (iii) of the same paragraph is deemed to be replaced with “a single draft target plan”; the term “for each of multiple draft target plans” in item (iv) of the same paragraph is deemed to be replaced with “a single draft target plan”; the term “multiple draft target plans” in item (v) of the same paragraph is deemed to be replaced with “a single draft target plan”; the term “multiple draft target plans” in item (vi) of the same paragraph is deemed to be replaced with “a single draft target plan”; the term “comparison of the concept and contents” is deemed to be replaced with “concept”; and the term “for each of multiple draft target plans” in items (vii) and (viii) of the same paragraph is deemed to be replaced with “a single draft target plan”; and the provisions of this Chapter apply to each of them.

(平一四条例一二七・追加、平三〇条例一一九・一部改正)

(Added by Ordinance No. 127 of 2002 and partially amended by Ordinance No. 119 of 2018)

(計画段階関係地域の決定及び環境配慮書等の送付)

(Determination of Planning-Stage Related Areas and Sending of an Environmental Impact Consideration Document)

第十三条 知事は、第十一条の規定による環境配慮書等の提出があつたときは、遅滞なく、規則で定めるところにより計画段階関係地域を定め、当該計画段階関係地域を定めた旨を計画段階関係区市町村長及び事業者に通知するとともに、当該環境配慮書等の写しを計画段階関係区市町村長に送付しなければならない。

Article 13 The governor must, when having received an environmental impact consideration document, etc. under the provisions of Article 11, without delay determine the planning stage related area as provided for by the Regulations, notify the mayor of the relevant special ward/municipality at the planning stage and the project proponent of the fact that said planning stage related area has been determined, and send a copy of said environmental impact consideration document, etc. to said mayor

of the relevant special ward/municipality at the planning stage.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(審議会への諮問)

(Consultation to the Council)

第十四条 知事は、前条の規定により計画段階関係地域を定めたときは、第十一条の規定により提出された環境配慮書等の写しを審議会に送付するとともに、第二十二条第一項の規定による環境配慮書審査意見書の作成について、審議会に諮問しなければならない。

Article 14 The governor must, when having determined a planning stage related area pursuant to the provisions of the preceding Article, send to the Council a copy of the environmental impact consideration document, etc. submitted pursuant to the provisions of Article 11 and consult with the Council on the preparation of a written review opinion on the environmental impact consideration document under the provisions of Article 22, paragraph (1).

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(近隣縣市町村長との協議)

(Consultation with Mayor of the Municipality of the Neighboring Prefecture)

第十五条 知事は、第十一条の規定による環境配慮書等の提出があつた場合において、当該環境配慮書に記載されている同条第一項第八号に掲げる地域に東京都の区域に属しない地域が含まれているときは、当該地域を管轄する県の市町村長(以下「近隣縣市町村長」という。)に当該環境配慮書等の写しを送付し、当該地域についての対象計画に係る計画段階環境影響評価の手続の実施について、近隣縣市町村長と協議するものとする。

Article 15 When an environmental impact consideration document, etc. has been submitted under the provisions of Article 11, and when the area listed in paragraph (1), item (viii) of the same Article that is stated in said environmental impact consideration document, etc. includes an area that does not belong to the Tokyo Metropolitan Government area, the governor shall send a copy of said environmental impact consideration document, etc. to the mayor of the municipality of the prefecture that has jurisdiction over said area (hereinafter referred to as “mayor of the municipality of the neighboring prefecture”) and consult with the mayor of the municipality of the neighboring prefecture regarding the implementation of a planning-stage environmental impact assessment pertaining to the target plan in said area.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

第二節 環境配慮書に関する周知及び意見

Section 2 Public Awareness and Opinions Regarding an Environmental
Impact Consideration Document

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(環境配慮書についての公示及び縦覧)

(Public Notice and Public Inspection of an Environmental Impact Consideration Document)

第十六条 知事は、第十三条の規定により計画段階関係地域を定めたときは、遅滞なく、当該計画段階関係地域の範囲及び環境配慮書等の提出があつた旨その他規則で定める事項を公示し、当該環境配慮書を、公示の日から起算して三十日間、規則で定めるところにより縦覧に供しなければならない。

Article 16 The governor must, when having determined a planning stage related area pursuant to the provisions of Article 13, without delay publicly notice the extent of said planning stage related area, the fact that the environmental impact consideration document, etc. has been submitted, and other matters provided for by the Regulations, and as provided for by the Regulations, make said environmental impact consideration document, etc. available for public inspection for 30 days from the date of public notice.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(説明会の開催等)

(Holding a Briefing Session)

第十七条 事業者は、前条の縦覧期間内に、環境配慮書の内容を計画段階関係地域の住民に周知するため、計画段階関係地域内において説明会を開催するほか、当該環境配慮書の要旨を記載した書類の配布その他の必要な措置を講じなければならない。この場合において、計画段階関係地域内に説明会を開催する適当な場所がないときは、計画段階関係地域の周辺の地域において説明会を開催することができる。

Article 17 (1) A project proponent must hold a briefing session in the planning stage related area, distribute documents that state the gist of the environmental impact consideration document, and implement other necessary measures during the public inspection period in the preceding Article to make the contents of said environmental impact consideration document known to the residents of the planning-stage related area. In this case, if there is no appropriate place to hold a briefing session in the planning-stage related area, a briefing session may be held in the area surrounding the planning-stage related area.

2 事業者は、前項の規定による説明会の開催の日時、場所その他の事項及び同項の規定による周知のための措置を、規則で定めるところにより知事に届け出なければならない。

(2) A project proponent must, as provided for by the Regulations, notify the governor of the date, time, location and other matters of the briefing session under the provisions of the preceding paragraph, as well as the measures for public awareness of the briefing session under the provisions of the same paragraph.

3 知事は、事業者が第一項の説明会を正当な理由がなく開催しないときは、当該事業者に対し、期限を付して、説明会を開催するよう求めなければならない。この場合において、知事は、前条の縦覧期間内に説明会を開催することが困難であると認めるときは、第一項の規定にかかわらず、当該縦覧期間を経過した後であつても説明会を開催するよう求めることができる。

(3) If the project proponent does not hold the briefing session in paragraph (1) without reasonable grounds, the governor must request said project proponent to hold a briefing session by setting a deadline. In this case, the governor, when finding it difficult to hold a briefing session within the public inspection period in the preceding Article, may request the project proponent to hold a briefing session even after said public inspection period has elapsed, notwithstanding the provisions of paragraph (1).

4 第一項の説明会及び前項の規定により知事が開催するよう求めた説明会は、開催することができない正当な理由がある場合は、開催することを要しない。

(4) The briefing session in paragraph (1) and the briefing session requested by the governor to be held pursuant to the provisions of the preceding paragraph are not required to be held, if there are justifiable reasons that make it impossible to hold it.

5 事業者は、第一項又は第三項の規定により説明会を開催したときはその実施状況を、前項の規定により説明会を開催しなかつたときはその理由を、規則で定めるところにより、知事に報告しなければならない。

(5) A project proponent must, as provided for by the Regulations, report to the governor the status of the implementation of a briefing session when it has been held pursuant to the provisions of paragraph (1) or (3), or the reason for not having held a briefing session when it has not been held pursuant to the provisions of the preceding paragraph.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(都民の意見書の提出)

(Submission of a Written Opinion from the Citizens of Tokyo)

第十八条 都民は、第十六条の規定により縦覧に供された環境配慮書の内容について、同条の公示の日から起算して四十五日以内に、環境の保全の見地からの意見書を知事に提出することができる。

Article 18 (1) The citizens of Tokyo may, within 45 days from the date of public

notice under the provisions of Article 16, submit to the governor a written opinion on the contents of the environmental impact consideration document made available for public inspection pursuant to the provisions of the same Article from the viewpoint of environmental conservation.

2 知事は、前項の規定による意見書の提出があつたときは、その写しを事業者、計画段階関係区市町村長及び審議会に送付しなければならない。

(2) The governor must, when having received a written opinion under the provisions of the preceding paragraph, send a copy thereof to the project proponent, the mayor of the relevant special ward/municipality at the planning stage, and the Council.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(計画段階関係区市町村長の意見)

(Opinion of the Mayor of the Relevant Special Ward/Municipality at the Planning Stage)

第十九条 知事は、計画段階関係区市町村長に対して、環境配慮書の内容について、第十六条の公示の日から起算して四十五日を超えない期限を指定して、環境の保全の見地からの意見を求めなければならない。

Article 19 (1) The governor must request the mayor of the relevant special ward/municipality at the planning stage for their opinions on the contents of the environmental impact consideration document from the standpoint of environmental conservation by designating a deadline not exceeding 45 days from the date of public notice under Article 16.

2 知事は、前項の求めに応じて意見を記した書面の提出があつたときは、その写しを事業者、計画段階関係区市町村長及び審議会に送付しなければならない。

(2) The governor must, when having received a document that states opinions submitted as requested in the preceding paragraph, send a copy thereof to the project proponent, the mayor of the relevant special ward/municipality at the planning stage, and the Council.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(都民の意見を聴く会の開催等)

(Holding a Meeting to Hear Opinions of the Citizens of Tokyo)

第二十条 知事は、第十六条の縦覧期間を経過した後、第十一条の規定により提出された環境配慮書の内容について都民の意見を聴くため、都民の意見を聴く会を開催しなければならない。ただし、第十八条第一項の意見書の提出がない場合は、この限りでない。

Article 20 (1) The governor must hold a meeting to hear opinions of the citizens of Tokyo after the expiration of the public inspection period under Article 16 in order to

hear opinions of the citizens of Tokyo on the contents of the environmental impact consideration document submitted pursuant to the provisions of Article 11. However, this does not apply in the case where no written opinion in Article 18, paragraph (1) is submitted.

2 知事は、前項の規定により都民の意見を聴く会を開催しようとするときは、その日時、場所その他必要な事項を開催予定日の十五日前までに公示しなければならない。

(2) The governor must, when intending to hold a meeting to hear opinions of the citizens of Tokyo pursuant to the provisions of the preceding paragraph, publicly notice the date, time, location, and other necessary matters at least 15 days prior to the scheduled date of the meeting.

3 知事は、第一項の規定により都民の意見を聴く会を開催したときは、その記録を作成し、その写しを事業者、計画段階関係区市町村長及び審議会に送付しなければならない。

(3) The governor must, when having held a meeting to hear opinions of the citizens of Tokyo pursuant to the provisions of paragraph (1), prepare a record of the meeting and submit a copy thereof to the project proponent, the mayor of the relevant special ward/municipality at the planning stage, and the Council.

4 知事は、必要があると認めるときは、都民の意見を聴く会に第七十条第一項の委員、同条第二項の臨時委員及び第七十一条第一項の専門員を参加させるものとする。

(4) The governor shall, when deeming it necessary, have the members in Article 70, paragraph (1), the temporary members in paragraph (2) of the same Article, and the experts in Article 71, paragraph (1) participate in the meeting to hear opinions of the citizens of Tokyo.

5 前各項に定めるもののほか、都民の意見を聴く会について必要な事項は、規則で定める。

(5) In addition to what is provided for in the preceding paragraphs, other necessary matters for a meeting to hear opinions of the citizens of Tokyo are to be provided for by the Regulations.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(事業者の意見を聴く会の開催)

(Holding a Meeting to Hear the Opinions of the Project Proponent)

第二十一条 知事は、前条第一項の規定により都民の意見を聴く会を開催した後、第十一条の規定により提出された環境配慮書の内容並びに第十八条第一項の規定により提出された意見書、第十九条第一項の求めに応じて提出された計画段階関係区市町村長の意見及び前条第三項の規定により記録された都民の意見を聴く会の意見に対する見解について事業者の意見を聴くため、事業者の意見を聴く会を開催しなければならない。

Article 21 (1) The governor must, after holding a meeting to hear opinions of the

citizens of Tokyo pursuant to the provisions of paragraph (1) of the preceding Article, hold a meeting to hear the opinions of the project proponent, in order to hear the opinions of the project proponent on the contents of the environmental impact consideration document submitted pursuant to the provisions of Article 11, the written opinion submitted pursuant to the provisions of Article 18, paragraph (1), the opinions of the mayor of the relevant special ward/municipality at the planning stage submitted as requested in Article 19, paragraph (1), and the opinions from the meeting to hear opinions of the citizens of Tokyo recorded pursuant to the provisions of paragraph (3) of the preceding Article.

2 知事は、前項の規定により事業者の意見を聴く会を開催しようとするときは、その日時、場所その他必要な事項を事業者に通知しなければならない。

(2) The governor must, when intending to hold a meeting to hear the opinions of the project proponent pursuant to the provisions of the preceding paragraph, notify the project proponent of the date, time, location, and other necessary matters.

3 前条第三項及び第四項の規定は、事業者の意見を聴く会について準用する。この場合において、同条第三項及び第四項中「都民の意見を聴く会」とあるのは「事業者の意見を聴く会」と読み替えるものとする。

(3) The provisions of paragraphs (3) and (4) of the preceding Article apply mutatis mutandis to a meeting to hear the opinions of the project proponent. In this case, the term “meeting to hear opinions of the citizens of Tokyo” in paragraphs (3) and (4) of the same Article is deemed to be replaced with “meeting to hear the opinions of the project proponent.”

4 前三項に定めるもののほか、事業者の意見を聴く会について必要な事項は、規則で定める。

(4) In addition to what is provided for in the preceding three paragraphs, other necessary matters for a meeting to hear the opinions of the project proponent are to be provided for by the Regulations

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

第三節 環境配慮書審査意見書の作成等

Section 3 Preparation of a Written Review Opinion on Environmental Impact Consideration Document

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(環境配慮書審査意見書の作成等)

(Preparation of a Written Review Opinion on Environmental Impact Consideration

Document)

第二十二條 知事は、第十四条の規定による諮問について審議会の答申を受けたときは、第十一条の規定により提出された環境配慮書について、次に掲げる事項を勘案して、環境の保全の見地から審査し、その結果に基づく意見(個別計画に係る環境配慮書にあつては、第二十五条に規定する調査計画書の作成等の免除についての意見を含む。)を記載した環境配慮書審査意見書を作成しなければならない。

Article 22 (1) The governor must, when having received the Council's report on the consultation under the provisions of Article 14, review the environmental impact consideration document submitted pursuant to the provisions of Article 11 from the standpoint of environmental conservation in consideration of the following matters, and prepare a written review opinion on environmental consideration that states the opinions (for an environmental impact consideration document pertaining to an individual plan, including opinions on exemption from preparing the written investigation plan provided for in Article 25) based on the review results.

一 第十八条第一項の意見書

(i) A written opinion in Article 18, paragraph (1)

二 第十九条第一項の求めに応じて提出された計画段階関係区市町村長の意見

(ii) Opinion of the mayor of the relevant special ward/municipality at the planning stage submitted as requested in Article 19, paragraph (1)

三 第二十条第三項の規定により記録された都民の意見を聴く会の意見

(iii) Opinion of the meeting to hear opinions of the citizens of Tokyo recorded pursuant to the provisions of Article 20, paragraph (3)

四 前条第三項において準用する第二十条第三項の規定により記録された事業者の意見を聴く会の意見

(iv) Opinion of the meeting to hear the opinions of the project proponent recorded pursuant to the provisions of Article 20, paragraph (3), as applied mutatis mutandis pursuant to paragraph (3) of the preceding Article

2 知事は、前項の環境配慮書審査意見書を作成したときは、当該環境配慮書審査意見書を事業者に、その写しを計画段階関係区市町村長に送付するとともに、その内容を公表するものとする。

(2) The governor shall, when having prepared a written review opinion on the environmental impact consideration document in the preceding paragraph, send said written review opinion on the environmental impact consideration document to the project proponent, and a copy thereof to the mayor of the relevant special ward/municipality at the planning stage, and publicly announce the contents thereof.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(環境配慮書審査意見書の尊重)

(Respect for a Written Review Opinion on the Environmental Impact Consideration Document)

第二十三条 事業者は、対象計画を策定するに当たっては、前条第二項の規定により送付された環境配慮書審査意見書の内容を尊重するものとする。

Article 23 A project proponent shall, in the formulation of a target plan, respect the contents of the written review opinion on the environmental impact consideration document sent pursuant to the provisions of paragraph (2) of the preceding Article.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(対象計画を策定した場合の報告等)

(Report When a Target Plan Is Formulated)

第二十四条 事業者は、対象計画を策定したときは、規則で定めるところにより、次に掲げる事項を記載した書面を作成し、調査計画書(次条に規定する調査計画書の作成等の免除の適用を受ける場合にあっては、評価書案)を提出するときまでに知事に提出しなければならない。

Article 24 (1) A project proponent must, when having formulated a target plan, prepare a document that states the following matters and submit it to the governor by the time of submitting the written investigation plan (for the exemption from the preparation of the written investigation plan provided for in the following Article, a draft environmental impact statement), as provided for by the Regulations.

一 策定した対象計画及びその概要

(i) A target plan formulated and its summary

二 対象計画を策定した理由

(ii) Reason for having formulated the target plan

三 環境配慮書審査意見書に記載した知事の意見等に基づき環境に配慮した内容

(iii) Environmentally conscious content based on the opinion of the governor, etc., as stated in the written review opinion on the environmental impact consideration document

2 事業者は、第二十二条第一項の環境配慮書審査意見書を受領した日から一年を超えて対象計画を策定しない場合は、速やかに、規則で定めるところにより書面を知事に提出するものとする。

(2) The project proponent shall promptly submit a document as provided for by the Regulations, if it does not formulate a target plan for more than one year from the date of receipt of the written review opinion on the environmental impact consideration

document in Article 22, paragraph (1).

3 知事は、前二項に規定する書面の提出があつたときは、その内容を公表するものとする。

(3) The governor shall, when having received a document provided for in the preceding two paragraphs, publicly announce the contents thereof.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(調査計画書の作成等の免除)

(Exemption from Preparation of a Written Investigation Plan)

第二十五条 事業者が第十一条第二項の規定により環境配慮書を提出した場合において、知事が当該環境配慮書を第四十条第一項第四号に規定する対象事業に係る調査等の手法に相当する事項が記載されたものであると環境配慮書審査意見書において認めるときは、当該環境配慮書に係る対象事業については、第四十条から第四十七条までの規定は適用しない。

Article 25 When the project proponent has submitted an environmental impact consideration document pursuant to the provisions of Article 11, paragraph (2), if the governor finds it in the written review opinion on the environmental impact consideration document that said environmental impact consideration document states matters equivalent to the methods of investigation, etc. pertaining to the target project provided for in Article 40, paragraph (1), item (iv), the provisions of Articles 40 through 47 do not apply to the target project pertaining to said environmental impact consideration document.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(広域複合開発計画を構成する個別計画に係る計画段階環境影響評価の免除等)

(Exemption from Planning Stage Environmental Impact Assessment Pertaining to an Individual Plan that Constitute the Wide-area Complex Development Plan)

第二十六条 知事は、広域複合開発計画について計画段階環境影響評価が実施された場合で、個別計画を策定しようとする事業者から、当該広域複合開発計画に係る計画段階環境影響評価において当該個別計画に係る計画段階環境影響評価が十分に行われているものとして、規則で定めるところにより、計画段階環境影響評価の手続の免除の申請があつたときは、審議会の意見を聴いた上で、当該個別計画の計画段階環境影響評価が、第十一条から第二十四条までの規定を適用した場合と同程度に行われていると認める場合は、当該計画段階環境影響評価の手続の免除について承認することができる。

Article 26 (1) When a planning stage environmental impact assessment has been conducted for the wide-area complex development plan, and when the project proponent that intends to formulate an individual plan applies for exemption from the

procedures for a planning stage environmental impact assessment as provided for by the Regulations, as having conducted the planning stage environmental impact assessment pertaining to said individual plan in the planning stage environmental impact assessment pertaining to said wide-area complex development plan, the governor may, after hearing the Council's opinion, approve the exemption from said planning stage environmental impact assessment, if finding that the planning stage environmental impact assessment of said individual plan has been conducted to the same extent as when the provisions of Articles 11 through 24 are applied.

2 知事は、前項の規定により承認し、又は承認しないことを決定したときは、その旨を、事業者に対し、規則で定めるところにより、書面をもつて通知するとともに公表するものとする。

(2) The governor shall, when having decided to approve or not approve pursuant to the provisions of the preceding paragraph, notify the project proponent thereof in writing and publicly announce it as provided for by the Regulations.

3 第一項の規定による承認を受けた事業者が策定する個別計画については、この章の規定（この条を除く。）は適用しない。

(3) The provisions of this Chapter (excluding this Article) do not apply to individual plans formulated by a project proponent that has obtained approval under the provisions of paragraph (1).

（平一四条例一二七・追加）

(Added by Ordinance No. 127 of 2002)

（対象計画が環境配慮書と異なる場合の取扱い）

(Handling When a Target Plan Differs from an Environmental Impact Consideration Document)

第二十七条 知事は、第二十四条第一項の規定により提出された対象計画が第十一条の規定により提出された環境配慮書の対象計画の案と異なる場合において、当該対象計画の内容が環境に著しい影響を及ぼすおそれがあると認めるときは、審議会の意見を聴いた上で、事業者に対し、広域複合開発計画にあつては計画段階環境影響評価の手続の全部又は一部を再度実施するよう求めるものとし、個別計画にあつては第二十五条の規定が適用される場合であつても第四十条第一項に規定する調査計画書の作成及びこれに引き続く事業段階環境影響評価の手続を求めるものとする。

Article 27 (1) In the case where a target plan submitted pursuant to the provisions of Article 24, paragraph (1) differs from the draft target plan of the environmental impact consideration document submitted pursuant to the provisions of Article 11, when finding that the contents of said target plan is likely to have a significant environmental impact, the governor shall, after hearing the Council's opinion, request the project

proponent to re-implement all or part of the procedures for planning stage environmental impact assessment in the case of a wide-area complex development plan, and even if the provisions of Article 25 applies, shall request the project proponent to prepare a written investigation plan provided for in Article 40, paragraph (1) and implement subsequent procedures for the project stage environmental impact assessment.

- 2 前項に規定する場合において、第二十五条の規定により知事が、環境配慮書に第四十条第一項第四号に規定する対象事業に係る調査等の手法に相当する事項が記載されたものであると認めるときで、かつ、審議会の意見を聴いた上で当該対象計画の内容が環境に著しい影響を及ぼすおそれがないと認めるときは、個別計画については、第四十条から第四十七条までの規定は適用しない。

- (2) In the case provided for in the preceding paragraph, if the governor finds, pursuant to the provisions of Article 25, that the environmental impact consideration document states matters equivalent to the methods of investigation, etc. pertaining to the target project provided for in Article 40, paragraph (1), item (iv), and that the contents of said target plan are not likely to have a significant environmental impact after hearing the Council's opinion, the provisions of Articles 40 through 47 do not apply to the individual plan.

- 3 知事は、前二項の場合は、規則で定めるところにより、書面によりその旨を事業者に通知するとともに公表するものとする。

- (3) In the case of the preceding two paragraphs, the governor shall, as provided for by the Regulations, notify the project proponent thereof in writing and publicly announce that effect.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(計画段階環境影響評価の手續における都民等の意見聴取に係る手續の特例)

(Special Provisions for the Procedures Pertaining to Hearing of Opinions of the Citizens of Tokyo in the Procedures for Planning Stage Environmental Impact Assessment)

第二十八条 事業者は、対象計画の策定に当たっては、知事の承認を得て、第十八条から第二十条までに規定する都民及び計画段階関係区市町村長の意見の聴取に代わるものとして、自ら当該対象計画に係る環境配慮書の内容について規則で定める方法により、都民等の意見の聴取を行うことができる。

Article 28 A project proponent that intends to formulate a target plan may, with the approval of the governor, hear the opinions of the citizens of Tokyo, etc. on the contents of the environmental impact consideration document pertaining to said target plan by itself in a manner provided for by the Regulations, as an alternative to hearing

the opinions of the citizens of Tokyo and the mayor of the relevant special ward/municipality at the planning stage as provided for in Articles 18 through 20.

2 事業者は、前項に規定する承認を受けようとするときは、規則で定めるところにより、知事に申請しなければならない。

(2) A project proponent must, when intending to obtain approval provided for in the preceding paragraph, apply to the governor as provided for by the Regulations.

3 第一項の場合においては、事業者は、聴取した都民等の意見の内容等について、規則で定めるところにより、知事に報告書を提出しなければならない。

(3) In the case of paragraph (1), the project proponent must, as provided for by the Regulations, submit to the governor a written report on the contents of the opinions of the citizens of Tokyo, etc. that were heard.

4 知事は、前項の報告書の提出があつたときは、その写しを審議会及び計画段階関係区市町村長に送付するものとする。

(4) The governor shall, when having received a written report in the preceding paragraph, send a copy thereof to the Council and the mayor of the relevant special ward/municipality at the planning stage.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

第四節 計画段階環境影響評価の手續において評価書案の作成等に相当する環境影響評価を行う場合の特例

Section 4 Special Provisions for Conducting an Environmental Impact Assessment Equivalent to the Preparation of a Draft Environmental Impact Statement in the Procedures for Planning Stage Environmental Impact Assessment

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(特例環境配慮書の作成等及び評価書案の作成等の免除の申請)

(Application for Exemption from the Preparation of a Special Environmental Impact Consideration Document and the Preparation of a Draft Environmental Impact Statement)

第二十九条 個別計画に係る計画段階環境影響評価の手續において、技術指針に基づき第四十八条第一項に規定する評価書案の作成等に相当する環境影響評価を行おうとする事業者で、当該個別計画について第四十条から第五十七条までに規定する評価書案の作成等の免除を受けようとするものは、第十一条第一項に規定する環境配慮書に第四十八条第一項に規定する評価書案に相当する内容を記載したもの(以下「特例環境配慮書」という。)及びその概要(以下「特例環境配慮書等」という。)を作成し、知事に提出するとともに、規則で定める書面により、知事に申請しなければならない。

Article 29 A project proponent that intends to conduct an environmental impact assessment equivalent to the preparation, etc. of a draft environmental impact statement as provided for in Article 48, paragraph (1) based on the Technical Guidelines in the procedures for the planning-stage environmental impact assessment pertaining to the individual plan, and that intends to obtain exemption from the preparation, etc. of a draft environmental impact statement provided for in Articles 40 through 57 with respect to said individual plan, must prepare an environmental impact consideration document provided for in Article 11, paragraph (1) that states the contents equivalent to the draft environmental impact statement provided for in Article 48, paragraph (1) (hereinafter referred to as “special environmental impact consideration document”) and its summary (hereinafter referred to as “special environmental impact consideration document, etc.”), and submit them to the governor and apply to the governor in writing as provided for by the Regulations.

(平一四条例一二七・追加、平三〇条例一一九・一部改正)

(Added by Ordinance No. 127 of 2002 and partially amended by Ordinance No. 119 of 2018)

(特例環境配慮書等の送付及び計画段階関係地域の決定)

(Sending of a Special Environmental Impact Consideration Document and Determination of a Planning-Stage Related Area)

第三十条 知事は、前条に規定する申請書の提出があつたときは、第十一条第一項第八号に規定する地域を管轄する特別区の区長及び市町村長に特例環境配慮書等の写し及び当該申請書の写しを送付し、当該特別区の区長及び市町村長の意見を聴いた上で、規則で定める期間内に計画段階関係地域を定めなければならない。

Article 30 (1) The governor must, when having received a written application as provided for in the preceding Article, send a copy of the special environmental impact consideration document, etc. and a copy of said written application to the mayor of the ward/municipality that has jurisdiction over the area as provided for in Article 11, paragraph (1), item (viii), and after hearing the opinion of said mayor of the special ward or municipality, determine the planning stage related area within the period as provided for by the Regulations.

2 知事は、前項の規定により計画段階関係地域を定めたときは、その旨を計画段階関係区市町村長及び事業者に通知しなければならない。

(2) The governor must, when having determined a planning stage related area pursuant to the provisions of the preceding paragraph, notify thereof to the mayor of the relevant special ward/municipality at the planning stage and the project proponent.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(審議会への諮問)

(Consultation to the Council)

第三十一条 知事は、前条第一項の規定により計画段階関係地域を定めたときは、第二十九条の規定により提出された特例環境配慮書等の写し及び申請書の写しを審議会に送付するとともに、第三十三条第一項の規定による特例環境配慮書審査意見書の作成及び当該申請書の内容について、審議会に諮問しなければならない。

Article 31 The governor must, when having determined a planning stage related area pursuant to the provisions of paragraph (1) of the preceding Article, send to the Council a copy of the special environmental impact consideration document, etc. submitted pursuant to the provisions of Article 29 and a copy of the written application, and consult with the Council on the preparation of a written review opinion on the special environmental impact consideration document under the provisions of Article 33, paragraph (1) and the contents of said written application.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(特例環境配慮書に係る見解書の作成)

(Preparation of a Written Opinion Pertaining to a Special Environmental Impact Consideration Document)

第三十二条 第二十九条に規定する申請を行つた事業者は、第三十五条において準用する第十八条第一項の意見書及び第三十五条において準用する第十九条第二項の計画段階関係区市町村長の意見を記載した書面の写しの送付を受けたときは、これらの意見書等に対する見解を明らかにするために、規則で定めるところにより、次に掲げる事項を記載した特例環境配慮書に係る見解書を作成し、知事に提出しなければならない。

Article 32 A project proponent that has filed an application as provided for in Article 29 and has received a copy of the written opinion in Article 18, paragraph (1) as applied mutatis mutandis pursuant to Article 35 and a copy of the document stating the opinion of the mayor of the relevant special ward/municipality at the planning stage in Article 19, paragraph (2) as applied mutatis mutandis pursuant to Article 35 must, as provided for by the Regulations, prepare a written opinion pertaining to the special environmental impact consideration document that states the following matters and submit it to the governor in order to clarify the opinions on these written opinion, etc.

一 事業者の氏名及び住所(法人にあつては、名称、代表者の氏名及び主たる事務所の所在地)

(i) Name and address of the project proponent (in the case of a corporation, its name, name of the representative, and location of the principal office)

二 対象計画の案の名称、目的及び内容

(ii) Name, purpose and content of the draft target plan

三 第三十条の規定により知事が定めた計画段階関係地域

(iii) Planning stage related area determined by the governor pursuant to the provisions of Article 30

四 第三十五条において準用する第十八条第一項の意見書及び第三十五条において準用する第十九条第一項の求めに応じて提出された計画段階関係区市町村長の意見の概要

(iv) Summary of the written opinion in Article 18, paragraph (1) as applied mutatis mutandis pursuant to Article 35 and the opinion of the mayor of the relevant special ward/municipality at the planning stage submitted as requested in Article 19, paragraph (1) as applied mutatis mutandis pursuant to Article 35

五 前号に掲げる意見書及び意見についての事業者の見解

(v) Opinion of the project proponent on the written opinion and opinions listed in the preceding item

六 前各号に掲げるもののほか、規則で定める事項

(vi) In addition to what is listed in the preceding items, matters provided for by the Regulations.

2 第十六条、第二十条及び第二十八条の規定は、前項の規定により提出された見解書について準用する。この場合において、第十六条中「第十三条」とあるのは「第三十条第一項」と、「環境配慮書等」とあるのは「見解書」と、「当該環境配慮書」とあるのは「当該見解書」と、「三十日間」とあるのは「二十日間」と、第二十条第一項中「第十六条」とあるのは「第三十二条第二項において準用する第十六条」と、「第十一条」とあるのは「第三十二条第一項」と、「環境配慮書」とあるのは「見解書(第二十九条の規定により提出された特例環境配慮書を含む。)」と、「第十八条第一項」とあるのは「第三十五条において準用する第十八条第一項」と、第二十八条中「第十八条から第二十条まで」とあるのは「第三十二条第二項において準用する第二十条」と、「都民及び計画段階関係区市町村長」とあるのは「都民」と、「環境配慮書」とあるのは「見解書」と、「都民等」とあるのは「都民」と読み替えるものとする。

(2) The provisions of Articles 16, 20 and 28 apply mutatis mutandis to the written opinion submitted pursuant to the provisions of the preceding paragraph. In this case, the term “Article 13” in Article 16 is deemed to be replaced with “Article 30, paragraph (1),” the term “environmental impact consideration document, etc.” is deemed to be replaced with “written opinion”; the term “said environmental impact consideration document” is deemed to be replaced with “said written opinion”; the term “30 days” is deemed to be replaced with “20 days”; the term “Article 16” in Article 20, paragraph (1) is deemed to be replaced with “Article 16 as applied mutatis mutandis pursuant to

Article 32, paragraph (2)”; the term “Article 11” is deemed to be replaced with “Article 32, paragraph (1)”; the term “environmental impact consideration document” is deemed to be replaced with “written opinion (including a special environmental impact consideration document submitted pursuant to the provisions of Article 29)”; the term “Article 18, paragraph (1)” is deemed to be replaced with “Article 18, paragraph (1) as applied mutatis mutandis pursuant to Article 35”; the term “Articles 18 through Article 20” in Article 28 is deemed to be replaced with “Article 20 as applied mutatis mutandis pursuant to Article 32, paragraph (2)”; the term “the citizens of Tokyo and the mayor of the relevant special ward/municipality at the planning stage” is deemed to be replaced with “the citizens of Tokyo”; the term “environmental impact consideration document” is deemed to be replaced with “written opinion”; and “the citizens of Tokyo, etc.” is deemed to be replaced with “the citizens of Tokyo.”

(平一四条例一二七・追加、平三〇条例一一九・一部改正)

(Added by Ordinance No. 127 of 2002 and partially amended by Ordinance No. 119 of 2018)

(特例環境配慮書審査意見書の作成)

(Preparation of a Written Review Opinion on the Special Environmental Impact Consideration Document)

第三十三条 知事は、第三十一条の規定による諮問について審議会の答申を受けたときは、第二十九条の規定により提出された特例環境配慮書について、第二十二条第一項第一号から第三号までに掲げる事項及び前条第一項の規定による見解書を勘案して、特例環境配慮書審査意見書を作成しなければならない。

Article 33 (1) The governor must, when having received the Council's report on the consultation pursuant to the provisions of Article 31, prepare a written review opinion on the special environmental impact consideration document with respect to the special environmental impact consideration document submitted pursuant to the provisions of Article 29 in consideration to the matters listed in Article 22, paragraph (1), items (i) through (iii) and the written opinion under paragraph (1) of the preceding Article.

2 知事は、前項の特例環境配慮書審査意見書を作成したときは、当該特例環境配慮書審査意見書を事業者に、その写しを計画段階関係区市町村長に送付するとともに、その内容を公表するものとする。

(2) The governor shall, when having prepared a written review opinion on the special environmental impact consideration document in the preceding paragraph, send said written review opinion on the special environmental impact consideration document to the project proponent and a copy thereof to the mayor of the relevant special/municipality at the planning stage, and publicly announce the contents thereof.

- 3 知事は、第二十九条の規定により提出された特例環境配慮書に記載された内容が、次の各号に掲げる場合に該当すると第一項の特例環境配慮書審査意見書において認めるときは、前項に規定するもののほか、当該各号に掲げる措置を行うものとする。

(3) When finding in the written review opinion on the special environmental impact consideration document in paragraph (1) that the contents stated in the special environmental impact consideration document submitted pursuant to the provisions of Article 29 fall under any of the cases listed in the following items, the governor shall implement the measures listed in each of the respective items, in addition to those provided for in the preceding paragraph.

一 第四十八条第一項に規定する評価書案に相当するものであると認めるとき。 当該申請を承認し、規則で定めるところにより、その旨を書面により事業者に通知するとともに公表すること。

(i) When it is found to be equivalent to the draft environmental impact statement provided for in Article 48, paragraph (1). Approve said application, and as provided for by the Regulations, notify thereof in writing to the project proponent and publicly announce that effect.

二 第四十八条第一項に規定する評価書案に相当するものでないと認める場合で、第四十条第一項第四号に規定する対象事業に係る調査等の手法に相当する事項が記載されていると認めるとき。 第四十八条第一項に規定する評価書案の作成及びこれに引き続く事業段階環境影響評価の手続を行うことを、規則で定めるところにより、書面により事業者に通知するとともに公表すること。

(ii) When it is found to not be equivalent to a draft environmental impact statement provided for in Article 48, paragraph (1), and when it is found to contain matters equivalent to the methods of investigation, etc. pertaining to the target project as provided for in Article 40, paragraph (1), item (iv). Notify the project proponent in writing and publicly announce the fact that a draft environmental impact statement provided for in Article 48, paragraph (1) will be prepared, and that the subsequent procedures for the project stage environmental impact assessment will be implemented, as provided for by the Regulations.

三 第四十八条第一項に規定する評価書案に相当するものでないと認める場合で前号に掲げるもの以外のとき。 第四十条第一項に規定する調査計画書の作成及びこれに引き続く事業段階環境影響評価の手続を行うことを、規則で定めるところにより、書面により事業者に通知するとともに公表すること。

(iii) When it is found to not be equivalent to a draft environmental impact statement provided for in Article 48, paragraph (1), and it is other than those listed in the preceding item. Notify the project proponent in writing and publicly announce the

fact that a written investigation plan provided for in Article 40, paragraph (1) will be prepared, and that the subsequent procedures for the project stage environmental impact assessment will be implemented, as provided for by the Regulations.

- 4 前項第一号の規定による通知を受けた事業者については第四十条から第五十七条までの規定、同項第二号の規定による通知を受けた事業者については第四十条から第四十七条までの規定は適用しない。

- (4) The provisions of Articles 40 through 57 do not apply to the project proponent that has received a notice under the provisions of item (i) of the preceding paragraph, and the provisions of Articles 40 through 47 do not apply to the project proponent that has received a notice under the provisions of item (ii) of the same paragraph.

(平一四条例一二七・追加、平三〇条例一一九・一部改正)

(Added by Ordinance No. 127 of 2002 and partially amended by Ordinance No. 119 of 2018)

(対象計画が特例環境配慮書と異なる場合の取扱い)

(Handling When a Target Plan Differs from a Special Environmental Impact Consideration Document)

第三十四条 知事は、前条第四項の規定にかかわらず、同条第三項第一号又は第二号に掲げる場合であつて、次条において準用する第二十四条第一項の規定により提出された対象計画が、第二十九条の規定により提出された特例環境配慮書の対象計画の案と異なる場合において、当該対象計画の内容が環境に著しい影響を及ぼすおそれがあると認めるときは、審議会の意見を聴いた上で、事業者に対し、前条第三項第一号に掲げる場合にあつては第四十八条第一項に規定する評価書案の作成及びこれに引き続く事業段階環境影響評価の手続を行うこと、前条第三項第二号に掲げる場合にあつては第四十条第一項に規定する調査計画書の作成及びこれに引き続く事業段階環境影響評価の手続を行うことを求めるものとする。

Article 34 (1) Notwithstanding the provisions of paragraph (4) of the preceding Article, in the case listed in paragraph (3), item (i) or (ii) of the preceding Article, when the target plan submitted pursuant to the provisions of Article 24, paragraph (1) as applied mutatis mutandis in the following Article differs from the draft target plan of the special environmental impact consideration document submitted pursuant to the provisions of Article 29, and when the contents of said target plan are found to be likely to have a significant environmental impact, the governor shall, after hearing the Council's opinion, request the project proponent to prepare a draft environmental impact statement provided for in Article 48, paragraph (1) in the case listed in paragraph (3), item (i) of the preceding Article and implement the subsequent procedures for the project stage environmental impact assessment, and to prepare a

written investigation plan provided for in Article 40, paragraph (1) and implement the subsequent procedures for the project stage environmental impact assessment in the case listed in paragraph (3), item (ii) of the preceding Article.

2 知事は、前項の場合は、規則で定めるところにより、書面によりその旨を事業者に通知するとともに公表するものとする。

(2) In the case of the preceding paragraph, the governor shall, as provided for by the Regulations, notify thereof to the project proponent in writing and publicly announce that effect.

(平一四条例一二七・追加、平三〇条例一一九・一部改正)

(Added by Ordinance No. 127 of 2002 and partially amended by Ordinance No. 119 of 2018)

(特例環境配慮書に係る手続)

(Procedures Pertaining to a Special Environmental Impact Consideration Document)

第三十五条 第十一条第三項及び第四項、第十五条から第十九条まで、第二十三条、第二十四条並びに第二十八条の規定は、第二十九条の規定により提出された特例環境配慮書等について準用する。この場合において、第十一条第三項及び第四項中「環境配慮書等」とあるのは「特例環境配慮書等」と、第十五条中「第十一条」とあるのは「第二十九条」と、「環境配慮書等」とあるのは「特例環境配慮書等」と、「当該環境配慮書」とあるのは「当該特例環境配慮書」と、「同条第一項第八号」とあるのは「第十一条第一項第八号」と、第十六条中「第十三条」とあるのは「第三十条第一項」と、「環境配慮書等」とあるのは「特例環境配慮書等」と、「当該環境配慮書」とあるのは「当該特例環境配慮書」と、第十七条中「前条」とあるのは「第三十五条において準用する第十六条」と、「環境配慮書」とあるのは「特例環境配慮書」と、第十八条中「第十六条」とあるのは「第三十五条において準用する第十六条」と、「環境配慮書」とあるのは「特例環境配慮書」と、第十九条中「環境配慮書」とあるのは「特例環境配慮書」と、「第十六条」とあるのは「第三十五条において準用する第十六条」と、第二十三条中「前条第二項」とあるのは「第三十三条第二項」と、「環境配慮書審査意見書」とあるのは「特例環境配慮書審査意見書」と、第二十四条中「次条」とあるのは「第三十三条第四項」と、「評価書案」とあるのは「評価書案、同項に規定する評価書案の作成等の免除の適用を受ける場合にあつては評価書」と、「環境配慮書審査意見書」とあるのは「特例環境配慮書審査意見書」と、「第二十二条第一項」とあるのは「第三十三条第一項」と、第二十八条中「第十八条から第二十条まで」とあるのは「第三十五条において準用する第十八条及び第三十五条において準用する第十九条」と、「環境配慮書」とあるのは「特例環境配慮書」と読み替えるものとする。

Article 35 The provisions of Article 11, paragraphs (3) and (4), Articles 15 through 19, Article 23, Article 24, and Article 28 apply mutatis mutandis to the

special environmental impact consideration document, etc. submitted pursuant to the provisions of Article 29. In this case, the term “environmental impact consideration document, etc.” in Article 11, paragraphs (3) and (4) is deemed to be replaced with “special environmental impact consideration document, etc.”; the term “Article 11” in Article 15 is deemed to be replaced with “Article 29”; the term “environmental impact consideration document, etc.” is deemed to be replaced with “special environmental impact consideration document, etc.”; the term “said environmental impact consideration document” is deemed to be replaced with “said special environmental impact consideration document”; the term “paragraph (1), item (viii) of the same Article” is deemed to be replaced with “Article 11, paragraph (1), item (viii)”; the term “Article 13” in Article 16 is deemed to be replaced with “Article 30, paragraph (1)”; the term “environmental impact consideration document, etc.” is deemed to be replaced with “special environmental impact consideration document, etc.”; the term “said environmental impact consideration document” is deemed to be replaced with “said special environmental impact consideration document”; the term “preceding Article” in Article 17 is deemed to be replaced with “Article 16 as applied mutatis mutandis pursuant to Article 35”; the term “environmental impact consideration document” is deemed to be replaced with “special environmental impact consideration document”; the term “Article 16” in Article 18 is deemed to be replaced with “Article 16 as applied mutatis mutandis pursuant to Article 35”; the term “environmental impact consideration document” is deemed to be replaced with “special environmental impact consideration document”; the term “environmental impact consideration document” in Article 19 is deemed to be replaced with “special environmental impact consideration document”; the term “Article 16 ” is deemed to be replaced with “Article 16 as applied mutatis mutandis pursuant to Article 35”; the term “paragraph (2) of the preceding Article” in Article 23 is deemed to be replaced with “Article 33, paragraph (2)”; the term “written review opinion on the environmental impact consideration document” is deemed to be replaced with “written review opinion on the special environmental impact consideration document”; the term “the following Article” in Article 24 is deemed to be replaced with “Article 33, paragraph (4)”; the term “draft environmental impact statement” is deemed to be replaced with “draft environmental impact statement; environmental impact statement in the case where the exemption from the preparation of a draft environmental impact statement provided for in the same paragraph is applied”; the term “written

review opinion on the environmental impact consideration document” is deemed to be replaced with “written review opinion on the special environmental impact consideration document”; the term “Article 22, paragraph (1)” is deemed to be replaced with “Article 33, paragraph (1)”; the term “Articles 18 through 20” in Article 28 is deemed to be replaced with “Article 19 as applied mutatis mutandis pursuant to Articles 18 through 35 as applied mutatis mutandis pursuant to Article 35”; and the term “environmental impact consideration document” is deemed to be replaced with “special environmental impact consideration document.”

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(対象計画策定に係る書面による報告の写しの送付)

(Sending a Copy of the Written Report Pertaining to the Target Plan)

第三十六条 知事は、第三十三条第四項の規定により特例の手続を行う事業者から前条において準用する第二十四条に規定する対象計画の策定等に係る書面の提出があつたときは、当該書面の写しを当該対象事業に係る許認可権者に送付しなければならない。

Article 36 When having received a document pertaining to a target plan provided for in Article 24 as applied mutatis mutandis pursuant to the preceding Article, from the project proponent that implements the special procedures pursuant to the provisions of Article 33, paragraph (4), the governor must send a copy of said document to the approver pertaining to said target project.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

第五節 対象計画の変更等

Section 5 Change in a Target Plan

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(対象計画の変更の届出等)

(Notification of Change in a Target Plan)

第三十七条 事業者は、次の各号に掲げる対象計画の種類ごとに当該各号に定める時期において、第十一条第一項第一号若しくは第二号に掲げる事項を変更しようとするとき、又は対象計画の策定を中止し、若しくは廃止しようとするときは、規則で定めるところにより、その旨を知事に届け出なければならない。ただし、対象計画の案の目的又は内容の変更をしようとする場合において、当該変更が軽微な変更その他の規則で定める変更該当するときは、この限りでない。

Article 37 (1) When intending to change the matters listed in Article 11, paragraph

(1), item (i) or (ii) or to discontinue or abolish the formulation of a project plan, for each type of the target plans listed in the following items, at the time provided for in each of the respective items, the project proponent must, as provided for by the Regulations, notify thereof to the governor. However, this does not apply when the purpose or content of the draft target plan is to be changed and said change falls under the category of a minor change or other change provided for by the Regulations.

一 個別計画 第十一条の規定により環境配慮書等を提出してから第四十条第一項の規定により調査計画書を提出するまで(第三十三条第四項の規定の適用を受ける場合にあっては、第二十九条の規定により特例環境配慮書等を提出してから第三十五条において準用する第二十四条の規定により書面を提出するまで)

(i) Individual plan From the submission of an environmental impact consideration document, etc. pursuant to the provisions of Article 11 to the submission of a written investigation plan pursuant to the provisions of Article 40, paragraph (1) (in the case where the provisions of Article 33, paragraph (4), from the submission of a special environmental impact consideration document, etc. pursuant to the provisions of Article 29 to the submission of a document pursuant to the provisions of Article 24 as applied mutatis mutandis pursuant to Article 35)

二 広域複合開発計画 第十一条の規定により環境配慮書を提出してから当該広域複合開発計画が終了するまで

(ii) Wide-area complex development plan From the submission of an environmental impact consideration document pursuant to the provisions of Article 11 to the completion of said wide-area complex development plan

2 知事は、前項の規定による届出があつたときは、当該届出の内容を公表しなければならない。

(2) The governor must, when having received a notification under the provisions of the preceding paragraph, publicly announce the contents thereof.

3 第一項の規定による届出のうち、事業者の変更があつた場合においては、変更前の事業者に係る対象計画について行われたこの条例の規定による手続は、変更後の事業者に係る対象計画について行われたものとみなす。

(3) When there has been a change in the project proponent among the notifications under the provisions of paragraph (1), the procedures under this Ordinance that have been implemented for the target plan pertaining to the project proponent before the change shall be deemed to have been implemented for the target plan pertaining to the project proponent after the change.

(平一四条例一二七・追加、平三〇条例一一九・一部改正)

(Added by Ordinance No. 127 of 2002 and partially amended by Ordinance No. 119 of

2018)

(対象計画の内容の変更による手続の再実施)

(Re-implementation of the Procedures Due to Change in the Contents of a Target Plan)

第三十八条 知事は、前条第一項に規定する届出があつた場合で、第十一条第一項第二号に掲げる事項の変更(個別計画にあつては、同条の規定により環境配慮書を提出してから第二十二條第二項の規定により環境配慮書審査意見書を受領するまで又は第二十九條の規定により特例環境配慮書を提出してから第三十三條第二項の規定により特例環境配慮書審査意見書を受領するまでにあつた変更に限る。)があつた対象計画について、当該変更が環境に著しい影響を及ぼすおそれがあると認めるときは、審議会の意見を聴いた上で、規則で定めるところにより、当該事業者に対し、既に完了している手続の全部又は一部を再度実施するよう求めるものとする。

Article 38 When having received a notification provided for in paragraph (1) of the preceding Article, and if said change is found to be likely to have a significant environmental impact with respect to the target plan in which there has been a change in the matters listed in Article 11, paragraph (1), item (ii) (in the case of an individual plan, limited to changes made from the submission of an environmental impact consideration document pursuant to the provisions of the same Article to the receipt of an written review opinion on the environmental impact consideration document pursuant to the provisions of Article 22, paragraph (2) or, made from the submission of a special environmental impact consideration document pursuant to the provisions of Article 29 to the receipt of a written review opinion on the special environmental impact consideration document pursuant to the provisions of Article 33, paragraph (2)), the governor shall, after hearing the Council's opinion, request said project proponent to re-implement all or part of the procedures that have already been completed, as provided for by the Regulations.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

(事情変更による手続)

(Procedures Due to Change in Circumstances)

第三十九条 第二十五条又は第三十三條第四項の規定にかかわらず、知事は、事業者が第二十四條第一項又は第三十五條において準用する第二十四條第一項の規定に基づく書面を提出した日から五年を経過した後、当該対象事業に係る事業段階環境影響評価の手続を始めようとする場合において、計画段階関係地域の状況が当該書面を提出したときと比較して著しく異なっていることにより環境の保全上必要があると認めるときは、規則で定めるところにより、当該事業者に対し、次条第一項に規定する調査計画書の作成及びこれに引き続く事業段階環境影響評価の手続を求めるものとする。

Article 39 Notwithstanding the provisions of Article 25 or Article 33, paragraph (4), when intending to commence the procedures for the project-stage environmental impact assessment pertaining to said target project after five years have elapsed from the date when the project proponent submitted a document under the provisions of Article 24, paragraph (1) or Article 24, paragraph (1) as applied mutatis mutandis pursuant to Article 35, and when finding it necessary for environmental conservation due to the fact that the situation of the planning-stage related area significantly differs to those at the time of submission of said document, the governor shall, as provided for by the Regulations, request said project proponent to prepare a written investigation plan provided for in paragraph (1) of the following Article and implement the subsequent procedures for the project-stage environmental impact assessment.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

第三章 事業段階環境影響評価の手続

Chapter 3 Procedures for a Project Stage Environmental Impact Assessment

(平一〇条例一〇七・章名追加、平一四条例一二七・改称)

(Chapter name added by Ordinance No. 107 of 1998; renamed by Ordinance No. 127 of 2002)

第一節 調査計画書の作成等

Section 1 Preparation of a Written Investigation Plan

(平一〇条例一〇七・追加)

(Added by Ordinance No. 107 of 1998)

(調査計画書の作成)

(Preparation of a Written Investigation Plan)

第四十条 事業者は、対象事業を実施しようとするときは、技術指針に基づき、規則で定めるところにより、次に掲げる事項を記載した環境影響評価調査計画書(以下「調査計画書」という。)を作成し、知事に提出しなければならない。

Article 40 (1) A project proponent must, when intending to implement a target project, prepare a written investigation plan for environmental impact assessment (hereinafter referred to as “written investigation plan”) in accordance with the Technical Guidelines and submit it to the governor, as provided for by the Regulations.

一 事業者の氏名及び住所(法人にあつては、名称、代表者の氏名及び主たる事務所の所在地)

(i) Name and address of the project proponent (in the case of a corporation, its name, name of the representative, and location of the principal office)

二 対象事業の名称、目的及び内容

(ii) Name, purpose and content of the target project

三 事業計画の策定に至った経過(計画段階環境影響評価の手続を行つたものについては、その手続の経過を含む。)

(iii) Progress that led up to the formulation of the project plan (for those that have conducted procedures for a planning-stage environmental impact assessment, including the progress of the procedures)

四 対象事業に係る環境影響評価の項目及び調査等の手法(当該手法が決定されていない場合にあっては、対象事業に係る環境影響評価の項目)

(iv) Items of the environmental impact assessment pertaining to the target project and methods of investigation, etc. (in the case where said method has not been determined, the items of the environmental impact assessment pertaining to the target project)

五 対象事業を実施しようとする地域及びその周辺地域で当該対象事業の実施が環境に影響を及ぼすと予想される地域並びにその地域の概況

(v) An area where the target project is to be implemented and its surrounding area and where said target project is expected to have an environmental impact and the general situation of the area

六 前各号に掲げるもののほか、規則で定める事項

(vi) In addition to what is listed in the preceding items, matters provided for by the Regulations.

2 知事は、一又は二以上の事業者が相互に関連する二以上の対象事業を実施しようとするときは、これらの事業者に対し、これらの対象事業について、併せて前項の規定により調査計画書を作成し、提出するよう求めるものとする。

(2) When one or more project proponents intend to implement two or more mutually related target projects, the governor shall request these project proponents to also prepare and submit a written investigation plan pursuant to the preceding paragraph for these target projects.

3 二以上の事業者が一の対象事業又は相互に関連する二以上の対象事業を実施しようとする場合において、これらの事業者のうちから代表する者を定めたときは、その代表する者が、当該一の対象事業について調査計画書を作成し、又は当該二以上の対象事業について併せて調査計画書を作成し、提出しなければならない。

(3) When two or more project proponents intend to implement one target project or two or more mutually related target projects, and when a representative is designated from among these project proponents, the representative must prepare a written investigation plan for said one target project, and also prepare and submit a written investigation plan for said two or more target projects.

- 4 良好な環境を確保しつつ都市機能の高度化を推進する地域として規則で定める地域において規則で定める事業を実施しようとする事業者が、規則で定めるところにより知事に届け出て、技術指針に基づき、規則で定める環境影響評価の項目を選定し当該事業の実施が環境に及ぼす影響について調査等を行う場合は、この条(この項を除く。)から第四十七条までの規定は適用しない。

(4) The provisions of this Article (excluding this Section) through Article 47 do not apply in the case where a project proponent that intends to implement the project as provided for by the Regulations in the area as provided for by the Regulations as an area for promoting upgrading of urban functions while ensuring a favorable environment notifies the governor as provided for by the Regulations, and selects the items for an environmental impact assessment provided for by the Regulations and conducts investigation, etc. on the environmental impact of the implementation of said project in accordance with the Technical Guidelines.

(平一〇条例一〇七・追加、平一四条例一二七・旧第九条繰下・一部改正)

(Added by Ordinance No. 107 of 1998; former Article 9 moved down and partially amended by Ordinance No. 127 of 2002)

(調査計画書の送付等)

(Sending of a Written Investigation Plan)

第四十一条 知事は、前条第一項の規定による調査計画書の提出があつたときは、遅滞なく、規則で定めるところにより、環境に影響が及ぶと予想される地域を、当該対象事業が実施されることを周知する地域(以下「周知地域」という。)と定め、調査計画書の写しを当該地域を管轄する特別区の区長及び市町村長(以下「周知地域区市町村長」という。)に送付しなければならない。

Article 41 The governor must, when having received a written investigation plan under the provisions of paragraph (1) of the preceding Article, without delay determine the area whose environment is expected to be impacted as the area where the implementation of said target project is made known to the public (hereinafter referred to as “publicly announced area”) and send a copy of the written investigation plan to the mayor of the special ward or municipality that has jurisdiction over said area (hereinafter referred to as “mayor of the relevant special ward/municipality for the publicly announced area”), as provided for by the Regulations.

(平一〇条例一〇七・追加、平一四条例一二七・旧第十二条繰下・一部改正)

(Added by Ordinance No. 107 of 1998; former Article 12 moved down and partially amended by Ordinance No. 127 of 2002)

(審議会への諮問)

(Consultation to the Council)

第四十二条 知事は、周知地域を定めたときは、調査計画書の写しを審議会に送付するとともに、第四十六条第一項の規定による調査計画書審査意見書の作成について、審議会に諮問しなければならない。

Article 42 The governor must, when having determined a publicly announced area, send a copy of the written investigation plan to the Council and consult with the Council on the preparation of a written review opinion on the written investigation plan under the provisions of Article 46, paragraph (1).

(平一〇条例一〇七・追加、平一四条例一二七・旧第十三条繰下・一部改正)

(Added by Ordinance No. 107 of 1998; former Article 13 moved down and partially amended by Ordinance No. 127 of 2002)

(近隣県市町村長との協議)

(Consultation with Mayor of the Municipality of the Neighboring Prefecture)

第四十三条 第十五条の規定は、調査計画書について準用する。この場合において、同条中「第十一条」とあるのは「第四十条第一項」と、「環境配慮書等」とあるのは「調査計画書」と、「当該環境配慮書」とあるのは「当該調査計画書」と、「同条第一項第八号」とあるのは「同項第五号」と、「当該環境配慮書等」とあるのは「当該調査計画書」と、「対象計画に係る計画段階環境影響評価」とあるのは「対象事業に係る事業段階環境影響評価」と読み替えるものとする。

Article 43 The provisions of Article 15 apply mutatis mutandis to a written investigation plan. In this case, the term “Article 11” in the same Article is deemed to be replaced with “Article 40, paragraph (1)”; the term “environmental impact consideration document, etc.” is deemed to be replaced with “written investigation plan”; the term “said environmental impact consideration document” is deemed to be replaced with “said written investigation plan”; the term “paragraph (1), item (viii) of the same Article” is deemed to be replaced with “item (v) of the same paragraph”; the term “said environmental impact consideration document, etc.” is deemed to be replaced with “said written investigation plan”; and the term “planning-stage environmental impact assessment pertaining to the target plan” is deemed to be replaced with “project-stage environmental impact assessment pertaining to the target project.”

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

第二節 調査計画書に関する周知及び意見

Section 2 Public Awareness and Opinions Regarding Written Investigation Plan

(平一〇条例一〇七・追加)

(Added by Ordinance No. 107 of 1998)

(調査計画書についての公示及び縦覧)

(Public Notice and Public Inspection of a Written Investigation Plan)

第四十四条 知事は、第四十条第一項の規定による調査計画書の提出があつたときは、遅滞なく、当該調査計画書の提出があつた旨その他規則で定める事項を公示し、当該調査計画書を、公示の日から起算して十日間、規則で定めるところにより縦覧に供しなければならない。

Article 44 The governor must, when having received a written investigation plan under the provisions of Article 40, paragraph (1), without delay publicly notify the fact that said written investigation plan has been submitted and other matters provided for by the Regulations, and as provided for by the Regulations, make said written investigation plan available for public inspection for 10 days from the date of public notice.

(平一〇条例一〇七・追加、平一四条例一二七・旧第十五条繰下・一部改正)

(Added by Ordinance No. 107 of 1998; former Article 15 moved down and partially amended by Ordinance No. 127 of 2002)

(都民等の意見)

(Opinions of the Citizens of Tokyo)

第四十五条 第十八条及び第十九条の規定は、前条の規定により縦覧に供された調査計画書について準用する。この場合において、第十八条第一項中「第十六条」とあるのは「第四十四条」と、「環境配慮書」とあるのは「調査計画書」と、「四十五日」とあるのは「二十日」と、同条第二項中「計画段階関係区市町村長」とあるのは「周知地域区市町村長」と、第十九条第一項中「計画段階関係区市町村長」とあるのは「周知地域区市町村長」と、「環境配慮書」とあるのは「調査計画書」と、「第十六条」とあるのは「第四十四条」と、「四十五日」とあるのは「二十日」と、同条第二項中「計画段階関係区市町村長」とあるのは「周知地域区市町村長」と読み替えるものとする。

Article 45 The provisions of Articles 18 and 19 apply mutatis mutandis to the written investigation plan made available for public inspection pursuant to the provisions of the preceding Article. In this case, the term “Article 16” in Article 18, paragraph (1) is deemed to be replaced with “Article 44”; the term “environmental impact consideration document” is deemed to be replaced with “written investigation plan”; the term “45 days” is deemed to be replaced with “20 days”; the term “mayor of the relevant special ward/municipality at the planning stage” in paragraph (2) of the same Article is deemed to be replaced with “mayor of the relevant special ward/municipality for the publicly announced area”; the term “mayor of the relevant special ward/municipality at the planning stage” in Article 19, paragraph (1) is deemed to be replaced with “mayor of the relevant special ward/municipality for the publicly announced area”; the term

“environmental impact consideration document” is deemed to be replaced with “written investigation plan”; the term “Article 16” is deemed to be replaced with “Article 44”; the term “45 days” is deemed to be replaced with “20 days”; and the term “mayor of the relevant special ward/municipality at the planning stage” in paragraph (2) of the same Article is deemed to be replaced with “mayor of the relevant special ward/municipality for the publicly announced area.”

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

第三節 調査計画書審査意見書の作成等

Section 3 Preparation of a Written Review Opinion on Written Investigation Plan

(平一〇条例一〇七・追加、平一四条例一二七・改称)

(Added by Ordinance No. 107 of 1998; renamed by Ordinance No. 127 of 2002)

(調査計画書審査意見書の作成)

(Preparation of a Written Review Opinion on the Written Investigation Plan)

第四十六条 知事は、第四十二条の規定による諮問について審議会の答申を受けたときは、第四十条第一項の規定により提出された調査計画書について、次に掲げる事項を勘案して、環境の保全の見地から審査し、その結果に基づく意見を記載した調査計画書審査意見書を作成しなければならない。

Article 46 (1) The governor, when having received the Council’s report on the consultation under the provisions of Article 42, must review the written investigation plan submitted pursuant to the provisions of Article 40, paragraph (1) from the standpoint of environmental conservation in consideration of the following matters, and prepare a written review opinion on the written investigation plan that states the opinions based on the review results.

一 前条において準用する第十八条第一項の意見書

(i) A written opinion in Article 18, paragraph (1) as applied mutatis mutandis pursuant to the preceding Article

二 前条において準用する第十九条第一項の求めに応じて提出された周知地域区市町村長の意見

(ii) Opinion of the mayor of the relevant special ward/municipality for the publicly announced area submitted as requested in Article 19, paragraph (1) as applied mutatis mutandis pursuant to the preceding Article

2 知事は、前項の調査計画書審査意見書を作成したときは、当該調査計画書審査意見書を事業者に、その写しを周知地域区市町村長に送付するとともに、その内容を公表するものとする。

- (2) The governor shall, when having prepared a written review opinion on the written investigation plan in the preceding paragraph, send said written review opinion on the written investigation plan to the project proponent, and a copy thereof to the mayor of the relevant special ward/municipality for the publicly announced area, and publicly announce the contents thereof.

(平一〇条例一〇七・追加、平一四条例一二七・旧第十九条繰下・一部改正)

(Added by Ordinance No. 107 of 1998; former Article 19 moved down and partially amended by Ordinance No. 127 of 2002)

(環境影響評価の項目等の選定)

(Selection of Items for an Environmental Impact Assessment)

第四十七条 事業者は、前条第一項の調査計画書審査意見書の送付を受けたときは、調査計画書について、当該調査計画書審査意見書並びに第四十五条において準用する第十八条第一項の意見書及び第四十五条において準用する第十九条第一項の求めに応じて提出された周知地域区市町村長の意見を勘案して検討を加え、環境影響評価の項目及び調査等の手法を選定しなければならない。

Article 47 A project proponent must, when having received a written review opinion on the written investigation plan in paragraph (1) of the preceding Article, review the written investigation plan, in consideration of said written review opinion on the written investigation plan, the written opinion in Article 18, paragraph (1) as applied mutatis mutandis pursuant to Article 45, and the opinion of the mayor of the relevant special ward/municipality for the publicly announced area submitted as requested in Article 19, paragraph (1) as applied mutatis mutandis pursuant to Article 45, and select the items for the environmental impact assessment and the method of the investigation, etc.

- 2 事業者は、前項の規定により環境影響評価の項目及び調査等の手法を選定したときは、その選定の結果を書面により知事に報告しなければならない。

- (2) A project proponent that has selected the items for an environmental impact assessment and the method of the investigation, etc. pursuant to the provisions of the preceding paragraph must report to the governor the results thereof in writing.

(平一〇条例一〇七・追加、平一四条例一二七・旧第二十条繰下・一部改正)

(Added by Ordinance No. 107 of 1998; former Article 20 moved down and partially amended by Ordinance No. 127 of 2002)

第四節 評価書案の作成等

Section 4 Preparation of a Draft Environmental Impact Statement

(平一〇条例一〇七・改称)

(Renamed by Ordinance No. 107 of 1998)

(評価書案の作成)

(Preparation of a Draft Environmental Impact Statement)

第四十八条 事業者は、調査計画書(第二十五条、第三十三条第四項又は第三十四条の規定により評価書案の作成及びこれに引き続く事業段階環境影響評価の手続を行う場合にあっては環境配慮書、第四十条第四項の規定が適用される場合にあっては規則で定める環境影響評価の項目について技術指針で定める手法)に基づき、対象事業の実施が環境に及ぼす影響について調査等を行い、規則で定めるところにより、次に掲げる事項を記載した環境影響評価書案(以下「評価書案」という。)及びその概要(以下「評価書案等」という。)を作成し、規則で定める時期までに知事に提出しなければならない。

Article 48 (1) A project proponent must, based on the written investigation plan (in the case of preparing a draft environmental impact statement and implementing the subsequent procedures for the project-stage environmental impact assessment pursuant to the provisions of Article 25, Article 33, paragraph (4), or Article 34, an environmental impact consideration document; in the case where the provisions of Article 40, paragraph (4) apply, the method provided for by the technical guidelines regarding the items for the environmental impact assessment provided for by the Regulations), conduct an investigation, etc. on the environmental impact of the implementation of the target project, and as provided for by the Regulations, prepare a draft environmental impact assessment statement that states the following matters (hereinafter referred to as “draft environmental impact statement”) and its summary (hereinafter referred to as “draft environmental impact statement, etc.”) and submit them to the governor by the time provided for by the Regulations.

一 事業者の氏名及び住所(法人にあつては、名称、代表者の氏名及び主たる事務所の所在地)

(i) Name and address of the project proponent (in the case of a corporation, its name, name of the representative, and location of the principal office)

二 対象事業の名称、目的及び内容

(ii) Name, purpose and content of the target project

三 事業計画の策定に至った経過(計画段階環境影響評価を実施したものについては、その結果の反映内容)

(iii) Progress that led up to the formulation of the project plan (for those that have conducted a planning stage environmental impact assessment, the contents that reflect the results thereof)

四 調査計画書を作成した対象事業については、その修正の経過

(iv) For a target project for which a written investigation plan has been prepared, the progress of the modification

五 調査の結果

(v) Results of the investigation

六 評価項目ごとに環境に及ぼす影響の内容及び程度

(vi) Content and extent of the environmental impact for each assessment item

七 環境の保全のための措置(当該措置を講ずることとするに至った検討の状況を含む。)

(vii) Measures for environmental conservation (including the status of review that led up to the decision to implement said measures)

八 環境に及ぼす影響の評価

(viii) Assessment of environmental impact

九 対象事業を実施しようとする地域及びその周辺地域で当該対象事業の実施が環境に影響を及ぼすおそれのある地域

(ix) Area where the target project is to be implemented and its surrounding area and where the implementation of said target project is likely to have an environmental impact

十 前各号に掲げるもののほか、規則で定める事項

(x) In addition to what is listed in the preceding items, matters provided for by the Regulations.

2 第四十条第二項及び第三項の規定は、同条第四項の規定が適用される場合に行う評価書案等の作成及び提出について準用する。この場合において、同条第二項及び第三項中「調査計画書」とあるのは、「評価書案等」と読み替えるものとする。

(2) The provisions of Article 40, paragraphs (2) and (3) apply mutatis mutandis to the preparation and submission of a draft environmental impact statement, etc. in the case where the provisions of paragraph (4) of the same Article apply. In this case, the term “written investigation plan” in paragraphs (2) and (3) of the same Article is deemed to be replaced with “draft environmental impact statement, etc.”

(平一〇条例一〇七・旧第九条繰下・一部改正、平一四条例一二七・旧第二十二条例下・一部改正、平三〇条例一一九・一部改正)

(Former Article 9 moved down and partially amended by Ordinance No. 107 of 1998; former Article 22 moved down and partially amended by Ordinance No. 127 of 2002; partially amended by Ordinance No. 119 of 2018)

(事業段階関係地域の決定及び評価書案等の送付等)

(Determination of a Project Stage Related Area and Sending of a Draft Environmental Impact Statement)

第四十九条 知事は、前条第一項の規定による評価書案等の提出があつたときは、遅滞なく、事業段階関係地域(第四十五条において準用する第十八条第一項の意見書及び第四十五条において準用する第十九条第一項の求めに応じて提出された周知地域区市町村長の

意見並びに事業者の行つた前条第一項の調査等の結果に照らし、周知地域に追加すべきものと認められる地域を含む。)を定めるとともに、当該評価書案の写しを事業段階関係区市町村長に送付しなければならない。

Article 49 (1) The governor must, when having received a draft environmental impact statement, etc. under the provisions of paragraph (1) of the preceding Article, without delay determine a project-stage related area (including an area that is found necessary to be added to the publicly announced area, in light of the written opinion in Article 18, paragraph (1) as applied mutatis mutandis pursuant to Article 45, the opinion of the mayor of the relevant special ward/municipality for the publicly announced area submitted as requested in Article 19, paragraph (1) as applied mutatis mutandis pursuant to Article 45, and the results of the investigation, etc. conducted by the project proponent in paragraph (1) of the preceding Article) and send a copy of said draft environmental impact statement to the mayor of the relevant special ward/municipality for the publicly announced area.

2 知事は、前項の規定により事業段階関係地域を定めたときは、その旨を事業段階関係区市町村長及び事業者に通知するとともに、評価書案等の提出があつた旨を当該対象事業に係る許認可権者に通知しなければならない。

(2) The governor must, when having determined a project-stage related area pursuant to the provisions of the preceding paragraph, notify thereof to the mayor of the relevant special ward/municipality at the project stage and the project proponent, and notify the approver pertaining to said target project of the fact that the draft environmental impact statement, etc. has been submitted.

(平一〇条例一〇七・追加、平一四条例一二七・旧第二十三条繰下・一部改正、平三〇条例一一九・一部改正)

(Added by Ordinance No. 107 of 1998; former Article 23 moved down by Ordinance No. 127 of 2002; partially amended by Ordinance No. 119 of 2018)

(審議会への諮問)

(Consultation to the Council)

第五十条 知事は、前条第一項の規定により事業段階関係地域を定めたときは、第四十八条第一項の規定により提出された評価書案等の写しを審議会に送付するとともに、第五十七条第一項の規定による評価書案審査意見書の作成について、審議会に諮問しなければならない。

Article 50 The governor must, when having determined a project stage related area pursuant to the provisions of paragraph (1) of the preceding Article, send to the Council a copy of the draft environmental impact statement, etc. submitted pursuant to the provisions of Article 48, paragraph (1) and consult with the Council on the preparation

of a written review opinion on the environmental impact statement under the provisions of Article 57 paragraph (1).

(平一〇条例一〇七・追加、平一四条例一二七・旧第二十四条繰下・一部改正、平三〇条例一一九・一部改正)

(Added by Ordinance No. 107 of 1998; former Article 24 moved down by Ordinance No. 127 of 2002; partially amended by Ordinance No. 119 of 2018)

(近隣県市町村長との協議)

(Consultation with Mayor of the Municipality of the Neighboring Prefecture)

第五十一条 第十五条の規定は、評価書案について準用する。この場合において、同条中「第十一条」とあるのは「第四十八条第一項」と、「環境配慮書等」とあるのは「評価書案等」と、「当該環境配慮書」とあるのは「当該評価書案」と、「同条第一項第八号」とあるのは「同項第九号」と、「対象計画に係る計画段階環境影響評価」とあるのは「対象事業に係る事業段階環境影響評価」と読み替えるものとする。

Article 51 The provisions of Article 15 apply mutatis mutandis to a draft environmental impact statement. In this case, the term “Article 11” in the same Article is deemed to be replaced with “Article 48, paragraph (1)”; the term “environmental impact consideration document, etc.” is deemed to be replaced with “draft environmental impact statement, etc.”; the term “said environmental impact consideration document” is deemed to be replaced with “said draft environmental impact statement”; the term “paragraph (1), item (viii) of the same Article” is deemed to be replaced with “item (ix) of the same paragraph”; and the term “planning stage environmental impact assessment pertaining to the target plan” is deemed to be replaced with “project stage environmental impact assessment pertaining to the target project.”

(平一四条例一二七・追加、平三〇条例一一九・一部改正)

(Added by Ordinance No. 127 of 2002 and partially amended by Ordinance No. 119 of 2018)

第五節 評価書案に関する周知及び意見

Section 5 Public Awareness and Opinions Regarding Draft Environmental Impact Statement

(平一〇条例一〇七・改称)

(Renamed by Ordinance No. 107 of 1998)

(事業段階関係地域及び評価書案についての公示及び縦覧)

(Public Notice and Public Inspection of a Project-Stage Related Area and a Draft Environmental Impact Statement)

第五十二条 知事は、第四十九条第一項の規定により事業段階関係地域を定めたときは、遅滞なく、当該事業段階関係地域の範囲及び評価書案等の提出があつた旨その他規則で

定める事項を公示し、当該評価書案を、公示の日から起算して三十日間、規則で定めるところにより縦覧に供しなければならない。

Article 52 The governor must, when having determined a project stage related area pursuant to the provisions of Article 49, paragraph (1), without delay publicly notify the extent of said project stage related area, the fact that the draft environmental impact statement, etc. has been submitted, and other matters provided for by the Regulations, and as provided for by the Regulations, make said draft environmental impact statement, etc. available for public inspection for 30 days from the date of public notice.

(平一〇条例一〇七・旧第十六条繰下・一部改正、平一四条例一二七・旧第二十五条繰下・一部改正)

(Former Article 16 moved down and partially amended by Ordinance No. 107 of 1998; former Article 25 moved down and partially amended by Ordinance No. 127 of 2002)
(説明会の開催等)

(Holding a Briefing Session)

第五十三条 第十七条の規定は、第四十八条第一項の規定により提出された評価書案について準用する。この場合において、第十七条第一項中「前条」とあるのは「第五十二条」と、「環境配慮書」とあるのは「評価書案」と、「計画段階関係地域」とあるのは「事業段階関係地域」と、同条第三項中「前条」とあるのは「第五十二条」と読み替えるものとする。

Article 53 The provisions of Article 17 apply mutatis mutandis to a draft environmental impact statement submitted pursuant to the provisions of Article 48, paragraph (1). In this case, the term “preceding Article” in Article 17, paragraph (1) is deemed to be replaced with “Article 52”; the term “environmental impact consideration document” is deemed to be replaced with “draft environmental impact statement”; the term “planning-stage related area” is deemed to be replaced with “project-stage related area”; and the term “preceding Article” in paragraph (3) of the same Article is deemed to be replaced with “Article 52.”

(平一四条例一二七・追加、平三〇条例一一九・一部改正)

(Added by Ordinance No. 127 of 2002 and partially amended by Ordinance No. 119 of 2018)

(都民等の意見)

(Opinions of the Citizens of Tokyo)

第五十四条 第十八条及び第十九条の規定は、第四十八条第一項の規定により提出された評価書案について準用する。この場合において、第十八条第一項中「第十六条」とあるのは「第五十二条」と、「環境配慮書」とあるのは「評価書案」と、同条第二項中「計画段階関係区市町村長」とあるのは「事業段階関係区市町村長」と、第十九条第一項中

「計画段階関係区市町村長」とあるのは「事業段階関係区市町村長」と、「環境配慮書」とあるのは「評価書案」と、「第十六条」とあるのは「第五十二条」と、同条第二項中「計画段階関係区市町村長」とあるのは「事業段階関係区市町村長」と読み替えるものとする。

Article 54 The provisions of Articles 18 and 19 apply mutatis mutandis to a draft environmental impact statement submitted pursuant to the provisions of Article 48, paragraph (1). In this case, the term “Article 16” in Article 18, paragraph (1) is deemed to be replaced with “Article 52”; the term “environmental impact consideration document” is deemed to be replaced with “draft environmental impact statement”; the term “mayor of the relevant special ward/municipality at the planning stage” in paragraph (2) of the same Article is deemed to be replaced with “mayor of the relevant special ward/municipality at the project stage”; the term “mayor of the relevant special ward/municipality at the planning stage” in Article 19, paragraph (1) is deemed to be replaced with “mayor of the relevant special ward/municipality at the project stage”; the term “environmental impact consideration document” is deemed to be replaced with “draft environmental impact statement”; the term “Article 16” is deemed to be replaced with “Article 52”; and the term “mayor of the relevant special ward/municipality at the planning stage” in paragraph (2) of the same Article is deemed to be replaced with “mayor of the relevant special ward/municipality at the project stage.”

(平一〇条例一〇七・追加、平一四条例一二七・旧第二十七条繰下・一部改正、平三〇条例一一九・一部改正)

(Added by Ordinance No. 107 of 1998; former Article 27 moved down and partially amended by Ordinance No. 127 of 2002; partially amended by Ordinance No. 119 of 2018)

第六節 評価書案に係る見解書の作成等

Section 6 Preparation of a Written Opinion Pertaining to Draft Environmental Impact Statement

(平一〇条例一〇七・改称)

(Renamed by Ordinance No. 107 of 1998)

(評価書案に係る見解書の作成等)

(Preparation of a Written Opinion Pertaining to Draft Environmental Impact Statement)

第五十五条 事業者は、前条において準用する第十八条第一項の意見書及び前条において準用する第十九条第二項の事業段階関係区市町村長の意見を記した書面の写しの送付を受けたときは、これらの意見書等に対する見解を明らかにするために、規則で定めるところにより、次に掲げる事項を記載した評価書案に係る見解書を作成し、知事に提出しなければならない。

Article 55 (1) When having received a written opinion in Article 18, paragraph (1) as applied mutatis mutandis pursuant to the preceding Article and a copy of a document that states the opinion of the mayor of the relevant special ward/municipality at the project stage in Article 19, paragraph (2) as applied mutatis mutandis pursuant to the preceding Article, the project proponent must, as provided for by the Regulations, prepare a written opinion pertaining to the draft environmental impact statement that states the following matters, to clarify its opinion on these written opinions, etc., and submit it to the governor.

一 事業者の氏名及び住所(法人にあつては、名称、代表者の氏名及び主たる事務所の所在地)

(i) Name and address of the project proponent (in the case of a corporation, its name, name of the representative, and location of the principal office)

二 対象事業の名称、目的及び内容

(ii) Name, purpose and content of the target project

三 第四十九条第一項の規定により知事が定めた事業段階関係地域

(iii) Project-stage related area determined by the governor pursuant to the provisions of Article 49, paragraph (1)

四 前条において準用する第十八条第一項の意見書及び前条において準用する第十九条第一項の求めに応じて提出された事業段階関係区市町村長の意見の概要

(iv) Summary of the written opinion in Article 18, paragraph (1) as applied mutatis mutandis pursuant to the preceding Article and the opinion of the mayor of the relevant special ward/municipality at the project stage submitted as requested in Article 19, paragraph (1) as applied mutatis mutandis pursuant to the preceding Article

五 前号に掲げる意見書及び意見についての事業者の見解

(v) Opinion of the project proponent on the written opinion and opinions listed in the preceding item

六 前各号に掲げるもののほか、規則で定める事項

(vi) In addition to what is listed in the preceding items, matters provided for by the Regulations.

2 知事は、前項の規定による見解書の提出があつたときは、遅滞なく、当該見解書の提出があつた旨その他規則で定める事項を公示し、当該見解書を、公示の日から起算して二十日間、規則で定めるところにより縦覧に供するとともに、当該見解書の写しを事業段階関係区市町村長及び審議会に送付しなければならない。

(2) The governor must, when having received a written opinion under the provisions of the preceding paragraph, without delay publicly notify the fact that said written

opinion has been submitted and other matters provided for by the Regulations, make said written opinion available for public inspection for 20 days from the date of public notice, as provided for by the Regulations, and send a copy of said written opinion to the mayor of the relevant special ward/municipality at the project stage and the Council.

(平一〇条例一〇七・旧第二十一条繰下・一部改正、平一四条例一二七・旧第二十九条繰下・一部改正)

(Former Article 21 moved down and partially amended by Ordinance No. 107 of 1998; former Article 29 moved down and partially amended by Ordinance No. 127 of 2002)
(都民の意見を聴く会の開催等)

(Holding a Meeting to Hear Opinions of the Citizens of Tokyo)

第五十六条 知事は、前条第二項の縦覧期間を経過した後、第四十八条第一項の規定により提出された評価書案及び前条第一項の規定により提出された評価書案に係る見解書の内容について都民の意見を聴くため、都民の意見を聴く会を開催しなければならない。ただし、第五十四条において準用する第十八条第一項の意見書の提出がない場合は、この限りでない。

Article 56 (1) The governor must, after the expiration of the public inspection period in paragraph (2) of the preceding Article, hold a meeting to hear opinions of the citizens of Tokyo on the contents of the draft environmental impact statement submitted pursuant to the provisions of Article 48, paragraph (1) and the written opinion pertaining to the draft environmental impact statement submitted pursuant to the provisions of paragraph (1) of the preceding Article. However, this does not apply to the case where no written opinion in Article 18, paragraph (1) as applied mutatis mutandis pursuant to Article 54 is submitted.

2 第二十条第二項から第五項までの規定は前項の都民の意見を聴く会について準用する。この場合において、第二十条第三項中「計画段階関係区市町村長」とあるのは「事業段階関係区市町村長」と読み替えるものとする。

(2) The provisions of Article 20, paragraphs (2) through (5) apply mutatis mutandis to a meeting to hear opinions of the citizens of Tokyo in the preceding paragraph. In this case, the term “mayor of the relevant special ward/municipality at the planning stage” in Article 20, paragraph (3) is deemed to be replaced with “mayor of the relevant special ward/municipality at the project stage.”

(平一四条例一二七・追加、平三〇条例一一九・一部改正)

(Added by Ordinance No. 127 of 2002 and partially amended by Ordinance No. 119 of 2018)

第七節 評価書案審査意見書の作成等

Section 7 Preparation of a Written Review Opinion on Environmental Impact Statement

(平一〇条例一〇七・平一四条例一二七・改称)

(Renamed by Ordinance No. 107 of 1998 and Ordinance No. 127 of 2002)

(評価書案審査意見書の作成等)

(Preparation of a Written Review Opinion on Environmental Impact Statement)

第五十七条 知事は、第五十条の規定による諮問について審議会の答申を受けたときは、第四十八条第一項の規定により提出された評価書案について、次に掲げる事項を勘案して、環境の保全の見地から審査し、その結果に基づく意見を記載した評価書案審査意見書を作成しなければならない。

Article 57 (1) The governor must, when having received the Council's report on the consultation under the provisions of Article 50, review the draft environmental impact statement submitted pursuant to the provisions of Article 48, paragraph (1) from the standpoint of environmental conservation in consideration of the following matters, and prepare a written review opinion on the environmental impact statement that states the opinions based on the review results.

一 第四十五条及び第五十四条において準用する第十八条第一項の意見書

(i) Written opinion in Article 18, paragraph (1) as applied mutatis mutandis to Articles 45 and 54

二 第四十五条及び第五十四条において準用する第十九条第一項の求めに応じて提出された事業段階関係区市町村長の意見

(ii) Opinion of the mayor of the relevant special ward/municipality at the project stage submitted as requested in Article 19, paragraph (1) as applied mutatis mutandis pursuant to Articles 45 and 54

三 第五十五条第一項の規定により提出された見解書

(iii) Written opinion submitted pursuant to the provisions of Article 55, paragraph (1)

四 前条第二項において準用する第二十条第三項の規定により記録された都民の意見を聴く会の意見

(iv) Opinions of the citizens of Tokyo recorded pursuant to the provisions of Article 20, paragraph (3) as applied mutatis mutandis pursuant to paragraph (2) of the preceding Article

2 知事は、前項の規定により評価書案審査意見書を作成したときは、当該評価書案審査意見書を事業者に、その写しを事業段階関係区市町村長に送付するとともに、その内容を公表するものとする。

(2) The governor shall, when having prepared a written review opinion on the environmental impact statement pursuant to the provisions of the preceding paragraph,

send said written review opinion on the environmental impact statement to the project proponent, and a copy thereof to the mayor of the relevant special ward/municipality at the project stage, and publicly announce the contents thereof.

(平一〇条例一〇七・旧第二十二條繰下・一部改正、平一四条例一二七・旧第三十條繰下・一部改正、平三〇条例一一九・一部改正)

(Former Article 22 moved down and partially amended by Ordinance No. 107 of 1998; former Article 30 moved down and partially amended by Ordinance No. 127 of 2002; partially amended by Ordinance No. 119 of 2018)

第八節 評価書の作成等

Section 8 Preparation of an Environmental Impact Statement

(平一〇条例一〇七・改称)

(Renamed by Ordinance No. 107 of 1998)

(評価書の作成)

(Preparation of an Environmental Impact Statement)

第五十八条 事業者は、前条第二項の規定による評価書案審査意見書の送付を受けたときは、第四十八条第一項の規定により作成した評価書案について、当該評価書案審査意見書並びに第五十四条において準用する第十八条第一項の意見書、第五十四条において準用する第十九条第一項の求めに応じて提出された事業段階関係区市町村長の意見及び第五十六条第二項において準用する第二十条第三項の規定により記録された都民の意見を聴く会の意見に基づき検討を加え、規則で定めるところにより、次に掲げる事項を記載した環境影響評価書(以下「評価書」という。)及びその概要(以下「評価書等」という。)を作成し、知事に提出しなければならない。

Article 58 (1) A project proponent must, when having received a written review opinion on the environmental impact statement pursuant to the provisions of paragraph (2) of the preceding Article, review the draft environmental impact statement prepared pursuant to the provisions of Article 48, paragraph (1) based on said written review opinion on the environmental impact statement, the written opinion in Article 18, paragraph (1) as applied mutatis mutandis pursuant to Article 54, the opinion of the mayor of the relevant special ward/municipality at the project stage submitted as requested in Article 19, paragraph (1) as applied mutatis mutandis pursuant to Article 54, and the opinions of the meeting to hear opinions of the citizens of Tokyo recorded pursuant to the provisions of Article 20, paragraph (3) as applied mutatis mutandis pursuant to Article 56, paragraph (2), and as provided for by the Regulations, prepare an environmental impact assessment statement that states the following matters (hereinafter referred to as “environmental impact statement”) and its summary

(hereinafter referred to as “environmental impact statement, etc.”) and submit them to the governor.

一 第四十八条第一項各号に掲げる事項

(i) Matters listed in each item of Article 48, paragraph (1)

二 前号に掲げる事項のうち、当該評価書案を修正したものについては、その経過

(ii) Modifications to said draft environmental impact statement among the matters listed in the preceding item, the progress

三 第五十五条第一項第三号から第五号までに掲げる事項

(iii) Matters listed in Article 55, paragraph (1), items (iii) through (v)

四 第五十六条第二項において準用する第二十条第三項の規定により記録された都民の意見を聴く会の意見の概要

(iv) A summary of the opinions of the meeting to hear opinions of the citizens of Tokyo recorded pursuant to the provisions of Article 20, paragraph (3) as applied mutatis mutandis pursuant to Article 56, paragraph (2)

五 前条第一項の規定により作成された評価書案審査意見書に記載された知事の意見

(v) The governor's opinion that is stated in the written review opinion on the environmental impact statement prepared pursuant to the provisions of paragraph (1) of the preceding Article

六 前各号に掲げるもののほか、規則で定める事項

(vi) In addition to what is listed in the preceding items, matters provided for by the Regulations.

2 前項の規定にかかわらず、事業者は、第三十三条第四項の規定により評価書の提出から事業段階環境影響評価の手続を行う場合には、第三十五条において準用する第二十四条第一項の規定による書面を知事に提出した後、第二十九条の規定により作成した特例環境配慮書について、第三十三条第一項の特例環境配慮書審査意見書、第三十五条において準用する第十八条第一項の意見書、第三十五条において準用する第十九条第一項の求めに応じて提出された計画段階関係区市町村長の意見及び第三十二条第二項において準用する第二十条第三項の規定により記録された都民の意見を聴く会の意見に基づき検討を加え、規則で定めるところにより、次に掲げる事項を記載した評価書等を作成し、知事に提出しなければならない。

(2) Notwithstanding the provision of the preceding paragraph, when intending to implement the procedures for the project-stage environmental impact assessment from the submission of the environmental impact statement pursuant to the provisions of Article 33, paragraph (4), after submitting to the governor a document under the provisions of Article 24, paragraph (1) as applied mutatis mutandis pursuant to Article 35, the project proponent must review the special environmental impact consideration

document prepared pursuant to the provisions of Article 29 based on the written review opinion on the special environmental impact consideration document in Article 33, paragraph (1), the written opinion in Article 18, paragraph (1) as applied mutatis mutandis pursuant to Article 35, the opinion of the mayor of the relevant special ward/municipality at the planning stage submitted as requested in Article 19, paragraph (1) as applied mutatis mutandis pursuant to Article 35, and the opinions of the meeting to hear opinions of the citizens of Tokyo recorded pursuant to the provisions of Article 20, paragraph (3) as applied mutatis mutandis pursuant to Article 32, paragraph (2), and as provided for by the Regulations, prepare an environmental impact statement, etc. that states the following matters and submit it to the governor.

一 事業者の氏名及び住所(法人にあつては、名称、代表者の氏名及び主たる事務所の所在地)

(i) Name and address of the project proponent (in the case of a corporation, its name, name of the representative, and location of the principal office)

二 対象事業の名称、目的及び内容

(ii) Name, purpose and content of the target project

三 事業計画の策定に至った経過(計画段階環境影響評価を実施した結果の反映内容を含む。)

(iii) Progress that led up to the formulation of the project plan (including the contents that reflect the results of the planning-stage environmental impact assessment conducted)

四 調査の結果

(iv) Results of the investigation

五 評価項目ごとに環境に及ぼす影響の内容及び程度

(v) Content and extent of the environmental impact for each assessment item

六 環境の保全のための措置(当該措置を講ずることとするに至った検討の状況を含む。)

(vi) Measures for environmental conservation (including the status of review that led up to the decision to implement said measures)

七 環境に及ぼす影響の評価

(vii) Assessment of environmental impact

八 対象事業を実施しようとする地域及びその周辺地域で当該対象事業の実施が環境に影響を及ぼすおそれのある地域

(viii) Area where the target project is to be implemented and its surrounding area and where the implementation of said target project is likely to have an environmental impact

九 第三十二条第一項第三号から第五号までに掲げる事項

(ix) Matters listed in Article 32, paragraph (1), items (iii) through (v)

十 第三十二条第二項において準用する第二十条第三項の規定により記録された都民の意見を聴く会の意見の概要

(x) A summary of the opinions of the meeting to hear opinions of the citizens of Tokyo recorded pursuant to the provisions of Article 20, paragraph (3) as applied mutatis mutandis pursuant to Article 32, paragraph (2)

十一 第三十三条第一項の規定により作成された特例環境配慮書審査意見書に記載された知事の意見

(xi) The governor's opinion that is stated in the written review opinion on the special environmental impact consideration document prepared pursuant to the provisions of Article 33, paragraph (1)

十二 対象事業に係る環境影響評価の項目及び調査等の手法

(xii) Items for an environmental impact assessment pertaining to the target project and the method of the investigation, etc.

十三 前各号に掲げるもののほか、規則で定める事項

(xiii) In addition to what is listed in the preceding items, matters provided for by the Regulations.

3 前項の場合において、第三十条第一項の規定により定めた計画段階関係地域は、事業段階関係地域とみなす。

(3) In the case of the preceding paragraph, the planning-stage related area determined pursuant to the provisions of Article 30, paragraph (1) is deemed to be a project-stage related area.

(平一〇条例一〇七・旧第二十三条繰下・一部改正、平一四条例一二七・旧第三十一条繰下・一部改正、平三〇条例一一九・一部改正)

(Former Article 23 moved down and partially amended by Ordinance No. 107 of 1998; former Article 31 moved down and partially amended by Ordinance No. 127 of 2002; partially amended by Ordinance No. 119 of 2018)

(評価書についての公示、縦覧等)

(Public Notice and Public Inspection of an Environmental Impact Statement)

第五十九条 知事は、前条の規定による評価書等の提出があつたときは、遅滞なく、当該対象事業に係る許認可権者にその写しを送付するとともに、当該評価書等の提出があつた旨その他規則で定める事項を公示し、当該評価書を、公示の日から起算して十五日間、規則で定めるところにより縦覧に供しなければならない。

Article 59 (1) The governor must, when having received an environmental impact statement, etc. under the provisions of the preceding Article, without delay send a copy

thereof to the approver pertaining to said target project and publicly notify the fact that said environmental impact statement, etc. has been submitted and other matters provided for by the Regulations, and as provided for by the Regulations, make said environmental impact statement available for public inspection for 15 days from the date of public notice.

- 2 知事は、前項の規定による公示をしたときは、前条の規定により提出された評価書等の写しを、事業段階関係区市町村長及び第五十一条において準用する第十五条の規定により評価書案の写しを送付した近隣県市町村長(前条第二項の場合にあつては、同条第三項の規定により事業段階関係地域とみなされた地域における近隣県市町村長)に送付しなければならない。

- (2) The governor must, when having made a public notice under the provisions of the preceding paragraph, send a copy of the environmental impact statement, etc. submitted pursuant to the provisions of the preceding Article to the mayor of the relevant special ward/municipality at the project stage and to the mayor of the municipality of the neighboring prefecture who has sent a copy of the draft environmental impact statement pursuant to the provisions of Article 15 as applied mutatis mutandis pursuant to Article 51 (in the case of paragraph (2) of the preceding Article, the mayor of the municipality of the neighboring prefecture of the area deemed as a project stage related area pursuant to the provisions of paragraph (3) of the same Article).

(平一〇条例一〇七・旧第二十四条繰下・一部改正、平一四条例一二七・旧第三十二条繰下・一部改正)

(Former Article 24 moved down and partially amended by Ordinance No. 107 of 1998; former Article 32 moved down and partially amended by Ordinance No. 127 of 2002)
(許認可権者への要請)

(Request to an Approver)

第六十条 知事は、前条第一項の規定により評価書等の写しを許認可権者に送付するときは、当該許認可権者に対し、当該対象事業の実施についての許認可等を行うに際して当該評価書の内容について十分配慮するよう要請しなければならない。

Article 60 The governor must, when intending to send to the approver a copy of the environmental impact statement, etc. pursuant to the provisions of paragraph (1) of the preceding Article, request said approver to give due consideration to the contents of said environmental impact statement when granting approval, etc. for the implementation of said target project.

(平一〇条例一〇七・旧第二十五条繰下、平一四条例一二七・旧第三十三条繰下・一部改正)

(Former Article 25 moved down by Ordinance No. 107 of 1998; former Article 33 moved down and partially amended by Ordinance No. 127 of 2002)

(対象事業の実施の制限)

(Restrictions on Implementation of a Target Project)

第六十一条 事業者は、第五十九条第一項の規定による公示の日までは、当該対象事業を実施してはならない。

Article 61 A project proponent must not implement said target project until the date of public notice under the provisions of Article 59, paragraph (1).

(平一〇条例一〇七・旧第二十六条繰下・一部改正、平一四条例一二七・旧第三十四繰下・一部改正)

(Former Article 26 moved down and partially amended by Ordinance No. 107 of 1998; former Article 34 moved down and partially amended by Ordinance No. 127 of 2002)

第九節 対象事業の変更等

Section 9 Change in a Target Project

(平一〇条例一〇七・改称)

(Renamed by Ordinance No. 107 of 1998)

(変更の届出等)

(Notification of Changes)

第六十二条 事業者は、第四十条第一項の規定により調査計画書を提出してから(第二十五条及び第四十条第四項の規定の適用を受けた場合にあつては第四十八条第一項の規定により評価書案等を提出してから、第三十三条第四項の規定の適用を受けた場合にあつては第三十五条において準用する第二十四条の規定により書面を提出してから)第六十八条第一項の規定による工事完了の届出がなされるまでの間に、第四十条第一項第一号若しくは第二号に掲げる事項を変更しようとするとき、又は対象事業の実施を中止し、若しくは廃止しようとするときは、規則で定めるところにより、その旨を知事に届け出なければならない。ただし、対象事業の目的又は内容の変更をしようとする場合において、当該変更が軽微な変更その他の規則で定める変更該当するときは、この限りでない。

Article 62 (1) When intending to change the matters listed in Article 40, paragraph (1), item (i) or (ii), or to discontinue or abolish the implementation of said project during the period between the submission of the written investigation plan pursuant to the provisions of Article 40, paragraph (1) (in the case where the provisions of Article 25 and Article 40, paragraph (4) apply, the submission of a document pursuant to the provisions of Article 24 as applied mutatis mutandis pursuant to Article 35) and the notification of completion of the construction work under the provisions of Article 68, paragraph (1), the project proponent must, as provided for by the Regulations, notify

thereof to the governor. However, this does not apply to the case where the purpose or content of the target project is to be changed and said change falls under the category of minor change or other changes provided for by the Regulations.

- 2 知事は、前項の規定による届出があつたときは、遅滞なく、当該届出の内容を公表しなければならない。

- (2) The governor must, when having received a notification under the provisions of the preceding paragraph, publicly announce the contents of said notification without delay.

- 3 第一項の規定による届出のうち事業者の変更の届出があつた場合においては、変更前の事業者に係る対象事業について行われたこの条例の規定による手続は、変更後の事業者に係る対象事業について行われたものとみなす。

- (3) In the case of a notification of a change in the project proponent among notifications under the provisions of paragraph (1), the procedures under the provisions of this Ordinance that were implemented with respect to a target project pertaining to the project proponent the before change are deemed to have implemented with respect to a target project pertaining to the project proponent after the change.

(平一〇条例一〇七・旧第二十七条繰下・一部改正、平一四条例一二七・旧第三十五条繰下・一部改正、平三〇条例一一九・一部改正)

(Former Article 27 moved down and partially amended by Ordinance No. 107 of 1998; former Article 35 moved down and partially amended by Ordinance No. 127 of 2002; partially amended by Ordinance No. 119 of 2018)

(事業内容の変更による手続の再実施)

(Re-implementation of Procedures Due to Change in Project Contents)

第六十三条 知事は、前条第一項の規定による変更の届出があつた対象事業について、当該変更が環境に著しい影響を及ぼすおそれがあると認めるときは、審議会の意見を聴いた上で、当該事業者に対し、既に完了している手続の全部又は一部を再度実施するよう求めるものとする。

Article 63 When finding that said change is likely to have a significant environmental impact with respect to the target project for which a notification of a change under the provisions of paragraph (1) of the preceding Article has been submitted, the governor shall, after hearing the Council's opinion, request said project proponent to re-implement all or part of the procedures that have already been completed.

(平一〇条例一〇七・旧第二十八条繰下・一部改正、平一四条例一二七・旧第三十六条繰下)

(Former Article 28 moved down and partially amended by Ordinance No. 107 of 1998; former Article 36 moved down by Ordinance No. 127 of 2002)

(事情変更による手続の再実施)

(Re-implementation of Procedures Due to Change in Circumstances)

第六十四条 知事は、事業者が第五十九条第一項の縦覧期間が満了した日から五年を経過した後当該対象事業に係る工事に着手しようとする場合において、関係地域の状況が当該縦覧期間満了のときと比較して著しく異なっていることにより環境の保全上必要があると認めるときは、当該事業者に対し、既に完了している手続の全部又は一部を再度実施するよう求めるものとする。

Article 64 In the case where a project proponent intends to commence construction work pertaining to said target project after five years have elapsed from expiration of the public inspection period in Article 59, paragraph (1), when finding it necessary for environmental conservation since the conditions in the related area have changed significantly from those at the time of expiration of said public inspection period, the governor shall request said project proponent to re-implement all or part of the procedures that have already been completed.

(平一〇条例一〇七・旧第二十九条繰下・一部改正、平一四条例一二七・旧第三十七条例下・一部改正)

(Former Article 29 moved down and partially amended by Ordinance No. 107 of 1998; former Article 37 moved down and partially amended by Ordinance No. 127 of 2002)

第四章 事後調査の手続

Chapter 4 Post-investigation Procedures

(平一四条例一二七・旧第三章繰下)

(Former Chapter 3 moved down by Ordinance No. 127 of 2002)

(事後調査計画書の提出等)

(Submission of a Written Post-investigation Plan)

第六十五条 事業者は、第五十八条の規定により提出した評価書に記載された予測及び評価の項目について、事後調査を実施するための計画書(以下「事後調査計画書」という。)を作成し、次条の規定による着工の届出とともに知事に提出しなければならない。

Article 65 (1) A project proponent must prepare a written plan to implement a post-investigation (hereinafter referred to as “post-investigation”) with respect to the items for prediction and assessment stated in the environmental impact statement submitted pursuant to the provisions of Article 58, and submit to the governor together with the notification of the commencement of construction work under the provisions of the following Article.

2 知事は、前項の規定による事後調査計画書の提出があつたときは、遅滞なく、その写しを事業段階関係区市町村長に送付するとともに、その内容を公表しなければならない。

(2) The governor must, when having received a written post-investigation plan under the provisions of the preceding paragraph, without delay send a copy thereof to the mayor of the relevant special ward/municipality at the project stage and publicly announce the contents thereof.

3 事後調査計画書は、知事があらかじめ事後調査の項目、方法、範囲その他の事項について審議会の意見を聴いて定める基準に基づき、作成するものとする。

(3) A written post-investigation plan shall be prepared in accordance with the criteria provided for by the governor in advance after hearing the Council's opinion on the items, method, scope, and other matters of the post-investigation.

(平一〇条例一〇七・旧第三十条繰下・一部改正、平一四条例一二七・旧第三十八条繰下・一部改正)

(Former Article 30 moved down and partially amended by Ordinance No. 107 of 1998; former Article 38 moved down and partially amended by Ordinance No. 127 of 2002)
(着工の届出等)

(Notification of Construction Work Commencement)

第六十六条 事業者は、対象事業に係る工事に着手するときは、規則で定めるところにより、次に掲げる事項を知事に届け出なければならない。

Article 66 (1) A project proponent that intends to commence construction work pertaining to the target project must, as provided for by the Regulations, notify the governor of the following matters.

一 事業者の氏名及び住所(法人にあつては、名称、代表者の氏名及び主たる事務所の所在地)

(i) Name and address of the project proponent (in the case of a corporation, its name, name of the representative, and location of the principal office)

二 対象事業の名称

(ii) Name of target project

三 工事着手の予定年月日

(iii) Planned date for commencement of the construction work

四 工事完了の予定年月日

(iv) Estimated date of completion of the construction work

五 前各号に掲げるもののほか、規則で定める事項

(v) In addition to what is listed in the preceding items, matters provided for by the Regulations.

2 知事は、前項の規定による届出があつたときは、遅滞なく、当該届出の内容を公示するとともに、届出があつた旨を事業段階関係区市町村長に通知しなければならない。

(2) The governor must, when having received a notification under the provisions of

the preceding paragraph, without delay publicly notify the contents of said notification and notify the mayor of the relevant special ward/municipality at the project stage to the effect that the notification has been submitted.

(平一〇条例一〇七・旧第三十一条繰下・一部改正、平一四条例一二七・旧第三十九条繰下・一部改正)

(Former Article 31 moved down and partially amended by Ordinance No. 107 of 1998; former Article 39 moved down and partially amended by Ordinance No. 127 of 2002)
(事後調査報告書の作成等)

(Preparation of a Written Report of Post-investigation)

第六十七条 事業者は、対象事業に係る工事に着手した後において、第六十五条第一項の規定により提出した事後調査計画書に基づき事後調査を行い、その結果を記載した事後調査報告書(以下「事後調査報告書」という。)を作成し、規則で定めるところにより知事に提出しなければならない。

Article 67 (1) A project proponent must, after commencing the construction work pertaining to the target project, conduct a post-investigation based on the written post-investigation plan submitted pursuant to the provisions of Article 65, paragraph (1), prepare a written report of post-investigation that states the results thereof (hereinafter referred to as “written report of post-investigation”), and as provided for by the Regulations, submit it to the governor.

2 知事は、前項の規定による事後調査報告書の提出があつたときは、その内容を公表するとともに、当該事後調査報告書の写しを事業段階関係区市町村長に送付しなければならない。

(2) The governor must, when having received a written report of post-investigation under the provisions of the preceding paragraph, publicly announce the contents thereof and send a copy of said written report of post-investigation to the mayor of the relevant special ward/municipality at the project stage.

3 知事は、第一項の規定による事後調査報告書の提出があつた場合において、必要があると認めるときは審議会の意見を聴いた上、当該事後調査報告書の内容を審査し、当該対象事業が環境に著しい影響を及ぼすおそれがあると認めるときは、直ちに、当該事業者に対し、環境の保全について必要な措置を講ずることを求めるとともに、当該対象事業に係る環境に著しい影響を及ぼすおそれがあると認める行為について法令又は条例に基づく規制その他の措置をとる権限を有する者に対し、当該法令又は条例に基づく規制その他の措置をとるよう要請しなければならない。

(3) When a written report of post-investigation under the provisions of paragraph (1) has been submitted, and when it is found necessary, the governor must, after hearing the Council's opinion, review the contents of said written report of post-investigation; if

it is found that said target project is likely to have a significant environmental impact, the governor must request said project proponent to promptly implement necessary measures for environmental conservation, and request the person, who has the authority to implement regulations or other measures based on laws and regulations or ordinances with respect to the activities that are found likely to have a significant environmental impact pertaining to said target project, to implement regulations or other measures based on said laws and regulations or ordinances.

(平一〇条例一〇七・旧第三十二条繰下・一部改正、平一四条例一二七・旧第四十条繰下・一部改正)

(Former Article 32 moved down and partially amended by Ordinance No. 107 of 1998; former Article 40 moved down and partially amended by Ordinance No. 127 of 2002)
(工事完了の届出等)

(Notification of Completion of Construction Work)

第六十八条 事業者は、対象事業に係る工事が完了したときは、遅滞なく、その旨を知事に届け出なければならない。

Article 68 (1) A project proponent must, when having completed the construction work pertaining to the target project, notify thereof to the governor without delay.

2 第六十六条第二項の規定は、前項の規定による届出について準用する。

(2) The provisions of Article 66, paragraph (2) apply mutatis mutandis to a notification under the provisions of the preceding paragraph.

(平一〇条例一〇七・旧第三十三条繰下・一部改正、平一四条例一二七・旧第四十一条繰下・一部改正)

(Former Article 33 moved down and partially amended by Ordinance No. 107 of 1998; former Article 41 moved down and partially amended by Ordinance No. 127 of 2002)

第五章 審議会

Chapter 5 The Council

(平一〇条例一〇七・改称、平一四条例一二七・旧第四章繰下)

(Renamed by Ordinance No. 107 of 1998; former Chapter 4 moved down by Ordinance No. 127 of 2002)

(設置)

(Establishment)

第六十九条 この条例によりその権限に属させられた事項並びに知事の諮問に応じ環境影響評価及び事後調査に関する重要事項を調査審議させるため、知事の附属機関として、審議会を置く。

Article 69 The Council is established as an affiliated body of the governor to

investigate and deliberate on matters under its authority pursuant to this Ordinance and on important matters concerning environmental impact assessments and post-investigations in response to the governor's request for consultation.

(平一〇条例一〇七・旧第三十四条繰下、平一四条例一二七・旧第四十二条繰下)

(Former Article 34 moved down by Ordinance No. 107 of 1998; former Article 42 moved down by Ordinance No. 127 of 2002)

(組織)

(Organization)

第七十条 審議会は、委員四十人以内をもつて組織する。

Article 70 (1) The Council is to consist of not more than 40 members.

2 特別の事項を調査審議させるため必要があるときは、審議会に臨時委員を置くことができる。

(2) The Council may appoint temporary members when it is necessary to investigate and deliberate on special matters.

3 委員及び臨時委員は、学識経験を有する者のうちから、知事が委嘱する。

(3) The Council members and temporary Council members are to be appointed by the governor from among those with relevant academic knowledge and experience.

(平一〇条例一〇七・旧第三十五条繰下、平一四条例一二七・旧第四十三条繰下・一部改正)

(Former Article 35 moved down by Ordinance No. 107 of 1998; former Article 43 moved down and partially amended by Ordinance No. 127 of 2002)

(専門員)

(Experts)

第七十一条 専門の事項を調査させるため必要があるときは、審議会に専門員を置くことができる。

Article 71 (1) Experts may be assigned to the Council when necessary to investigate specialized matters.

2 専門員は、学識経験を有する者のうちから、知事が委嘱する。

(2) Experts are to be appointed by the governor from among those with relevant academic knowledge and experience.

(平一〇条例一〇七・旧第三十六条繰下、平一四条例一二七・旧第四十四条繰下)

(Former Article 36 moved down by Ordinance No. 107 of 1998; former Article 44 moved down by Ordinance No. 127 of 2002)

(委員等の任期)

(Term of Office of a Council Member)

第七十二条 委員の任期は二年とし、補欠委員の任期は前任者の残任期間とする。ただし、

再任を妨げない。

Article 72 (1) The term of office of a Council member shall be two years, and the term of office of a substitute Council member shall be the remaining term of their predecessor. However, reappointment is not to be precluded.

2 臨時委員の任期は、特別の事項に関する調査審議が終了するまでとする。

(2) The term of office of a temporary Council member shall be until the completion of the investigation and deliberation of the relevant special matters.

3 専門員の任期は、専門の事項に関する調査が終了するまでとする。

(3) The term of office of an expert shall be until the completion of the investigation on the specialized matter.

(平一〇条例一〇七・旧第三十七条繰下、平一四条例一二七・旧第四十五条繰下)

(Former Article 37 moved down by Ordinance No. 107 of 1998; former Article 45 moved down by Ordinance No. 127 of 2002)

(会長の選任等)

(Appointment of a Chairperson)

第七十三条 審議会に会長を置く。

Article 73 (1) The Council is to have a Chairperson.

2 会長は、委員が互選する。

(2) The Chairperson is to be elected by the Council members from among themselves.

3 会長は、審議会を代表し、会務を総理する。

(3) The Chairperson is to represent the Council and preside over its affairs.

4 会長に事故があるときは、あらかじめ会長の指名する委員がその職務を代理する。

(4) In the event that the Chairperson is unable to perform duties, a Council member designated in advance by the Chairperson is to act for the Chairperson.

(平一〇条例一〇七・旧第三十八条繰下、平一四条例一二七・旧第四十六条繰下)

(Former Article 38 moved down by Ordinance No. 107 of 1998; former Article 46 moved down by Ordinance No. 127 of 2002)

(招集)

(Convocation)

第七十四条 審議会は、知事が招集する。

Article 74 The Council is to be convened by the governor.

(平一〇条例一〇七・旧第三十九条繰下、平一四条例一二七・旧第四十七条繰下)

(Former Article 39 moved down by Ordinance No. 107 of 1998; former Article 47 moved down by Ordinance No. 127 of 2002)

(事業者等の出席等)

(Attendance of the Project Proponent)

第七十四条の二 審議会は、第六十九条の規定による調査審議を行うため必要があるときは、事業者その他関係者の出席を求め、説明を聴き、又は事業者その他関係者から資料の提出を求めることができる。

Article 74-2 The Council may, when necessary in order to conduct the investigation and deliberation under the provisions of Article 69, request the project proponent and other persons concerned to attend the meeting, hear explanations, or request the submission of materials from the project proponent and other persons concerned.

(平三〇条例一一九・追加)

(Added by Ordinance No. 119 of 2018)

(運営事項の委任)

(Delegation of Operational Matters)

第七十五条 この章に規定するもののほか、審議会の運営に関し必要な事項は、規則で定める。

Article 75 In addition to what is provided for in this Chapter, other necessary matters for the operation of the Council are to be provided for by the Regulations.

(平一〇条例一〇七・旧第四十条繰下、平一四条例一二七・旧第四十八条繰下)

(Former Article 40 moved down by Ordinance No. 107 of 1998; former Article 48 moved down by Ordinance No. 127 of 2002)

第六章 法の対象事業に係る手続等

Chapter 6 Procedures Pertaining to a Project Subject to the Act

(平一〇条例一〇七・追加、平一四条例一二七・旧第五章繰下)

(Added by Ordinance No. 107 of 1998; former Chapter 5 moved down by Ordinance No. 127 of 2002)

第一節 配慮書等に係る知事の意見書の作成

Section 1 Preparation of the Governor's Written Opinion Pertaining to a Document on Primary Environmental Impact Consideration

(平二五条例八四・追加)

(Added by Ordinance No. 84 of 2013)

(配慮書等に係る知事の意見書の作成等)

(Preparation of the Governor's Written Opinion Pertaining to a Document on Primary Environmental Impact Consideration)

第七十五条の二 知事は、事業者から配慮書(環境影響評価法(平成九年法律第八十一号。以下「法」という。)第三条の三第一項に規定する配慮書をいう。以下同じ。)の案又は配慮書(以下この条において「配慮書等」という。)について法第三条の七第一項の規定により意見を求められたときは、当該配慮書等について、審議会の意見を聴いた上で、

環境の保全の見地から審査し、その結果に基づく意見を記載した知事の意見書を作成するものとする。

Article 75-2 (1) When having been requested to give opinion on the draft of a document on primary environmental impact consideration (meaning a document on primary environmental impact consideration provided for in Article 3-3, paragraph (1) of the Environmental Impact Assessment Act (Act No. 81 of 1997; hereinafter referred to as the “Act”); the same applies hereinafter) or a document on primary environmental impact consideration (hereinafter referred to as “document on primary environmental impact consideration, etc.” in this Article) pursuant to the provisions of Article 3-7, paragraph (1) of the Act, the governor shall, after hearing the Council’s opinion on said document on primary environmental impact consideration, etc., review it from the standpoint of environmental conservation and prepare the governor’s written opinion that states the opinion based on the review results.

2 知事は、前項の意見書を作成したときは、当該意見書を事業者に送付するとともに、その内容を公表するものとする。

(2) The governor shall, when having prepared a written opinion in the preceding paragraph, send said written opinion to the project proponent and publicly announce the contents thereof.

(平二五条例八四・追加)

(Added by Ordinance No. 84 of 2013)

第一節の二 第二種事業に係る判定手続

Section 1-2 Procedures for Judgment on a Class-2 Project

(平一〇条例一〇七・追加、平二五条例八四・旧第一節繰下)

(Added by Ordinance No. 107 of 1998; former Section 1 moved down by Ordinance No. 84 of 2013)

(届出書面の送付等)

(Sending of a Notification Document)

第七十六条 知事は、法第四条第一項各号に定める者(以下「主任の大臣等」という。)から、法第四条第二項に規定する届出に係る書面の写しの送付を受けたときは、その写しを同項に規定する区域を管轄する区市町村長に送付するとともに、規則で定める期間を指定して法の規定による環境影響評価その他の手続が行われる必要があるかどうかについての意見を求めるものとする。

Article 76 When having received a copy of the document pertaining to a notification provided for in Article 4, paragraph (2) of the Act from a person provided for in individual items of Article 4, paragraph (1) of the Act (hereinafter referred to as “competent minister, etc.”), the governor shall send the copy to the mayor of the special

ward/municipality that has jurisdiction over the area provided for in the same paragraph and request an opinion on whether it is necessary to conduct an environmental impact assessment and other procedures under the provisions of the Act by designating a period provided for by the Regulations.

(平一〇条例一〇七・追加、平一四条例一二七・旧第四十九条繰下、平二五条例八四・一部改正)

(Added by Ordinance No. 107 of 1998; former Article 49 moved down by Ordinance No. 127 of 2002; partially amended by Ordinance No. 84 of 2013)

(第二種事業の判定に係る知事の意見書の作成等)

(Preparation of the Governor's Written Opinion Pertaining to the Judgment of a Class-2 Project)

第七十七条 知事は、前条に規定する区市町村長の意見が述べられたときは、これを勘案して、法の規定による環境影響評価その他の手続が行われる必要があるかどうかについての意見書を作成し、これを主任の大臣等に送付するとともに、当該区市町村長にその写しを送付しなければならない。

Article 77 (1) When the opinion of the mayor of the special ward/municipality provided for in the preceding Article has been expressed, the governor must prepare a written opinion on whether it is necessary to conduct the environmental impact assessment and other procedures under the provisions of the Act, taking this into consideration, and send this to the competent minister, etc. and a copy thereof to said mayor of the special ward/municipality.

2 知事は、前項の知事の意見書を作成したときは、その内容を公表するものとする。

(2) The governor must, when having prepared the governor's written opinion in the preceding paragraph, publicly announce the content thereof.

(平一〇条例一〇七・追加、平一四条例一二七・旧第五十条繰下)

(Added by Ordinance No. 107 of 1998; former Article 50 moved down by Ordinance No. 127 of 2002)

(第二種事業に係る判定結果の送付)

(Sending of Judgment Results Pertaining to a Class-2 Project)

第七十八条 知事は、法第四条第三項の規定による通知を受けたときは、その写しを法第四条第二項に規定する区域を管轄する区市町村長及び審議会へ送付するものとする。

Article 78 The governor shall, when having received a notification under the provisions of Article 4, paragraph (3) of the Act, send a copy thereof to the mayor of the special ward/municipality that has jurisdiction over the area provided for in Article 4, paragraph (2) of the Act, and to the Council.

(平一〇条例一〇七・追加、平一四条例一二七・旧第五十一条繰下)

(Added by Ordinance No. 107 of 1998; former Article 51 moved down by Ordinance No. 127 of 2002)

第二節 方法書に係る知事の意見書の作成

Section 2 Preparation of the Governor's Written Opinion Pertaining to Method Statement

(平一〇条例一〇七・追加)

(Added by Ordinance No. 107 of 1998)

(審議会への諮問)

(Consultation to the Council)

第七十九条 知事は、法第六条第一項の規定により事業者から方法書の送付を受けたときは、その写しを審議会に送付するとともに、方法書に係る知事の意見書の作成について、審議会に諮問しなければならない。

Article 79 The governor must, when having received a method statement from the project proponent pursuant to the provisions of Article 6, paragraph (1) of the Act, send a copy thereof to the Council and consult with the Council on the preparation of the governor's written opinion pertaining to the method statement.

(平一〇条例一〇七・追加、平一四条例一二七・旧第五十二条繰下)

(Added by Ordinance No. 107 of 1998; former Article 52 moved down by Ordinance No. 127 of 2002)

(方法書に係る区市町村長の意見)

(Opinion of the Mayor of the Special Ward/Municipality Pertaining to a Method Statement)

第八十条 知事は、法第十条第一項の規定による知事の意見書の作成に当たり、法第六条第一項に規定する地域を管轄する区市町村長に対して、法第十条第二項の規定により、規則で定める期間を指定して環境の保全の見地からの意見を求めるものとする。

Article 80 (1) In the preparation of the governor's written opinion under the provisions of Article 10, paragraph (1) of the Act, the governor shall, pursuant to the provisions of Article 10, paragraph (2) of the Act, request the mayor of the special ward/municipality that has jurisdiction over the area provided for in Article 6, paragraph (1) of the Act to give the mayor's opinion from the standpoint of environmental conservation by designating a period provided for by the Regulations.

2 知事は、前項の求めに応じて、法第六条第一項に規定する地域を管轄する区市町村長の意見が提出されたときは、審議会に送付しなければならない。

(2) When the opinion of the mayor of the special ward/municipality that has jurisdiction over the area provided for in Article 6, paragraph (1) of the Act has been submitted, the governor must send it to the Council as requested in the preceding paragraph.

(平一〇条例一〇七・追加、平一四条例一二七・旧第五十三条繰下)

(Added by Ordinance No. 107 of 1998; former Article 53 moved down by Ordinance No. 127 of 2002)

(方法書についての意見の概要の写しの送付)

(Sending of a Copy of the Summary of Opinion on a Method Statement)

第八十一条 知事は、法第九条の書類の送付を受けたときは、その写しを審議会に送付しなければならない。

Article 81 The governor must, when having received documents in Article 9 of the Act, send a copy thereof to the Council.

(平一〇条例一〇七・追加、平一四条例一二七・旧第五十四条繰下・一部改正)

(Added by Ordinance No. 107 of 1998; former Article 54 moved down and partially amended by Ordinance No. 127 of 2002)

(方法書に係る知事の意見書の作成等)

(Preparation of the Governor's Written Opinion Pertaining to Method Statement)

第八十二条 知事は、第七十九条の規定による諮問について審議会の答申を受けたときは、法第六条第一項の規定により送付された方法書について、次に掲げる事項を勘案して環境の保全の見地から審査し、その結果に基づく意見を記載した知事の意見書を作成しなければならない。

Article 82 (1) The governor must, when having received the Council's report on the consultation under the provisions of Article 79, review the method statement sent pursuant to the provisions of Article 6, paragraph (1) of the Act from the standpoint of environmental conservation in consideration of the following matters, and prepare the governor's written opinion that states the opinions based on the review results.

一 法第九条により送付された方法書についての意見の概要

(i) Summary of the opinion on the method statement sent pursuant to Article 9 of the Act

二 第八十条第一項の求めに応じて提出された区市町村長の意見

(ii) Opinion of the mayor of the special ward/municipality submitted as requested in Article 80, paragraph (1)

2 前項の知事の意見書を作成したときは、当該意見書を事業者に送付するとともに、その写しを法第六条第一項に規定する地域を管轄する区市町村長に送付し、その内容を公表するものとする。

(2) When the governor's written opinion in the preceding paragraph has been prepared, a copy thereof shall be sent to the mayor of the special ward/municipality that has jurisdiction over the area provided for in Article 6, paragraph (1) of the Act, and the contents thereof shall be publicly announced.

(平一〇条例一〇七・追加、平一四条例一二七・旧第五十五条繰下・一部改正)

(Added by Ordinance No. 107 of 1998; former Article 55 moved down and partially amended by Ordinance No. 127 of 2002)

(環境影響評価の項目等の選定に係る報告)

(Report Pertaining to the Selection of Items for an Environmental Impact Assessment)

第八十三条 知事は、事業者が法第十一条の規定により環境影響評価の項目及び調査等の手法を選定したときは、事業者に対し、その内容について書面により報告を求めることができる。

Article 83 (1) When a project proponent has selected the items for an environmental impact assessment and the method of the investigation, etc. pursuant to the provisions of Article 11 of the Act, the governor may request the project proponent to report the contents thereof in writing.

2 知事は、前項の報告があつたときは、その内容を公表するものとする。

(2) The governor shall, when having received a report in the preceding paragraph, publicly announce the contents thereof.

(平一〇条例一〇七・追加、平一四条例一二七・旧第五十六条繰下)

(Added by Ordinance No. 107 of 1998; former Article 56 moved down by Ordinance No. 127 of 2002)

第三節 準備書に係る知事の意見書の作成

Section 3 Preparation of the Governor's Written Opinion Pertaining to Draft Environmental Impact Statement

(平一〇条例一〇七・追加)

(Added by Ordinance No. 107 of 1998)

(審議会への諮問)

(Consultation to the Council)

第八十四条 知事は、法第十五条の規定により事業者から準備書及びこれを要約した書類の送付を受けたときは、その写しを審議会に送付するとともに、準備書に係る知事の意見書の作成について、審議会に諮問しなければならない。

Article 84 (1) When having received a draft environmental impact statement and a document that summarizes thereof pursuant to the provisions of Article 15 of the Act, the governor must send a copy thereof to the Council and consult with the Council on the preparation of the governor's written opinion pertaining to the draft environmental impact statement.

2 知事は、法第十九条の規定により事業者から準備書についての意見の概要及び当該意見についての事業者の見解を記載した書面の送付を受けたときは、その写しを審議会に送付しなければならない。

(2) When having received a summary of the opinion on the draft environmental impact statement from the project proponent and a document that states the project proponent's views on said opinion pursuant to the provisions of Article 19 of the Act, the governor must send a copy thereof to the Council.

(平一〇条例一〇七・追加、平一四条例一二七・旧第五十七条繰下)

(Added by Ordinance No. 107 of 1998; former Article 57 moved down by Ordinance No. 127 of 2002)

(準備書に係る区市町村長の意見)

(Opinion of the Mayor of the Special Ward/Municipality Pertaining to a Draft Environmental Impact Statement)

第八十五条 法第二十条第一項の規定による知事の意見書の作成については、第八十条の規定を準用する。この場合において、同条第一項中「法第六条第一項に規定する地域」とあるのは「法第十五条に規定する関係地域」と、「法第十条第二項」とあるのは「法第二十条第二項」と、同条第二項中「法第六条第一項に規定する地域」とあるのは「法第十五条に規定する関係地域」と読み替えるものとする。

Article 85 The provisions of Article 80 apply mutatis mutandis to the preparation of the governor's written opinion under the provisions of Article 20, paragraph (1) of the Act. In this case, the term "area provided for in Article 6, paragraph (1) of the Act" in paragraph (1) of the same Article is deemed to be replaced with "related area provided for in Article 15 of the Act"; the term "Article 10, paragraph (2) of the Act" is deemed to be replaced with "Article 20, paragraph (2) of the Act"; and the term "area provided for in Article 6, paragraph (1) of the Act" in paragraph (2) of the same Article is deemed to be replaced with "related area provided for in Article 15."

(平一〇条例一〇七・追加、平一四条例一二七・旧第五十八条繰下・一部改正、平二五条例八四・一部改正)

(Added by Ordinance No. 107 of 1998; former Article 58 moved down and partially amended by Ordinance No. 127 of 2002; partially amended by Ordinance No. 84 of 2013)
(都民の意見を聴く会の開催等)

(Holding a Meeting to Hear Opinions of the Citizens of Tokyo)

第八十六条 知事は、法第十九条の書類の送付を受けた後、法第十五条の規定により送付された準備書の内容について都民の意見を聴くため、第二十条の例により都民の意見を聴く会を開催しなければならない。

Article 86 (1) The governor must, after receiving a document in Article 19 of the Act, hold a meeting to hear opinions of the citizens of Tokyo pursuant to the provisions of Article 20, in order to hear the opinions of the citizens of Tokyo on the draft environmental impact statement submitted pursuant to the provisions of Article 15 of

the Act.

- 2 知事は、前項の都民の意見を聴く会を開催したときは、その記録を作成し、その写しを事業者、法第十五条に規定する関係地域を管轄する区市町村長及び審議会に送付しなければならない。

- (2) The governor must, when having held a meeting to hear opinions of the citizens of Tokyo in the preceding paragraph, prepare a record thereof and send a copy thereof to the project proponent, the mayor of the special ward/municipality that has jurisdiction over the related area provided for in Article 15 of the Act, and the Council.

(平一〇条例一〇七・追加、平一四条例一二七・旧第五十九条繰下・一部改正)

(Added by Ordinance No. 107 of 1998; former Article 59 moved down and partially amended by Ordinance No. 127 of 2002)

(準備書に係る知事の意見書の作成等)

(Preparation of the Governor's Written Opinion Pertaining to Draft Environmental Impact Statement)

第八十七条 知事は、第八十四条第一項の規定による諮問について審議会の答申を受けたときは、法第十五条の規定により送付された準備書について、次に掲げる事項を勘案して環境の保全の見地から審査し、その結果に基づく意見を記載した知事の意見書を作成しなければならない。

Article 87 (1) The governor must, when having received the Council's report on the consultation under the provisions of Article 84, paragraph (1), review the preparation document sent pursuant to the provisions of Article 15 of the Act from the standpoint of environmental conservation in consideration of the following matters, and prepare the governor's written opinion that states the opinions based on the review results.

一 法第十九条の規定により送付された準備書についての意見の概要及び当該意見についての事業者の見解

(i) A summary of the opinion on the draft environmental impact statement sent pursuant to the provisions of Article 19 of the Act and the preparation document's views on said opinion

二 第八十五条において準用する第八十条第一項に規定する求めに応じて提出された法第十五条に規定する関係地域を管轄する区市町村長の意見

(ii) Opinion of the mayor of the special ward/municipality that has jurisdiction over the related area provided for in Article 15 of the Act submitted as requested in the provisions of Article 80, paragraph as applied mutatis mutandis pursuant to Article 85

- 2 前項の知事の意見書を作成したときは、当該意見書を事業者に送付するとともに、その写しを法第十五条に規定する関係地域を管轄する区市町村長に送付し、その内容を公表するものとする。

- (2) When the governor's written opinion in the preceding paragraph has been prepared, said written opinion shall be sent to the project proponent, and a copy thereof to the mayor of the special ward/municipality that has jurisdiction over the related area provided for in Article 15 of the Act, and publicly announce the contents thereof.

(平一〇条例一〇七・追加、平一四条例一二七・旧第六十条繰下・一部改正)

(Added by Ordinance No. 107 of 1998; former Article 60 moved down and partially amended by Ordinance No. 127 of 2002)

第四節 法対象事業に係るその他の手続

Section 4 Other Procedures Pertaining to Project Subject to the Act

(平一〇条例一〇七・追加)

(Added by Ordinance No. 107 of 1998)

(法対象事業に係る計画段階環境影響評価等)

(Planning Stage Environmental Impact Assessment Pertaining to a Project Subject to the Act)

第八十八条 法第二条第二項に規定する第一種事業及び同条第三項に規定する第二種事業(法第三条の十第一項後段の規定による通知に係るものに限る。以下「通知第二種事業」という。)については、第二章の規定は適用しない。

Article 88 (1) The provisions of Chapter 2 do not apply to class-1 projects provided for in Article 2, paragraph (2) of the Act and the class-2 projects provided for in paragraph (3) of the same Article (limited to those pertaining to notification under the provisions of the second sentence of Article 3-10, paragraph (1) of the Act; hereinafter referred to as “notified class-2 project”).

2 通知第二種事業については、第四十条第一項第三号中「計画段階環境影響評価の手続」とあるのは「法第三条の十第一項の規定による手続」と読み替えて適用する。

(2) With respect to a notified class-2 project, the term “procedures for a planning-stage environmental impact assessment” in Article 40, paragraph (1), item (iii) is deemed to be replaced with “procedures under the provisions of Article 3-10, paragraph (1) of the Act.”

3 法第二条第三項に規定する第二種事業(法第三条の十第一項後段の規定による通知に係るものを除く。以下「非通知第二種事業」という。)については、第十一条第二項、第十二条第五項(広域複合開発計画に係る部分に限る。)、第二十五条から第二十七条まで、第二章第四節、第三十七条第一項第二号及び第三十九条の規定は適用しない。

(3) The provisions of Article 11, paragraph (2), Article 12, paragraph (5) (limited to the portion pertaining to a wide-area complex development plan), Articles 25 through 27, Chapter 2, Section 4, Article 37, paragraph (1), item (ii), and Article 39 do not apply

to class-2 projects provided for in Article 2, paragraph (3) of the Act (excluding those pertaining to notification under the provisions of the second sentence of Article 3-10, paragraph (1) of the Act; hereinafter referred to as “unnotified class-2 project”).

- 4 非通知第二種事業については、第二十四条第一項中「調査計画書(次条に規定する調査計画書の作成等の免除の適用を受ける場合にあつては、評価書案)を提出するとき」とあるのは「法第四条第一項の規定による届出をするとき、又は法第六条第一項の規定による送付をするときのいずれか早いとき」と、第三十七条第一項第一号中「第四十条第一項の規定により調査計画書を提出するまで(第三十三条第四項の規定の適用を受ける場合にあつては、第二十九条の規定により特例環境配慮書等を提出してから第三十五条において準用する第二十四条の規定により書面を提出するまで)」とあるのは「法第四条第一項の規定による届出をするとき、又は法第六条第一項の規定による送付をするときのいずれか早いときまで」と読み替えて適用する。

- (4) With respect to an unnotified class-2 project, the term “the time of submitting the written investigation plan (for the exemption from the preparation of the written investigation plan provided for in the following Article, a draft environmental impact statement)” in Article 24, paragraph (1) is deemed to be replaced with “when submitting a notification under the provisions of Article 4, paragraph (1) of the Act, or when sending a notification under the provisions of Article 6, paragraph (1) of the Act, whichever comes first”; and the term “to the submission of a written investigation plan pursuant to the provisions of Article 40, paragraph (1) (In the case where the provisions of Article 33, paragraph (4), from the submission of a special environmental impact consideration document, etc. pursuant to the provisions of Article 29 to the submission of a document pursuant to the provisions of Article 24 as applied mutatis mutandis pursuant to Article 35)” in Article 37, paragraph (1), item (i) is deemed to be replaced with “when submitting a notification under the provisions of Article 4, paragraph (1) of the Act, or when sending a notification under the provisions of Article 6, paragraph (1) of the Act, whichever comes first.”

- 5 法第二条第四項に規定する対象事業(以下「法対象事業」という。)については、第一項及び第三項に定めるもののほか、第三章、第九十二条及び第九十三条の規定は適用しない。

- (5) The provisions of what is provided for in paragraphs (1) and (3), Chapter 3, and Articles 92 and 93 do not apply to the target project provided for in Article 2, paragraph (4) of the Act (hereinafter referred to as “project subject to the Act”).

- 6 法対象事業については、第六十五条第一項中「第五十八条の規定により提出した評価書」とあるのは「法第二十六条第二項の規定により送付した評価書(東京都の区域内で実施される事業に係る部分に限る。)」と、同条第二項中「事業段階関係区市町村長」とあるの

は「法第二十六条第二項の関係市町村長(東京都の区域内の特別区及び市町村の長に限る。)」と、第六十六条第一項中「対象事業に係る工事」とあるのは「第八十八条第五項に規定する法対象事業に係る工事(東京都の区域内で実施される法対象事業に係る工事に限る。)」と、同条第二項中「事業段階関係区市町村長」とあるのは「法第二十六条第二項の関係市町村長(東京都の区域内の特別区及び市町村の長に限る。)」と、第六十七条第一項中「対象事業に係る工事」とあるのは「第八十八条第五項に規定する法対象事業に係る工事(東京都の区域内で実施される法対象事業に係る工事に限る。)」と、同条第二項中「事業段階関係区市町村長」とあるのは「法第二十六条第二項の関係市町村長(東京都の区域内の特別区及び市町村の長に限る。)」と、第六十八条第一項中「対象事業に係る工事」とあるのは「第八十八条第五項に規定する法対象事業に係る工事(東京都の区域内で実施される法対象事業に係る工事に限る。)」と読み替えて適用する。

- (6) With respect to a project subject to the Act, the term “environmental impact statement submitted pursuant to the provisions of Article 58” in Article 65, paragraph (1) is deemed to be replaced with “environmental impact statement sent pursuant to the provisions of Article 26, paragraph (2) of the Act (limited to the portion pertaining to a project to be implemented within the area of Tokyo)”; the term “mayor of the relevant special ward/municipality at the project stage” in paragraph (2) of the same Article is deemed to be replaced with “mayor of the relevant municipality in Article 26, paragraph (2) of the Act (limited to the mayor of special ward/municipality within the area of Tokyo)”; the term “construction work pertaining to the target project” in Article 66, paragraph (1) is deemed to be replaced with “project subject to the Act provided for in Article 88, paragraph (5) (limited to construction work pertaining to the project subject to the Act to be implemented within the area of Tokyo)”; the term “mayor of the relevant special ward/municipality at the project stage” in paragraph (2) of the same Article is deemed to be replaced with “mayor of the relevant special municipality in Article 26, paragraph (2) (limited to the mayor of special ward/municipality within the area of Tokyo)”; the term “construction work pertaining to the target project” in Article 67, paragraph (1) is deemed to be replaced with “project subject to the Act provided for in Article 88, paragraph (5) (limited to construction work pertaining to the project subject to the Act to be implemented within the area of Tokyo)”; the term “mayor of the relevant special ward/municipality at the project stage” in paragraph (2) of the same Article is deemed to be replaced with “mayor of the relevant municipality in Article 26, paragraph (2) (limited to the mayor of special ward/municipality within the area of Tokyo)”; and the term “construction work pertaining to the target project” in Article 68, paragraph (1) is deemed to be replaced with “construction work pertaining to the project subject to the Act provided for in Article 88, paragraph (5) (limited to construction work pertaining to

the project subject to the Act to be implemented within the area of Tokyo).”

(平一〇条例一〇七・追加、平一二条例一七九・一部改正、平一四条例一二七・旧第六十一条繰下・一部改正、平二五条例八四・一部改正)

(Added by Ordinance No. 107 of 1998; partially amended by Ordinance No. 179 of 2000; former Article 61 moved down and partially amended by Ordinance No. 127 of 2002; partially amended by Ordinance No. 84 of 2013)

第七章 雑則

Chapter 7 Miscellaneous Provisions

(平一〇条例一〇七・改称、平一四条例一二七・旧第六章繰下)

(Renamed by Ordinance 107 of 1998, former Chapter 6 moved down by Ordinance No. 127 of 2002)

(実地調査への協力要請)

(Request for Cooperation in On-site Inspection)

第八十九条 知事は、この条例の施行に必要な限度において、他人の所有し、又は占有する土地において実地調査を行う必要があるときは、当該土地への立入りについて、当該土地の所有者又は占有者に協力を求めることができる。

Article 89 When it is necessary, to the extent necessary for the enforcement of this Ordinance, to conduct an on-site inspection on land owned or occupied by others, the governor may request the cooperation of the owner or occupant of said land in entering said land.

(平一〇条例一〇七・旧第四十一条繰下、平一四条例一二七・旧第六十二条繰下)

(Former Article 41 moved down by Ordinance No. 107 of 1998; former Article 62 moved down by Ordinance No. 127 of 2002)

(報告の聴取等)

(Hearing of a Report)

第九十条 知事は、この条例に定めるもののほか、この条例の施行に必要な限度において、事業者に必要な事項の報告又は資料の提出を求めることができる。

Article 90 In addition to what is provided for in this Ordinance, the governor may, to the extent necessary for the enforcement of this Ordinance, request the project proponent to submit reports or materials on necessary matters.

(平一〇条例一〇七・旧第四十二条繰下、平一四条例一二七・旧第六十三条繰下)

(Former Article 42 moved down by Ordinance No. 107 of 1998; former Article 63 moved down by Ordinance No. 127 of 2002)

(公表等)

(Public Announcement)

第九十一条 知事は、事業者が次の各号のいずれかに該当する場合は、当該事業者に対し、

必要な措置を講ずるよう勧告することができる。

Article 91 (1) In the case where a project proponent falls under any of the following items, the governor may recommend that said project proponent take necessary measures.

一 この条例に定める手続の全部又は一部を行わなかつたとき。

(i) When the project proponent failed to implement all or part of the procedures provided for in this Ordinance.

二 第十七条第三項(第三十五条又は第五十三条において準用する場合を含む。)の規定により説明会の開催を求められて、説明会を開催しなかつたとき。

(ii) When a briefing session was requested to be held pursuant to the provisions of Article 17, paragraph (3) (including the case as applied mutatis mutandis pursuant to Article 35 or Article 53), and the project proponent failed to do so.

三 第六十一条の規定に違反して、対象事業を実施したとき。

(iii) When the project proponent implemented a target project in violation of the provisions of Article 61.

四 第二十七条、第三十八条、第六十三条又は第六十四条の規定により手続の全部又は一部の再度の実施を求められて、手続の全部又は一部を再度実施しなかつたとき。

(iv) When all or part of the procedures pursuant to the provisions of Article 27, Article 38, Article 63, or Article 64 was requested to be re-implemented, and the project proponent failed to do so.

五 前条の規定により報告又は資料の提出を求められて、報告若しくは資料の提出をせず、又は虚偽の報告若しくは資料の提出をしたとき。

(v) When reports or materials were requested to be submitted pursuant to the provisions of the preceding Article, and the project proponent failed to do so or submitted false reports or materials.

2 知事は、事業者が前項の規定による勧告に従わない場合において、当該事業者に対し、その者が意見を述べ、証拠を提示する機会を与え、その意見に正当な理由がないと認めるときは、当該事業者の氏名及び住所(法人にあつては、名称、代表者の氏名及び主たる事務所の所在地)並びにその事実を公表しなければならない。

(2) In the case where a project proponent does not comply with the recommendation under the provisions of the preceding paragraph, the governor must give said project proponent an opportunity to state its opinion and present evidence; if it is found that there is no valid reason for the opinion, the governor must publicly announce the name and address (for a corporation, the name, name of the representative, and location of the principal office) of said project proponent, as well as that effect.

3 知事は、前項の規定による公表をしたときは、その内容を当該対象事業に係る許認可権

者に通知しなければならない。

- (3) The governor must, when having made a public announcement under the provisions of the preceding paragraph, notify thereof to the approver pertaining to said target project.

(平七条例三二・一部改正、平一〇条例一〇七・旧第四十三条繰下・一部改正、平一四条例一二七・旧第六十四条繰下・一部改正、平三〇条例一一九・一部改正)

(Partially amended by Ordinance No. 32 of 1995; former Article 43 moved down and partially amended by Ordinance No. 107 of 1998; former Article 64 moved down and partially amended by Ordinance No. 127 of 2002; partially amended by Ordinance No. 119 of 2018)

(都市計画に定められる対象事業に関する特例)

(Special Provisions Regarding a Target Project Provided for in City Planning)

第九十二条 対象事業が都市計画法第四条第七項に規定する市街地開発事業又は同条第五項に規定する都市施設として同法の規定により都市計画に定められる場合については、第四十条から第五十八条までに規定する手続のうち事業者に係る手続及び第六十二条第一項に規定する手続のうち第五十九条第一項の評価書の縦覧が終了するまでの間における対象事業の変更又は中止若しくは廃止の届出については、同法の規定により当該都市計画を定める者(以下「都市計画決定権者」という。)が事業者に代わり行うものとする。ただし、知事が都市計画決定権者の意見をあらかじめ聴いて、環境影響評価の手続を事業者が行うことが適当であると認める場合については、この限りでない。

Article 92 (1) In the case where a target project is established in the city planning as an urban development project provided for in Article 4, paragraph (7) of the City Planning Act or as a city facility provided for in paragraph (5) of the same Article pursuant to the provisions of the Act, notification of change or discontinuance or abolition of the target project until the public inspection of the environmental impact statement Article 59, paragraph (1) is completed, among the procedures pertaining to the project proponent regarding the procedures provided for in Articles 40 through 58, as well as among the procedures provided for in Article 62, paragraph (1) shall be made by the person who establishes said city planning pursuant to the provisions of the same Act (hereinafter referred to as “city plan stipulator”) on behalf of the project proponent. However, this does not apply in the case where the governor, after hearing the opinion of the city plan stipulator in advance, finds it appropriate for the project proponent to implement the procedures for the environmental impact assessment.

- 2 前項の規定により、都市計画決定権者(知事が都市計画決定権者の意見をあらかじめ聴いて、事業段階環境影響評価の手続を事業者が行うことが適当であると認める場合にあつては、事業者)が第五十八条の規定により評価書を作成したときは、当該都市計画決定

権者又は当該事業者は、都市計画法第十八条第一項又は第十九条第一項(同法第二十一条第二項において準用する場合を含む。)の規定による当該評価書に係る対象事業について定められる都市計画案の東京都都市計画審議会又は特別区若しくは市町村が置く都市計画審議会(以下この条において「東京都都市計画審議会等」という。)-への付議と合わせて、東京都都市計画審議会等に当該評価書を送付するものとする。

- (2) Pursuant to the provisions of the preceding paragraph, when a city plan stipulator (in the case where the governor finds it appropriate for the project proponent to conduct the project stage environmental impact assessment after hearing the opinion of the city plan stipulator, the project proponent) has prepared an environmental impact statement pursuant to the provisions of Article 58, said city plan stipulator or said project proponent shall send said environmental impact statement to the Tokyo Metropolitan City Planning Council, together with the submission of a draft city plan to be determined for the target project pertaining to said environmental impact statement under the provisions of Article 18, paragraph (1) or Article 19 (including the case as applied mutatis mutandis pursuant to Article 21, paragraph (2) of the Act) of the City Planning Act to the Tokyo Metropolitan City Planning Council or the City Planning Council established by a special ward or municipality (hereinafter referred to as “Tokyo Metropolitan City Planning Council, etc.” in this Article).

(平一〇条例一〇七・追加、平一四条例一二七・旧第六十五条繰下・一部改正、平二五条例八四・一部改正)

(Added by Ordinance No. 107 of 1998; former Article 65 moved down and partially amended by Ordinance No. 127 of 2002; partially amended by Ordinance No. 84 of 2013)
(事業者の協力)

(Cooperation of Project Proponent)

第九十三条 都市計画決定権者は、事業者に対し、環境影響評価の手続を行うために必要な調査等の実施、資料の提供、説明会への出席その他の必要な協力を求めることができる。

Article 93 (1) A city plan stipulator may request the project proponent to conduct investigation, etc., submit materials, attend briefing sessions, and provide other necessary cooperation in order to implement the procedures for an environmental impact assessment.

2 事業者は、都市計画決定権者の求めに応じて、必要な調査等の実施等を行うものとする。

- (2) A project proponent shall conduct necessary investigation, etc. as requested by the city plan stipulator.

(平一〇条例一〇七・追加、平一四条例一二七・旧第六十六条繰下)

(Added by Ordinance No. 107 of 1998; former Article 66 moved down by Ordinance No.

127 of 2002)

(適用除外)

(Exclusion from Application)

第九十四条 この条例の規定は、災害対策基本法(昭和三十六年法律第二百二十三号)第八十七条の規定による災害復旧事業その他災害復旧のため緊急に実施する必要があると知事が認める事業又は再度の災害を防止するためこれらの事業と併せて施行することを必要とする事業である対象事業については、適用しない。

Article 94 The provisions of this Ordinance do not apply to the disaster recovery projects under the provisions of Article 87 of the Disaster Countermeasure Basic Act (Act No. 223 of 1961), other projects that the governor finds necessary to be implemented urgently for disaster recovery, or target projects that need to be implemented in conjunction with these projects to prevent another disaster.

(平一〇条例一〇七・旧第四十六条繰下、平一四条例一二七・旧第六十七条繰下)

(Former Article 46 moved down by Ordinance No. 107 of 1998; former Article 67 moved down by Ordinance No. 127 of 2002)

(委任)

(Mandates)

第九十五条 この条例に規定するもののほか、この条例の施行について必要な事項は、規則で定める。

Article 95 In addition to what is provided for in this Ordinance, necessary matters for the enforcement of this Ordinance are to be provided for by the Regulations.

(平一〇条例一〇七・旧第四十七条繰下、平一四条例一二七・旧第六十八条繰下)

(Former Article 47 moved down by Ordinance No. 107 of 1998; former Article 68 moved down by Ordinance No. 127 of 2002)

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

1 この条例は、公布の日から起算して一年を超えない範囲内において規則で定める日から施行する。ただし、第一条、第二条、第十条、第十一条及び第四章の規定は、公布の日から起算して九月を超えない範囲内において規則で定める日から施行する。

(1) This Ordinance comes into effect as of the date provided for by the Regulations within a period not exceeding one year from the date of promulgation. However, the provisions of Article 1, Article 2, Article 10, Article 11, and Chapter 4 come into effect as of the date provided for by the Regulations within a period not exceeding nine months from the date of promulgation.

(昭和五十六年規則第六九号で第一条、第二条、第十条、第十一条及び第四章の規定は昭和五十六年四月一日から、昭和五十六年規則第一三三号で附則第一項本文の規定は昭和五十六年一〇月一日から施行)

(The provisions of Article 1, Article 2, Article 10, Article 11, and Chapter 4 of the Regulations No. 69 of 1981 come into effect on April 1, 1981, and the provisions of the main clause of paragraph (1) of the Supplementary Provisions of the Regulations No. 133 of 1981 come into effect on October 1, 1981)

(経過措置)

(Transitional Measures)

2 この条例の施行の際、既に第九条第一項の規則で定める時期を経過している対象事業については、この条例の規定は適用しない。

(2) The provisions of this Ordinance do not apply to a target project for which the time provided for in Article 9, paragraph (1) has already elapsed at the time of enforcement of this Ordinance.

3 前項の規定にかかわらず、旧都市計画法(大正八年法律第三十六号)の規定による都市計画の決定がなされた対象事業で、この条例の施行の際、当該対象事業に係る工事に着手していないものについては、事業者は、この条例の施行の日から三月以内に、規則で定めるところにより知事に届け出なければならない。この場合において、知事は、届出があった対象事業について環境の保全上特に必要があると認めるときは、この条例の規定の適用について事業者と協議して定めるものとする。

(3) Notwithstanding the provisions of the preceding paragraph, with respect to a target project for which a decision of city planning under the provisions of the former City Planning Act (Act No. 36 of 1919) has been made and for which construction pertaining to said target project has not yet commenced at the time of enforcement of this Ordinance, the project proponent must, as provided for by the Regulations, notify the governor of that effect within three months from the date of enforcement of this Ordinance. In this case, the governor shall, when finding it particularly necessary for environmental conservation with respect to a target project for which notification has been submitted, determine the application of the provisions of this Ordinance upon consultation with the project proponent.

4 第二章の規定は、事業者が民間、国若しくは東京都以外の地方公共団体である場合又はこれらの者が複数連携している場合(東京都とこれらの者とが連携している場合を含む。)は、適用しない。

(4) The provisions of Chapter 2 do not apply to the case where the project proponent is the private sector, the national government, or local public entity other than the Tokyo Metropolitan Government, or when multiple such entities are coordinating

(including the case where the Tokyo Metropolitan Government and these entities are coordinating).

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

- 5 東京都環境影響評価条例の一部を改正する条例(平成十四年東京都条例第百二十七号)
附則第一項ただし書の改正規定の施行の日から平成十四年十二月三十一日までの間は、
第十八条、第十九条第一項第三号、第二十一条及び第二十八条の規定は、適用しない。

- (5) The provisions of Article 18, Article 19, paragraph (1), item (iii), Article 21, and Article 28 do not apply during the period between the date of enforcement of the proviso to paragraph (1) of the Supplementary Provisions of the Ordinance Partially Amending the Tokyo Metropolitan Government Ordinance on Environmental Impact Assessment (Tokyo Metropolitan Government Ordinance No. 127 of 2002) and December 31, 2002.

(平一四条例一二七・追加)

(Added by Ordinance No. 127 of 2002)

附 則(平成七年条例第三二号)

Supplementary Provisions (Ordinance No. 32 of 1995)

この条例は、東京都行政手続条例(平成六年東京都条例第百四十二号)の施行の日から施行する。

This Ordinance comes into effect as of the date of enforcement of the Tokyo Metropolitan Government Ordinance on Administrative Procedures (Tokyo Metropolitan Government Ordinance No. 142 of 1994).

(施行の日 = 平成七年四月一日)

(Effective date = April 1, 1995)

附 則(平成一〇年条例第一〇七号)

Supplementary Provisions (Ordinance No. 107 of 1998)

(施行期日)

(Effective Date)

- 1 この条例は、平成十一年六月十二日から施行する。

- (1) This Ordinance comes into effect as of June 12, 1999.

(経過措置)

(Transitional Measures)

- 2 この条例の施行の日前に、この条例による改正前の東京都環境影響評価条例(以下「旧条例」という。)第九条第一項の規定による環境影響評価書案等の提出があった旧条例第二条第三号の対象事業に該当する事業に係る次の各号に掲げる書類は、それぞれ当該各号に定める書類とみなす。

(2) The documents listed in the following items pertaining to a target project in Article 2, item (iii) of the Tokyo Metropolitan Government Ordinance on Environmental Impact Assessment (hereinafter referred to as the “former ordinance”), for which a draft environmental impact assessment statement, etc. under the provisions of Article 9, paragraph (1) of the former ordinance prior to the amendment by this Ordinance was submitted before the date of enforcement of this Ordinance, are deemed to be the documents provided for in each of the respective items.

一 旧条例第九条第一項に規定する環境影響評価書案 この条例による改正後の東京都環境影響評価条例(以下「新条例」という。)第二十二条に規定する環境影響評価書案

(i) Draft environmental impact assessment statement provided for in Article 9, paragraph (1) of the former ordinance Draft environmental impact assessment statement provided for in Article 22 of the Tokyo Metropolitan Government Ordinance on Environmental Impact Assessment (hereinafter referred to as the “new ordinance”) after the amendment by this Ordinance

二 旧条例第二十一条第一項に規定する見解書 新条例第二十九条第一項に規定する評価書案に係る見解書

(ii) Written opinion provided for in Article 21, paragraph (1) of the former ordinance
Written opinion pertaining to a draft environmental impact statement provided for in Article 29, paragraph (1) of the new ordinance

三 旧条例第二十三条に規定する環境影響評価書 新条例第三十一条に規定する環境影響評価書

(iii) Environmental impact assessment statement provided for in Article 23 of the former ordinance Environmental impact assessment statement provided for in Article 31 of the new ordinance

四 旧条例第三十条第一項に規定する事後調査計画書 新条例第三十八条第一項に規定する事後調査計画書

(iv) Written post-investigation plan provided for in Article 30, paragraph (1) of the former ordinance Written post-investigation plan provided for in Article 38, paragraph (1) of the new ordinance

五 旧条例第三十二条第一項に規定する事後調査報告書 新条例第四十条第一項に規定する事後調査報告書

(v) Written post-investigation plan provided for in Article 32, paragraph (1) of the former ordinance Written post-investigation plan provided for in Article 40, paragraph (1) of the new ordinance

3 この条例の施行の際、当該施行により新たに新条例第二条第三号の対象事業となる事業(新条例第二条第三号の規定に基づく東京都規則の改正(この条例の施行と同時に施行さ

れるものに限る。)により新たに対象事業となるものを含む。)については、この条例の公布の日から起算して二年を経過する日までの間、第二章から第五章までの規定は、適用しない。

- (3) The provisions of Chapters 2 through 5 do not apply to a project that newly becomes subject to Article 2, item (iii) of the new ordinance at the time of enforcement of this Ordinance as a result of said enforcement (including new target projects due to the amendments of the Tokyo Metropolitan Government Regulations under Article 2, item [iii] of the new ordinance [limited to those that come into effect at the same time as the enforcement of this Ordinance]), until the day on which two years has elapsed from the date of promulgation of this Ordinance.

- 4 前項の新たに対象事業となる事業を実施しようとする者(新条例第二条第四号の知事が対象事業を実施しようとする者であると認める者及び新条例第六十五条の事業者に代わる都市計画決定権者を含む。第六項において同じ。)は、同項の規定にかかわらず、当該事業について、新条例第九条から第四十一条まで又は第二十二條から第四十一条までの規定の例による環境影響評価の手續又は事後調査の手續を行うことができる。

- (4) When intending to implement a project that becomes a new target project in the preceding paragraph (including a person whom the governor finds to be a person who intends to implement the target project in Article 2, item [iv] of the new ordinance and a city plan stipulator in place of the project proponent in Article 65 of the new ordinance; the same applies in paragraph [6]), the person may, notwithstanding the provisions of the preceding paragraph, implement the procedures for the environmental impact assessment or the procedures for a post-investigation for said project under the provisions of Articles 9 through 41 or Articles 22 through 41 of the new ordinance.

- 5 この条例の施行の際、旧条例第九条第一項の規定による環境影響評価書案等を作成するための調査等に着手し、又は調査等を実施し、若しくは完了した旧条例第二条第三号の対象事業に該当する事業については、この条例の施行の日から三月以内に東京都規則で定めるところにより知事に調査等の内容等について届け出た場合に限り、新条例第九条の調査計画書の作成及び提出を要しない。

- (5) With respect to a project that falls under the target project in Article 2, item (iii) of the former ordinance which, at the time of enforcement of this Ordinance, had commenced, conducted, or completed an investigation, etc. to prepare a draft environmental impact assessment statement, etc. under the provisions of Article 9, paragraph (1) of the former ordinance, the preparation and submission of a written investigation plan in Article 9 of the new ordinance is not required only in the case where the contents, etc. of the investigation, etc. are notified to the governor as provided for by the Tokyo Metropolitan Government Regulations within three months

from the date of enforcement of this Ordinance.

- 6 前項の対象事業に該当する事業について、当該事業を実施しようとする者が前項の届出を行った場合において、知事は、新条例の規定による環境影響評価の手続の実施について当該事業を実施しようとする者と協議して定めるものとする。

- (6) In the case where a person who intends to implement a project that falls under the target project in the preceding paragraph has submitted a notification in the preceding paragraph, the governor shall consult with the person who intends to implement said project and determine the implementation of the procedures for an environmental impact assessment under the provisions of the new ordinance.

附 則(平成一二年条例第一七九号)

Supplementary Provisions (Ordinance No. 179 of 2000)

この条例は、平成十三年一月六日から施行する。

This Ordinance comes into effect as of January 6, 2001.

附 則(平成一四年条例第一二七号)

Supplementary Provisions (Ordinance No. 127 of 2002)

(施行期日)

(Effective Date)

- 1 この条例は、平成十五年一月一日から施行する。ただし、第二条第一号の改正規定、第九条の改正規定(同条第一項中第五号を第六号とし、第四号を第五号とし、第三号を第四号とし、第二号の次に一号を加える部分及び同条に一項を加える部分に限る。)、第十五条の改正規定(「三十日間」を「十日間」に改める部分に限る。)、第二十条の改正規定(同条に一項を加える部分に限る。)、第二十九条の改正規定(同条第三項を削る部分に限る。)、第三十二条の改正規定(同条第一項中「遅滞なく」の下に「、当該対象事業に係る許認可権者にその写しを送付するとともに」を加える部分及び同条第二項中「関係区市町村長、当該対象事業に係る許認可権者及び第十四条の規定により調査計画書」を「事業段階関係区市町村長及び第五十一条において準用する第十五条の規定により評価書案」に、「隣接県知事等」を「近隣県市町村長(前条第二項の場合にあつては、同条第三項の規定により事業段階関係地域とみなされた地域における近隣県市町村長)」に改める部分に限る。)、第三十四条の改正規定(「第三十二条第一項の縦覧期間が満了する日」を「第五十九条第一項の規定による公示の日」に改める部分に限る。)、第四十条の改正規定(同条第二項中「遅滞なく、当該事後調査報告書の提出があつた旨その他規則で定める事項を公示」を「その内容を公表」に改める部分に限る。)、第四十一条の改正規定(同条第一項中「、又は当該工事を中止したとき」を削る部分に限る。)、第四十三条の改正規定(同条第一項中「二十人」を「四十人」に改める部分に限る。)、第五十四条の改正規定(同条を第八十一条に改める部分を除く。)、第五十五条の改正規定(同条第一項第一号に係る部分に限る。)、第五十九条の改正規定(同条の見出し中「公聴会」を「都民の意見を聴く会」

に改める部分、同条第一項中「法第十六条の縦覧期間を経過した」を「法第十九条の書類の送付を受けた」に、「第二十八条」を「第二十条」に、「公聴会」を「都民の意見を聴く会」に改める部分、同条第二項中「公聴会」を「都民の意見を聴く会」に改める部分並びに同条第三項及び第四項を削る部分に限る。）、第六十条の改正規定(同条第一項第三号を削る部分に限る。）、第六十五条の改正規定(同条第一項中「の規定により都市計画に定められる場合において」を「第四条第七項に規定する市街地開発事業又は同条第五項に規定する都市施設として同法の規定により都市計画に定められる場合について」に、「第九条から第三十一条まで」を「第四十条から第五十八条まで」に、「代わるものとして、当該都市計画の決定をする手続(以下「都市計画手続」という。)と併せて」を「代わり」に改める部分及び第二項の改正規定に限る。）、附則に二項を加える改正規定(第五項に係る部分に限る。）及び次項から附則第六項までは、公布の日から施行する。

- (1) This Ordinance comes into effect as of January 1, 2003. However, the amended provisions of Article 2, item (i), the amended provisions of Article 9 (limited to the part in which Article 1, item [v] of the same Article is changed to item [vi], item [iv] is changed to item [v], item [iii] is changed to item [iv], and one item is added after item [ii], and to the part that adds one paragraph to the same Article), the amended provisions of Article 15 (limited to the part that amends “30 days” to “10 days”), the amended provisions of Article 20 (limited to the part that adds one paragraph to the same Article), the amended provisions of Article 29 (limited to the part that deletes item [iii] of the same Article), the amended provisions of Article 32 (limited to the part that adds “send a copy thereof to the approver pertaining to said target project and” after “without delay” in paragraph [1] of the same Article, and to the part that amends “mayor of the relevant municipality, approver pertaining to said target project, and a written investigation plan pursuant to the provisions of Article 14” to “mayor of the relevant special ward/municipality at the project stage and...draft environmental impact statement pursuant to the provisions of Article 15 as applied mutatis mutandis pursuant to Article 51,” and “governor of the neighboring prefecture, etc.” to “mayor of the municipality of the neighboring prefecture...[in the case of paragraph (2) of the preceding Article, the mayor of the municipality of the neighboring prefecture of the area deemed as a project stage related area pursuant to the provisions of paragraph (3) of the same Article]”), the amended provisions of 34 (limited to the part that amends “the date on which the public inspection period in Article 32, paragraph [1] expires” to “the date of public notice under the provisions of Article 59, paragraph (1)”), the amended provisions of Article 40 (limited to the part that amends “without delay, publicly notify the fact that said written report of post-investigation has been submitted

and other matters provided for by the Regulations” in paragraph [2] of the same Article to “publicly announce the contents thereof”), the amended provisions of Article 41 (limited to the part that deletes “or when said construction work is discontinued” in paragraph [1] of the same Article), the amended provisions of Article 43 (limited to the part that amends “20 people” to “40 people” in paragraph [1] of the same Article), the amended provisions of Article 54 (limited to the part that amends the same Article to Article 81), the amended provisions of Article 55 (limited to the part pertaining to paragraph [1], item [i] of the same Article), the amended provisions of Article 59 (limited to the part that amends “public hearing” in the title of the same Article to “meeting to hear opinions of the citizens of Tokyo,” to the part that amends “public inspection period in Article 16 of the Act has elapsed” in paragraph [1] of the same Article to “receiving a document in Article 19 of the Act,” “Article 28” to “Article 20,” and “public hearing” to “meeting to hear opinions of the citizens of Tokyo,” to the part that amends “public hearing” in paragraph [2] of the same Article to “meeting to hear opinions of the citizens of Tokyo,” and to the part that deletes paragraphs [3] and [4] of the same Article), the amended provisions of Article 60 (limited to the part that deletes paragraph [1], item [iii] of the same Article), the amended provisions of Article 65 (limited to the part that amends “is established in the city planning pursuant to the provisions of” in paragraph [1] of the same Article to “is established in the city planning as an urban development project provided for in Article 4, paragraph [7] of the City Planning Act or as a city facility provided for in paragraph [5] of the same Article pursuant to the provisions of the Act,” “Articles 9 through 31” to “Articles 40 through 58,” and “together with the procedures to determine said city planning [hereinafter referred to as “city planning procedures”] as a substitute” to “in place of,” and to the amended provisions of paragraph [2]), the amended provisions that add two paragraphs to the supplementary provisions (limited to the part pertaining to paragraph [5]), and the following paragraph through paragraph (6) of the supplementary provisions come into effect as of the date of promulgation.

- 2 公布の日から平成十四年十二月三十一日までの間は、前項ただし書の改正規定による改正後の東京都環境影響評価条例第九条第一項第三号中「事業計画の策定に至った経過(計画段階環境影響評価の手続を行つたものについては、その手続の経過を含む。)」とあるのは「事業計画の策定に至った経過」と、同項第五号中「おそれがある」とあるのは「と予想される」と、同条第四項中「から第四十七条まで」とあるのは「及び第十二条から第二十条まで」と、第十一条第四項中「公表」とあるのは「公示」と、第十二条中「おそれがある」とあるのは「と予想される」と、第十四条の見出し中「隣接県知事等」とあるのは「近隣県市町村長」と、同条中「第九条第一項第四号」とあるのは「第九条第

一項第五号」と、「当該地域を管轄する県の知事(当該地域に地方自治法(昭和二十二年法律第六十七号)第二百五十二条の十九第一項の指定都市の区域が含まれているときは、当該指定都市の市長を含む。以下「隣接県知事等」という。)」とあるのは「当該地域を管轄する県の市町村長(以下「近隣県市町村長」という。)」と、「隣接県知事等」とあるのは「近隣県市町村長」と、第十六条第一項中「四十五日」とあるのは「二十日」と、第十七条第一項中「四十五日」とあるのは「二十日」と、第二十二条中「調査計画書を修正したときは、修正した調査計画書」とあるのは「第九条第四項の規定が適用される場合にあつては、規則で定める環境影響評価の項目について技術指針で定める手法」と、第二十三条第一項中「隣接県知事等」とあるのは「近隣県市町村長」と、第二十九条第一項本文中「第二十七条において準用する第十六条第一項の意見書、第二十七条において準用する第十七条第二項の関係区市町村長の意見を記した書面及び前条第三項の規定により作成された公聴会の記録」とあるのは「第二十七条において準用する第十六条第一項の意見書及び第二十七条において準用する第十七条第二項の関係区市町村長の意見を記した書面」と、同項第四号中「第二十七条において準用する第十六条第一項の意見書、第二十七条において準用する第十七条第一項の求めに応じて提出された関係区市町村長の意見及び前条第三項の規定により作成された公聴会の記録に記載された意見」とあるのは「第二十七条において準用する第十六条第一項の意見書及び第二十七条において準用する第十七条第一項の求めに応じて提出された関係区市町村長の意見」と、第三十条中「第二十七条及び前条第三項において準用する場合」とあるのは「第二十七条において準用する場合」と、「第二十八条第三項の規定により作成した公聴会の記録に記載された意見」とあるのは「東京都環境影響評価条例の一部を改正する条例(平成十四年東京都条例第百二十七号。以下「改正条例」という。)附則第四項の規定により記録された都民の意見を聴く会の意見」と、第三十一条中「第二十九条第三項において準用する第十六条第一項の意見書及び第二十九条第三項において準用する第十七条第一項の求めに応じて提出された関係区市町村長の意見」とあるのは「改正条例附則第四項の規定により記録された都民の意見を聴く会の意見」と、第三十二条第二項中「事業段階関係区市町村長」とあるのは「関係区市町村長」と、「第五十一条において準用する第十五条」とあるのは「改正条例附則第三項」と、「近隣県市町村長(前条第二項の場合にあつては、同条第三項の規定により事業段階関係地域とみなされた地域における近隣県市町村長)」とあるのは「近隣県市町村長」と、第三十三条中「前条第二項」とあるのは「前条第一項」と、第三十四条中「第五十九条第一項」とあるのは「第三十二条第一項」と、第五十九条中「第二十条」とあるのは「改正条例附則第一項本文の改正規定による改正後の東京都環境影響評価条例第二十条」と、第六十四条第一項第二号中「第二十六条第三項(第二十九条第三項において準用する場合を含む。)」とあるのは「第二十六条第三項」と、第六十五条第一項中「第四十条から第五十八条まで」とあるのは「第九条及び第十二条から第三十一条まで」と、同条第二項中「第五十八条」とあるのは「第三十一条」と読

み替えて適用する。

- (2) From the date of promulgation until December 31, 2002, the term “Progress that led up to the formulation of the project plan (for those that have conducted procedures for a planning stage environmental impact assessment, including the progress of the procedures)” in Article 9, paragraph (1), item (iii) of the Tokyo Metropolitan Government Ordinance on Environmental Impact Assessment after the amendment under the amended provisions of the proviso to the preceding paragraph is deemed to be replaced with “progress that led up to the formulation of the project plan”; the term “likely to” in item (v) of the same paragraph is deemed to be replaced with “expected to”; the term “through Article 47” in paragraph (4) of the same Article is deemed to be replaced with “and Articles 12 through 20”; the term “publicly announce” in paragraph (4) of Article 11 is deemed to be “publicly notify”; the term “likely to” in Article 12 is deemed to be replaced with “expected to”; the term “governor of the neighboring prefecture, etc.” in the title of Article 14 is deemed to be replaced with “mayor of the municipality of the neighboring prefecture”; the term “Article 9, paragraph (1), item (iv)” in the same Article is deemed to be replaced with “Article 9, paragraph (1), item (v)”; the term “governor of the prefecture that has jurisdiction over said area (when said area includes an area of the designated city in Article 252-19, paragraph [1] of the Local Autonomy Act [Act No. 67 of 1947], including the mayor of said designated city; hereinafter referred to as “governor of the neighboring prefecture, etc.”)” is deemed to be replaced with “mayor of the municipality of the prefecture that has jurisdiction over said area (hereinafter referred to as “mayor of the municipality of the neighboring prefecture”); the term “governor of the neighboring prefecture, etc.” is deemed to be replaced with “mayor of the municipality of the neighboring prefecture”; the term “45 days” in Article 16, paragraph (1) is deemed to be replaced with “20 days”; the term “45 days” in Article 17, paragraph (1) is deemed to be replaced with “20 days”; the term “in the case where the written investigation plan has been modified, the modified written investigation plan” in Article 22 is deemed to be replaced with “in the case where the provisions of Article 9, paragraph (4) apply, the method provided for by the technical guidelines with respect to the items for an environmental impact assessment provided for by the Regulations”; the term “governor of the neighboring prefecture, etc.” in Article 23, paragraph (1) is deemed to be replaced with “mayor of the municipality of the neighboring prefecture”; the term “written opinion in Article 16, paragraph (1) as applied mutatis mutandis pursuant to Article 27, the document that states the opinion of the mayor of the relevant municipality in Article 17, paragraph (2) as applied mutatis mutandis pursuant to Article 27, and the record of the public hearing prepared pursuant

to the provisions of paragraph (3) of the preceding Article” in the main clause of Article 29, paragraph (1) is deemed to be replaced with “written opinion in Article 16, paragraph (1) as applied mutatis mutandis pursuant to Article 27, and a document that states the opinion of the mayor of the relevant special ward/municipality in Article 17, paragraph (2) as applied mutatis mutandis pursuant to Article 27”; the term “written opinion in Article 16, paragraph (1) as applied mutatis mutandis pursuant to Article 27, the opinion of the mayor of the relevant special ward/municipality submitted as requested in Article 17, paragraph (1) as applied mutatis mutandis pursuant to Article 27, and the opinion stated in the record of the public hearing prepared pursuant to the provisions of paragraph (3) of the preceding Article” in item (iv) of the preceding paragraph is deemed to be replaced with “written opinion in Article 16, paragraph (1) as applied mutatis mutandis pursuant to Article 27 and the opinion of the mayor of the relevant special ward/municipality submitted as requested in Article 17, paragraph (1) as applied mutatis mutandis pursuant to Article 27”; the term “the case as applied mutatis mutandis pursuant to Article 27 and paragraph (3) of the preceding Article” in Article 30 is deemed to be replaced with “the case as applied mutatis mutandis pursuant to Article 27”; the term “opinion stated in the record of the public hearing prepared pursuant to the provisions of Article 28, paragraph (3)” is deemed to be replaced with “opinions of the meeting to hear opinions of the citizens of Tokyo recorded pursuant to the provisions of paragraph (4) of the Supplementary Provisions of the Ordinance Partially Amending the Tokyo Metropolitan Government Ordinance on Environmental Impact Assessment (Tokyo Metropolitan Government Ordinance No. 127 of 2002; hereinafter referred to as the “amended ordinance”); the term “written opinion in Article 16, paragraph (1) as applied mutatis mutandis pursuant to Article 29, paragraph (3) and the opinion of the mayor of the relevant special ward/municipality submitted as requested in Article 17, paragraph (1) as applied mutatis mutandis pursuant to Article 29, paragraph (3)” in Article 31 is deemed to be replaced with “opinions of the meeting to hear opinions of the citizens of Tokyo recorded pursuant to the provisions of paragraph (4) of the supplementary provisions of the amended ordinance”; the term “mayor of the relevant special ward/municipality at the project stage” in Article 32, paragraph (2) is deemed to be replaced with “mayor of the relevant municipality”; the term “Article 15 as applied mutatis mutandis pursuant to Article 51” is deemed to be replaced with “paragraph (3) of the supplementary provisions of the amended ordinance”; the term “mayor of the municipality of the neighboring prefecture...(in the case of paragraph [2] of the preceding Article, the mayor of the municipality of the neighboring prefecture of the area deemed as a project stage

related area pursuant to the provisions of paragraph [3] of the same Article)” is deemed to be replaced with “mayor of the municipality of the neighboring prefecture”; the term “paragraph (2) of the preceding Article” is deemed to be replaced with “paragraph (1) of the preceding Article”; the term “Article 59, paragraph (1)” in Article 34 is deemed to be replaced with “Article 32, paragraph (1)”; the term “Article 20” in Article 50 is deemed to be replaced with “Article 20 of the Tokyo Metropolitan Government Ordinance on Environmental Impact Assessment after the amendment under the amended provisions of the main clause of paragraph (1) of the supplementary provisions of the amended ordinance”; the term “Article 26, paragraph (3) (including the case as applied mutatis mutandis pursuant to Article 29, paragraph [3])” is deemed to be replaced with “Article 26, paragraph (3)”; the term “Articles 40 through 58” in Article 65, paragraph (1) is deemed to be replaced with “Article 9 and Articles 12 through 31”; and the term “Article 58” in paragraph (2) of the same Article is deemed to be replaced with “Article 31.”

- 3 公布の日から平成十四年十二月三十一日までの間は、知事は、附則第一項ただし書の改正規定による改正後の東京都環境影響評価条例第二十二条の規定による評価書案の提出があつた場合において、当該評価書案に記載されている同条第九号に掲げる地域に東京都の区域に属しない地域が含まれているときは、当該地域を管轄する県の市町村長(以下「近隣県市町村長」という。)に当該評価書案の写しを送付し、当該地域についての対象事業に係る環境影響評価の手の実施について近隣県市町村長と協議するものとする。

- (3) From the date of promulgation until December 31, 2002, when a draft environmental impact statement under the provisions of Article 22 of the Tokyo Metropolitan Government Ordinance on Environmental Impact Assessment after the amendment under the amended provisions of the proviso to paragraph (1) of the supplementary provisions has been submitted, and when the area listed in item (ix) of the same Article stated in said draft environmental impact statement includes an area that does not belong to the Tokyo Metropolitan Government area, the governor shall send a copy of said draft environmental impact statement to the mayor of the municipality of the prefecture that has jurisdiction over said area (hereinafter referred to as “mayor of the municipality of the neighboring prefecture”) and consult with the mayor of the municipality of the neighboring prefecture on the implementation of the procedures for an environmental impact assessment pertaining to the target project in said area.

- 4 公布の日から平成十四年十二月三十一日までの間は、知事は、附則第一項ただし書の改正規定による改正後の東京都環境影響評価条例第二十二条の規定により提出された評価書案及び第二十九条の規定により提出された見解書の内容について都民の意見を聴くため、この条例による改正後の東京都環境影響評価条例(以下「新条例」という。)第二十

条の例により都民の意見を聴く会を開催しなければならない。

(4) From the date of promulgation until December 31, 2002, the governor must hold a meeting to hear opinions of the citizens of Tokyo pursuant to the provisions of Article 20 of the Tokyo Metropolitan Government Ordinance on Environmental Impact Assessment after the amendment by this Ordinance (hereinafter referred to as the “new ordinance”), in order to hear opinions of the citizens of Tokyo on the draft environmental impact statement submitted pursuant to the provisions of Article 22 of the Tokyo Metropolitan Government Ordinance on Environmental Impact Assessment after the amendment under the amended provisions of the proviso to paragraph (1) of the supplementary provisions and the contents of the written opinion submitted pursuant to the provisions of Article 29.

(経過措置)

(Transitional Measures)

5 この条例の施行の日前に、この条例による改正前の東京都環境影響評価条例の規定によりなされた諮問、公示、縦覧、送付その他の行為は、それぞれ新条例の相当規定に基づいてなされた行為とみなす。附則第一項ただし書の改正規定の施行の日前に、同改正規定による改正前の東京都環境影響評価条例(以下「旧条例」という。)の規定によりなされた諮問等についても同様とする。

(5) Any consultation, public notice, public inspection, sending documents, or other action taken prior to the effective date of this Ordinance in accordance with the provisions of the Tokyo Metropolitan Government Ordinance on Environmental Impact Assessment prior to its revision by this Ordinance shall be deemed to be an action taken in accordance with the corresponding provisions of the new ordinance. The same shall apply to a consultation, etc. made prior to the date of enforcement of the amended provisions of the proviso to paragraph (1) of the supplementary provisions, pursuant to the provisions of the Tokyo Metropolitan Government Ordinance on Environmental Impact Assessment before the amendment by the same amended revisions (hereinafter referred to as the “former ordinance”).

6 附則第一項ただし書の改正規定の施行の際、旧条例第九条第一項の規定により事業者が調査計画書を知事に提出した事業については当該調査計画書に係る審査意見書を当該事業者が受領するまで、旧条例第二十二条の規定により事業者が評価書案を知事に提出した事業については当該評価書案に係る審査意見書を当該事業者が受領するまでは、旧条例の規定を適用する。

(6) At the time of enforcement of the amended provisions of the proviso to paragraph (1) of the supplementary provisions, the provisions of the former ordinance apply to a project for which the project proponent has submitted the written investigation plan to

the governor pursuant to the provisions of Article 9, paragraph (1) of the former ordinance until said project proponent receives the written review opinion pertaining to said written investigation plan, and to a project for which the project proponent has submitted the draft environmental impact statement pursuant to the provisions of Article 22 of the former ordinance until said project proponent receives the written review opinion pertaining to said draft environmental impact statement.

- 7 この条例の施行の際、既に策定されている計画(以下「既定計画」という。)について、当該施行の日以後にその内容の変更をしようとする場合(軽微な変更の場合を除く。)で、当該変更後の計画が新条例第二条第二号に規定する対象計画に相当するものであるときは、事業者は、規則で定めるところにより知事に届け出なければならない。ただし、当該既定計画に基づく対象事業のうち当該変更に係る部分について新条例第三章又は第四章の規定が適用される場合は、この限りでない。

- (7) When intending to change (except in the case of minor changes) the contents of a plan, which has already been formulated at the time of enforcement of this Ordinance (hereinafter referred to as “default plan”), after the date of said enforcement, and when the plan after said change is equivalent to the target plan provided for in Article 2, item (ii) of the new ordinance, the project proponent must notify that effect to the governor as provided for by the Regulations. However, this does not apply to the case where the provisions of Chapter 3 or 4 of the new ordinance apply to the part of the target project based on said default plan that pertains to said change.

- 8 知事は、前項の規定による届出があった既定計画の変更について環境の保全上特に必要があると認めるときは、新条例第二章の適用について事業者と協議するものとする。

- (8) When finding it particularly necessary for environmental conservation to change a default plan for which notification was submitted under the provisions of the preceding paragraph, the governor shall consult with the project proponent on the application of Chapter 2 of the new ordinance.

- 9 前項の規定にかかわらず、附則第七項の規定による届出があった既定計画が都市計画法第十八条第一項、第十九条第一項又は第二十二條第一項の規定により都市計画に定められているものであるときは、当該既定計画の変更に係る部分について、新条例の規定による対象計画の策定とみなし、新条例第二章の規定を適用する。

- (9) Notwithstanding the provisions of the preceding paragraph, in the case where the default plan for which notification has been submitted under the provisions of paragraph (7) of the supplementary provisions is established in the city planning pursuant to the provisions of Article 18, paragraph (1), Article 19, paragraph (1) or Article 22, paragraph (1) of the City Planning Act, the part pertaining to the change in said default plan is to be deemed as the formulation of a target plan under the

provisions of the new ordinance, and the provisions of Chapter 2 of the new ordinance apply to that part.

附 則(平成二五年条例第八四号)

Supplementary Provisions (Ordinance No. 84 of 2013)

(施行期日)

(Effective Date)

1 この条例は、平成二十五年四月一日から施行する。ただし、第八十五条及び別表の改正規定は、公布の日から施行する。

(1) This Ordinance comes into effect as of April 1, 2013. However, the amended provisions of Article 85 and the attached table come into effect as of the date of promulgation.

(経過措置)

(Transitional Measures)

2 この条例の施行の際、現に事業者(この条例による改正後の東京都環境影響評価条例(以下「改正後の条例」という。)第二条第八号の事業者をいう。)が工事(東京都の区域内で実施されるものに限る。)に着手している法対象事業(改正後の条例第八十八条第五項の法対象事業をいう。)に係る東京都環境影響評価条例の規定の適用については、なお従前の例による。

(2) Prior provisions continue to govern the application of the provisions of the Tokyo Metropolitan Government Ordinance on Environmental Impact Assessment pertaining to the project subject to the Act (meaning a project subject to the Act in Article 88, paragraph (5) of the ordinance after the amendment) for which the project proponent (meaning a project proponent in Article 2, item (viii) of the Tokyo Metropolitan Government Ordinance on Environmental Impact Assessment after the amendment by this Ordinance (hereinafter referred to as the “ordinance after the amendment”)) has actually commenced the construction work (limited to those to be conducted within the Tokyo Metropolitan Government area) at the time of enforcement of this Ordinance.

附 則(平成三〇年条例第一一九号)

Supplementary Provisions (Ordinance No. 119 of 2018)

(施行期日)

(Effective Date)

1 この条例は、平成三十三年一月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

(1) This Ordinance comes into effect as of January 1, 2021. However, the provisions listed in the following items come into effect as of the date provided for in each of the respective items.

一 第十二条第一項、第二十九条、第三十二条第二項、第三十三条第三項及び第三十四条第一項の改正規定、第四十八条に一項を加える改正規定、第四十九条第一項、第五十条、第五十一条、第五十三条、第五十四条、第五十六条第一項、第五十七条第一項、第五十八条第一項、第六十二条第一項本文及び第九十一条第一項の改正規定並びに同条第二項を同条第三項とし、同条第一項の次に一項を加える改正規定並びに次項、附則第八項及び附則第九項の規定 公布の日

(i) The amended provisions in Article 12, paragraph (1), Article 29, Article 32, paragraph (2), Article 33, paragraph (3), and Article 34, paragraph (1), the amended provisions that add one paragraph to Article 48, the amended provisions in Article 49, paragraph (1), Article 50, Article 51, Article 53, Article 54, Article 56, paragraph (1), Article 57, paragraph (1), Article 58, paragraph (1), the main clause of Article 62, paragraph (1), and Article 91, paragraph (1), the amended provisions that amend paragraph (2) of the same Article to paragraph (3) of the same Article and add one paragraph after paragraph (1) of the same Article, and provisions in the following paragraph, paragraph (8) of the Supplementary Provisions, and paragraph (9) of the Supplementary Provisions The day of promulgation

二 第七十四条の次に一条を加える改正規定 平成三十一年四月一日

(ii) Amended provisions that add one Article after Article 74 April 1, 2019

三 第三十七条第一項ただし書及び第六十二条第一項ただし書の改正規定 平成三十二年四月一日

(iii) Amended provisions in the proviso to Article 37, paragraph (1) and the proviso to Article 62, paragraph (1) April 1, 2020

(計画段階環境影響評価における経過措置)

(Transitional Measures in a Planning Stage Environmental Impact Assessment)

2 この条例の施行により新たにこの条例による改正後の東京都環境影響評価条例(以下「新条例」という。)第二条第二号に規定する対象計画となる計画(新条例第二条第六号又は第七号の規定に基づく東京都規則の改正(この条例の施行と同時に施行されるものに限る。))により新たに対象計画となるものを含む。次項において同じ。)に相当するものを策定しようとする者は、この条例の施行前においても、新条例第二章の規定の例による環境影響評価の手続を行うことができる。

(2) When intending to formulate a new plan equivalent to the target plan provided for in Article 2, item (ii) of the Tokyo Metropolitan Government Ordinance on Environmental Impact Assessment amended by this Ordinance as a result of the enforcement of this Ordinance (including those that newly become a target plan as a result of the amendment of the Tokyo Metropolitan Government Regulations under the provisions of Article 2, item (vi) or (vii) of the new ordinance (limited to those that come

into effect at the same time as the enforcement of this Ordinance); the same applies in the following paragraph) (hereinafter referred to as the “new ordinance”), the person may implement the procedures for the environmental impact assessment under the provisions of Chapter 2 of the new ordinance even before this Ordinance comes into effect.

- 3 この条例の施行の際、既に策定されている計画(以下「既定計画」という。)について、当該施行の日以後にその内容の変更をしようとする場合(軽微な変更の場合を除く。)で、当該変更後の計画が当該施行により新たに新条例第二条第二号に規定する対象計画となる計画に相当するものであるときは、事業者は、東京都規則で定めるところにより知事に届け出なければならない。ただし、当該既定計画のうち当該変更に係る部分について新条例第二章の規定が適用される場合又は当該既定計画に基づく対象事業のうち当該変更に係る部分について新条例第三章若しくは第四章の規定が適用される場合は、この限りでない。

- (3) When intending to change (except in the case of minor changes) the contents of a plan, which has already been formulated at the time of enforcement of this Ordinance (hereinafter referred to as “default plan”), after the date of said enforcement, and when the plan after said change is equivalent to the target plan provided for in Article 2, item (ii) of the new ordinance, the project proponent must notify that effect to the governor as provided for by the Tokyo Metropolitan Government Regulations. However, this does not apply to the case where the provisions of Chapter 2 of the new ordinance apply to the part of said default plan that pertains to said change, or the case where the provisions of Chapter 3 or 4 of the new ordinance apply to the part of the target project based on said default plan that pertains to said change.

- 4 知事は、前項の規定による届出があった既定計画の変更について環境の保全上特に必要があると認めるときは、新条例第二章の適用について事業者と協議するものとする。

- (4) When finding it particularly necessary for environmental conservation to change a default plan for which notification was submitted under the provisions of the preceding paragraph, the governor shall consult with the project proponent on the application of Chapter 2 of the new ordinance.

- 5 前項の規定にかかわらず、附則第三項の規定による届出があった既定計画が都市計画法(昭和四十三年法律第百号)第十八条第一項、第十九条第一項又は第二十二条第一項の規定により都市計画に定められているものであるときは、当該既定計画の変更に係る部分について、新条例の規定による対象計画の策定とみなし、新条例第二章の規定を適用する。

- (5) Notwithstanding the provisions of the preceding paragraph, in the case where the default plan for which notification has been submitted under the provisions of paragraph

(3) of the supplementary provisions is established in the city planning pursuant to the provisions of Article 18, paragraph (1), Article 19, paragraph (1) or Article 22, paragraph (1) of the City Planning Act (Act No. 100 of 1968), the part pertaining to the change in said default plan is to be deemed as the formulation of a target plan under the provisions of the new ordinance, and the provisions of Chapter 2 of the new ordinance apply to that part.

(事業段階環境影響評価等における経過措置)

(Transitional Measures in a Project Stage Environmental Impact Assessment)

6 この条例の施行の際、当該施行により新たに新条例第二条第五号の対象事業となる事業（新条例第二条第五号の規定に基づく東京都規則の改正(この条例の施行と同時に施行されるものに限る。)により新たに対象事業となるものを含む。次項において同じ。)で、新条例第四十八条第一項の規則で定める時期を経過していないものを実施しようとする者は、新条例第三章及び第四章の規定に基づく環境影響評価及び事後調査の手続を行うものとする。

(6) When intending to implement a project that newly becomes subject to Article 2, item (v) of the new ordinance at the time of enforcement of this Ordinance as a result of said enforcement (including new target projects due to the amendments of the Tokyo Metropolitan Government Regulations under Article 2, item (v) of the new ordinance (limited to those that come into effect at the same time as the enforcement of this Ordinance); the same applies in the following paragraph), and for which the time provided for by the Regulations of Article 48, paragraph (1) of the new ordinance has not yet elapsed, the person shall implement the procedures for the environmental impact assessment and the post-investigation under the provisions of Chapters 3 and 4 of the new ordinance.

7 この条例の施行の際、当該施行により新たに新条例第二条第五号の対象事業となる事業で、既に新条例第四十八条第一項の規則で定める時期を経過しているものを実施しようとする者は、新条例第三章又は第四章の規定の例による環境影響評価又は事後調査の手続を行うことができる。

(7) When intending to implement a project that newly becomes subject to Article 2, item (v) of the new ordinance at the time of enforcement of this Ordinance as a result of said enforcement, and for which the time provided for by the Regulations of Article 48, paragraph (1) of the new ordinance has been already elapsed, the person may implement the procedures for the environmental impact assessment or post-investigation under the provisions of Chapter 3 or 4 of the new ordinance.

8 前二項の新たに対象事業となる事業を実施しようとする者(新条例第二条第八号の知事が対象事業を実施しようとする者であると認める者及び新条例第九十二条の事業者に代

わる都市計画決定権者を含む。)は、この条例の施行前においても、当該事業について、新条例第三章又は第四章の規定の例による環境影響評価又は事後調査の手続を行うことができる。

- (8) When intending to implement a project that becomes a new target project in the two preceding paragraphs (including a person whom the governor finds to be a person who intends to implement the target project in Article 2, item (viii) of the new ordinance and a city plan stipulator in place of the project proponent in Article 92 of the new ordinance), the person may implement the procedures for the environmental impact assessment or post-investigation for said project under the provisions of Chapter 3 or 4 of the new ordinance.

- 9 附則第一項第一号に定める日前にこの条例による改正前の東京都環境影響評価条例第九十一条第一項各号のいずれかに該当する事業者に対するその事実の公表については、なお従前の例による。

- (9) Prior provisions continue to govern the disclosure of that fact to a project proponent that falls under any of the items of Article 91, paragraph (1) of the Tokyo Metropolitan Government Ordinance on Environmental Impact Assessment prior to the amendment by this Ordinance before the date provided for in paragraph (1), item (i) of the Supplementary Provisions.

別表 対象事業(第二条関係)

Attached Table Target Projects (Related to Article 2)

(平一〇条例一〇七・平二五条例八四・平三〇条例一一九・一部改正)

(Partially amended by Ordinance No. 107 of 1998, Ordinance No. 84 of 2013, and Ordinance No. 119 of 2018)

一 道路の新設又は改築

(i) New construction or reconstruction of a road

二 河川法(昭和三十九年法律第百六十七号)第三条第一項に規定する河川に関するダム、湖沼水位調節施設若しくは放水路の新築又は堰の新築若しくは改築

(ii) New construction of a dam, a lake or marsh water level controlling facility, or a drainage canal or new construction or reconstruction of a weir, related to a river as provided for in Article 3, paragraph (1) of the River Act (Act No. 167 of 1964)

三 鉄道、軌道又はモノレールの建設又は改良

(iii) Construction or improvement of a railway, a track, or a monorail

四 飛行場の設置又は変更

(iv) Installation or modification of an airfield

五 発電所又は送電線路の設置又は変更

(v) Installation or modification of a power plant or a transmission line

六 ガス製造所の設置又は変更

(vi) Installation or modification of a gas production plant

七 石油パイプライン又は石油貯蔵所の設置又は変更

(vii) Installation or modification of an oil pipeline or an oil storage facility

八 工場の設置又は変更

(viii) Installation or modification of a plant

九 終末処理場の設置又は変更

(ix) Installation or modification of a final treatment facility

十 廃棄物処理施設の設置又は変更

(x) Installation or modification of a waste treatment facility

十一 埋立て又は干拓

(xi) Landfill or reclamation

十二 ふ頭の設置

(xii) Installation of a wharf

十三 住宅団地の設置

(xiii) Installation of a housing estate

十四 高層建築物の設置

(xiv) Installation of a high-rise building

十五 自動車駐車場の設置又は変更

(xv) Installation or modification of a car parking lot

十六 卸売市場の設置又は変更

(xvi) Installation or modification of a wholesale market

十七 流通業務市街地の整備に関する法律(昭和四十一年法律第百十号)第二条第二項に規定する流通業務団地造成事業

(xvii) Distribution business center provided for in Article 2, paragraph (2) of the Act concerning the Improvement of Urban Distribution Centers (Act No. 110 of 1966)

十八 土地区画整理法(昭和二十九年法律第百十九号)第二条第一項に規定する土地区画整理事業

(xviii) Land readjustment project provided for in Article 2, paragraph (1) of the Land Readjustment Act (Act No. 119 of 1954)

十九 新住宅市街地開発法(昭和三十八年法律第百三十四号)第二条第一項に規定する新住宅市街地開発事業

(xix) New housing and urban development project provided for in Article 2, paragraph (1) of the New Housing and Urban Development Act (Act No. 134 of 1963)

二十 首都圏の近郊整備地帯及び都市開発区域の整備に関する法律(昭和三十三年法律第九十八号)第二条第五項に規定する工業団地造成事業

(xx) Industrial park development project provided for in Article 2, paragraph (5) of the Act on Arrangement of Suburban Development and Redevelopment Areas and Urban Development Areas in Metropolitan Area (Act No. 98 of 1958)

二十一 都市再開発法(昭和四十四年法律第三十八号)第二条第一号に規定する市街地再開発事業

(xxi) Urban redevelopment project provided for in Article 2, item (i) of the Urban Renewal Act (Act No. 38 of 1969)

二十二 新都市基盤整備法(昭和四十七年法律第八十六号)第二条第一項に規定する新都市基盤整備事業

(xxii) New city foundation development project provided for in Article 2, paragraph (1) of the New Urban Infrastructure Act (Act No. 86 of 1972)

二十三 大都市地域における住宅及び住宅地の供給の促進に関する特別措置法(昭和五十年法律第六十七号)第二条第四号に規定する住宅街区整備事業

(xxiii) Residential block improvement project provided for in Article 2, item (iv) of the Act on Special Measures Concerning the Promotion of Supply of Houses and Housing Lands in Urban Districts (Act No. 67 of 1975)

二十四 都市計画法第四条第十一項に規定する第二種特定工作物の設置又は変更

(xxiv) Installation or modification of a category 1 special structures provided for in Article 4, paragraph (11) of the City Planning Act

二十五 建築物の建築の用に供する目的で行う土地の造成(前各号に掲げるものに係る土地の造成を除く。)

(xxv) Development of land for the purpose of constructing a building (excluding development of land pertaining to those listed in the preceding items)

二十六 土石の採取又は鉱物の掘採

(xxvi) Collection of soil and stones or mining of minerals

二十七 前各号に掲げるもののほか、これらの事業と同程度に環境に著しい影響を及ぼすおそれのある事業で規則で定めるもの

(xxvii) In addition to what is provided for in the preceding items, a project that is likely to have a significant environmental impact to the same extent as these projects and that is provided for by the Regulations

備考 この表の改築、改良又は設置には、施設更新(既存の施設(建築物、工作物その他の施設をいう。以下同じ。))の全部又は一部の除却と併せて、当該施設と同一の敷地において、当該施設と同一の用に供する新たな施設を設ける行為で規則で定めるものをいう。)を含むものとする。

Remarks Reconstruction, improvement or installation in this table shall include facility renewal (meaning an act of installing a new facility, in conjunction with the

removal of all or part of an existing facility (meaning a building, a structure, and other facilities; the same applies hereinafter), that is to be used for the same purpose as said facility on the same premises as said facility, which is provided for by the Regulations).