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From:	General Secretariat of the Council
To:	Delegations
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Subject:	Proposal for a Regulation of the European Parliament and of the Council on speeding-up environmental assessments - Mandate for negotiations with the European Parliament

Delegations will find attached the mandate for negotiations with the European Parliament on the abovementioned proposal, as agreed by the Permanent Representatives Committee at its meeting on 30 September 2026. Changes compared to the Commission proposal are marked in **bold** for the additions and with [...] for the deletions.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on speeding-up environmental assessments

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) The political guidelines for the European Commission's 2024-2029 term³, sets out a plan for the Union's sustainable prosperity and competitiveness. Making business easier and deepening the Single Market are among the key priorities.

¹ OJ C , , p. .

² OJ C , , p. .

³ Europe's Choice, Political Guidelines for the next European Commission 2024–2029, Ursula von der Leyen

- (2) The Union has committed to the accelerated decarbonisation of its economy to achieve climate neutrality, namely net-zero emissions or emissions after the deduction of removals, by 2050. That objective is at the heart of the European Green Deal and is in line with the Union's commitment to global climate action under the Paris Agreement.
- (3) At the same time, the findings of the 2024 Draghi report⁴ indicate that lengthy and uncertain permit granting procedures are an obstacle for the roll-out of critical projects such as new power supply and grids. The Clean Industrial Deal Communication⁵ indicates that it is to speed up permit granting procedures, in particular for the deployment of grids, energy storage and renewables projects, industrial access to energy and industrial decarbonisation projects as well as manufacturing of clean technologies. Faster permit granting procedures are necessary, amongst other, for Data centre projects, EuroHPC supercomputer facilities, AI factories, AI Gigafactories, semiconductor projects. Also, this is needed for projects supporting the digital transition, for those related to the decarbonisation of maritime and inland ports, airports and railways of trans-European transport network. Faster permitting is also necessary for projects which are critical to ensure food security in the Union.
- (4) Affordable housing should be available to households that are not able, due to market outcomes and notably market failures, to access housing at affordable conditions. For this purpose, housing affordability should be measured on the basis of reliable indicators such as for example the housing cost overburden rate, a rent-to-income ratio, a mortgage payment to income ratio, a price to income ratio, or years of income to buy a home. Energy costs should be considered as part of the total housing costs, at least for buildings with a low energy performance.

⁴ Draghi, M. (2024) The future of European competitiveness. Available at: The Draghi report on EU competitiveness

⁵ Communication from the Commission to the European Parliament, the Council, The EUROPEAN Economic and Social Committee and the Committee of the Regions of 26 February 2025, The Clean Industrial Deal: A joint roadmap for competitiveness and decarbonisation (COM(2025) 85 final).

- (5) Procedures linked to environmental assessments should be accelerated and streamlined for plans, programmes and projects across all sectors of the economy by establishing a common acceleration framework for environmental assessments in order to boost EU's roll out of key technologies, reduce dependencies and strengthen competitiveness. This Regulation provides for such framework, while maintaining the same level of protection of human health and of the environment.
- (6) Some sectors may, however, require yet faster environmental assessments. Therefore, in order to safeguard the coherence of the legal framework of environmental assessments, whilst allowing for the additional needs for acceleration in certain strategic sectors, a dedicated toolbox should be provided which applies where appropriate, with particular focus on decarbonisation, resource efficiency and resilience. This should apply where existing sectorial Union legislation, such as on critical raw materials⁶, net zero industry⁷, semiconductors⁸ as well as maritime and inland ports, airports, railways, **critical medicines infrastructure**, which are part of trans-European transport network⁹ and future sectorial Union legislation defines strategic sectors or categories of projects for the purpose of faster permitting.

⁶ Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulation (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020 ([OJ L 1252, 3.5.2024](#), p. 1, ELI: <http://data.europa.eu/eli/reg/2024/1252/oj>).

⁷ Regulation (EU) 2024/1735 of the European Parliament and of the Council of 13 June 2024 on establishing a framework of measures for strengthening Europe's net-zero technology manufacturing ecosystem and amending Regulation (EU) 2018/1724 ([OJ L, 2024/1735, 28.6.2024](#), ELI: <http://data.europa.eu/eli/reg/2024/1735/oj>).

⁸ Regulation (EU) 2023/1781 of the European Parliament and of the Council of 13 September 2023 establishing a framework of measures for strengthening Europe's semiconductor ecosystem and amending Regulation (EU) 2021/694 (Chips Act), [OJ L 229, 18.9.2023](#), ELI: <http://data.europa.eu/eli/reg/2023/1781/oj>.

⁹ Regulation (EU) 2024/1679 of the European Parliament and of the Council of 13 June 2024 on Union guidelines for the development of the trans-European transport network, amending Regulations (EU) 2021/1153 and (EU) No 913/2010 and repealing Regulation (EU) No 1315/2013, [OJ L, 2024/1679, 28.6.2024](#), ELI: <http://data.europa.eu/eli/reg/2024/1679/oj>.

- (7) Environmental assessments required under Union law are an integral part of the project authorisation and planning procedures and are essential safeguards to ensure that significant environmental effects are prevented or minimised, as well as to ensure transparency and effective public participation in decision making processes related to plans, programmes and projects likely to have significant effects on the environment.
- (8) In line with the precautionary principle enshrined in the Treaty, environmental assessments provide systematically a high level of protection of the environment and contribute to the integration of environmental considerations into the preparation of plans, programs and projects with a view to reducing their environmental effects and making them more sustainable, thus contributing to sustainable development.
- (9) The permit granting process covers all relevant consents and permits to build, expand, convert or operate a project, including relevant environmental assessments, as applicable to each specific project, and in particular as regards water, soil, air, ecosystems, habitats and biodiversity. Environmental assessments encompass **the** relevant assessment procedures required under Union environmental law [...] **such as applicability assessments under Directive 2000/60/EC, strategic environmental assessments under Directive 2001/42/EC, environmental impact assessments under Directive 2011/92/EU and appropriate assessments under Directive 92/43/EEC and under Directive 2009/147/EC.** **Environmental assessments** provide decision-makers and the public with necessary information on the environmental effects of a given plan, programme or project issued or to be authorised by the competent authority.
- (10) To ensure that environmental assessments, as part of the overall permit granting procedures, are faster, more effective and cost-efficient, measures with the potential to accelerate and streamline such assessments should be put in place while maintaining a high level of environmental protection as set out in Article 192(1) of the Treaty.

(10a) This Regulation establishes a procedural framework for environmental assessment and screening procedures required under Directives 2000/60/EC, 2001/42/EC, 2009/147/EC, 2011/92/EU and 92/43/EEC. It should apply together with those Directives and complement and specify the procedural arrangements laid down therein. Where this Regulation lays down specific procedural rules governing the same procedural matters, those rules should govern the organisation and conduct of the relevant assessment and screening procedures. Except to the extent that Union acts are amended by this Regulation, it should not affect the substantive obligations arising from those Directives or from other applicable Union legislation, including as regards the level of environmental protection, the requirements for assessment, and the conditions for granting authorisation. Certain Union acts applicable to specific sectors contain more specific procedural rules concerning environmental assessment or screening. Those rules should continue to apply together with this Regulation and should prevail to the extent that they govern the same procedural matters. At the same time, certain provisions of Regulations (EU) 2023/1781, (EU) 2024/1252 and (EU) 2024/1735 should be amended in order to remove overlaps and ensure coherence with the procedural framework established by this Regulation.

- (11) In order to improve the effectiveness of the assessments, reduce administrative complexity and increase economic efficiency, where the obligation to carry out environmental assessments arises simultaneously from this Regulation and Directive 2000/60/EC¹⁰, Directive 2001/42/EC¹¹, Directive 2009/147/EC¹² and Directive 2011/92/EU¹³ of the European Parliament and of the Council, as well as from Council Directive 92/43/EEC¹⁴, Member States should ensure that coordinated and/or joint procedures fulfilling the requirements of those Directives are provided. Where coordinated or joint procedures are set up, Member States should designate an authority responsible for performing the corresponding duties. Taking into account institutional structures and their specific organisational characteristics, Member States should have the possibility, where they deem it necessary, to designate more than one authority.
- (12) Pursuant to Directive 2010/75/EU of the European Parliament and of the Council¹⁵, in the case of a new installation or a substantial change where Article 4 of Directive 2011/92/EU applies, any relevant information obtained or conclusion taken pursuant to Directive 2011/92/EC should be examined and used for the purposes of granting a permit under Directive 2010/75/EU.

¹⁰ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1, ELI: <http://data.europa.eu/eli/dir/2000/60/oj>).

¹¹ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30, ELI: <http://data.europa.eu/eli/dir/2001/42/oj>).

¹² Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7, ELI: <http://data.europa.eu/eli/dir/2009/147/oj>).

¹³ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment ([OJ L 26, 28.1.2012](#), p. 1, ELI: <http://data.europa.eu/eli/dir/2011/92/oj>).

¹⁴ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7, ELI: <http://data.europa.eu/eli/dir/1992/43/oj>).

¹⁵ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial and livestock rearing emissions (integrated pollution prevention and control) (Recast).

- (13) This Regulation should not alter the criteria or conditions under which screening or environmental assessments are required under other Union environmental legislation, such as Directives 2000/60/EC, 2001/42/EC, 2009/147/EC and 2011/92/EU, and Directive 92/43/EEC. Rather, it should provide the necessary legal framework to combine and accelerate the procedures set out in those Directives.
- (13a) Effects on the environment should be taken into account at the earliest possible stage in all the technical planning and decision-making processes for plans, programmes and projects. While Directives 92/43/EEC, 2001/42/EC, 2009/147/EC and 2011/92/EU provide for assessment of the effects on the environment, for the purposes of Article 4(7) of Directive 2000/60/EC the Court of Justice of the EU has interpreted the need for an assessment of impacts on water bodies¹⁶.**
- (14) Data centre projects, construction of EuroHPC supercomputer facilities, AI factories, and giga factories under Regulation (EU) 2024/1732¹⁷ and Regulation (EU) 2025/xxxx amending Regulation (EU) 2021/1173 on establishing the EuroHPC, semiconductor projects, affordable housing development projects, and projects on recharging points for electric vehicles fall within Annex II of Directive 2011/92/EU. Projects falling within that Annex are not subject to a mandatory environmental impact assessment. Instead, it is for Member States to determine whether those projects need to be subject to an environmental impact assessment because of their likely significant effects on the environment either case by case or through the establishment of thresholds or other criteria.

¹⁶ **C-461/13 and C-535/18.**

¹⁷ Council Regulation (EU) 2024/1732 of 17 June 2024 amending Regulation (EU) 2021/1173 as regards a EuroHPC initiative for start-ups in order to boost European leadership in trustworthy artificial intelligence, OJ L, 2024/1732, 19.6.2024, ELI: <http://data.europa.eu/eli/reg/2024/1732/oj>.

- (15) Member States **may designate** an environmental single point of contact for environmental assessments **for a given project where the requirement to carry out an environmental assessment arises for that project from Directives 92/43/EEC, 2009/147/EC, 2011/92/EU and 2000/60/EC**. Member States should be able, in light of their internal organisation, to choose whether to establish or designate their points of contact at local, regional or national level, or at any other relevant administrative level. Moreover, the relevant competent authorities should specify and make available to the environmental single point of contact the requirements and extent of information to be requested from the developer. The environmental single point of contact should, in its role of coordinator, facilitate the provision of information to the competent authorities. **The single point of contact may act as a coordinating interface without prejudice to the competences of competent authorities under national law.**
- (16) In order to allow businesses and developers, including for cross-border projects, to directly enjoy the benefits of the internal market without incurring an unnecessary additional administrative burden, Regulation (EU) 2018/1724 of the European Parliament and of the Council¹⁸, which established the Single Digital Gateway, provides for general rules for the online provision of information, procedures and assistance services relevant for the functioning of the internal market. **Environmental** single points of contact established or designated pursuant to that Regulation are included in the list of assistance and problem-solving services in Annex III to that Regulation. **National, regional or local environmental single points of contact may therefore be listed on the Your Europe Portal. [...]**

¹⁸ Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/1724/oj>).

- (17) In order to increase speed, effectiveness and cost-efficiency of environmental assessment procedures required under Union law, and to reduce administrative burden, environmental assessments should be combined to the furthest extent possible, taking into account the specific organisational characteristics of Member States. The fact that assessments are combined should not affect their content or quality. Combined assessments should be carried out in a manner that does not lead to a prolongation of the time limits set out in this Regulation. **The combination of procedures should remain optional and be applied only where compatible with the objectives, scope and timing of the respective assessment procedures.**
- (18) Coordinating or joining the environmental assessment procedures applicable to a plan, programme or project aims to avoid overlaps and redundancy, while also taking full advantage of synergies, and to minimise the time needed for authorisation. Where such coordinated or joint procedures are carried out, in particular, under Directives 2001/42/EC and 2011/92/EU, Member States should ensure that the procedural steps of environmental assessments, including scoping, preparation of an environmental assessment report, carrying out consultations and issuing a reasoned conclusion on the environmental effects, are combined.
- (19) Competent authorities and the environmental single point of contact should cooperate and coordinate with regard to the screening and environmental assessment procedures at national and Union level as appropriate. Such cooperation and coordination should aim at ensuring common priorities and understanding of the relationship between plans, programmes and projects and their impact on the environment; exchanging information for strategic and operational purposes, within the limits set out in applicable Union and national law; improving consultation between relevant authorities; exchanging best practices; as well as further developing digital tools in support of more efficient environmental assessments including in a transboundary context. The cooperation and coordination [...] mechanisms may take the form of specialised coordination bodies, memoranda of understanding between competent authorities, joint training activities, or other appropriate cooperation and coordination identified by the Member States.

- (20) With view to streamlining the decision-making process while ensuring effective and timely consultations of the public concerned and of the authorities likely to be concerned by the plan, programme and project by reason of their specific environmental responsibilities or local and regional competences, such consultations should be run in parallel. Member States should ensure that the consultations are conducted in the most effective way [...] . Member States should not expressly and generally require that the authorities likely to be concerned by the project by reason of their specific environmental responsibilities or local and regional competences are consulted before the public concerned. At the same time, Member States shall ensure that the public concerned is consulted on all the essential elements of a plan, programme or project, that would significantly impact the environment or human health.
- (21) In order to avoid overlaps and redundancy, while also taking full advantage of synergies, minimising the time needed for authorisation and maximising efficiency in data collection, it is appropriate that the respective competent authorities of Member States make available to the developer within a reasonable time-frame and sufficiently early in the process, any available results of other relevant environmental assessments under Union or national legislation for the preparation of the environmental report for a given project, in particular with regard to the assessment of reasonable alternatives, where available.
- (22) [...]

- (23) It is important that legal challenges be resolved without undue delay whilst preserving access to justice in environmental matters. Lengthy procedures generate greater litigation costs, increasing the financial burden of the parties to a legal dispute. They may also cause delays to projects and other economic activities that are ultimately confirmed to be lawful. Therefore, timely procedures are in the interest of all actors of society including both economic operators and applicants representing the interest of the environment in administrative and judicial proceedings.
- (24) In order to ensure a high level of environmental protection, legal certainty and administrative efficiency, Member States should have the option within their respective national systems to **provide** that [...] arguments [...] **not** raised during the administrative stage of the procedure leading to the authorisation of a **plan, programme or project may be precluded at the stage of [...]** judicial review, thereby enabling competent authorities to address them during the decision-making **and** to avoid excessive delays in the permit granting process, without prejudice to the right of access to justice. **Such procedural rules should apply only where the public concerned had a genuine opportunity to participate based on information that was accessible, understandable and made available in due time and should preserve effective judicial protection as guaranteed by Article 47 of the Charter of Fundamental Rights of the European Union.**

- (25) Further to the 2017 Ministerial Declaration on eGovernment (Tallinn declaration) and the 2023 Declaration on Digital Rights and Principles for the Digital Decade, and line with the 2025 Commission Communication on implementation and simplification ‘A simpler and faster Europe’¹⁹, the Commission will further embed the ‘digital by default’ through the use of European Digital Identity Wallets and European Business Wallets and ‘once-only’ principles in partnership with national, regional and local authorities and the relevant Union agencies in order to lighten reporting burdens and compliance costs. Digital public services with a cross-border data exchange are governed by the Regulation (EU) 2024/903 of the European Parliament and of the Council²⁰, while the European Interoperability Framework (EIF) facilitates cross-border data exchange. Authorities falling within the scope of that Regulation are required to set up gradually a fully digitalised procedure for environmental assessments, including submission of application and online accessibility of information.
- (26) In order to reduce costs for [...] developers in complying with their environmental obligations, Member States should be encouraged to bear the administrative **charges and fees** associated with the environmental assessments for a given project, in particular in the case of smaller developers. The costs for the preparation of environmental assessment reports should still be borne by the [...] developer. This possibility offered to Member States aims to facilitate the practical application of Union legislation by smaller developers and strengthen the competitiveness and sustainability of the Union economy.

¹⁹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 11 February 2025, ‘A simpler and faster Europe: Communication on implementation and simplification’ (COM/2025/47 final).

²⁰ Regulation (EU) 2024/903 of the European Parliament and of the Council of 13 March 2024 laying down measures for a high level of public sector interoperability across the Union (Interoperable Europe Act) (OJ L, 2024/903, 22.3.2024, ELI: <http://data.europa.eu/eli/reg/2024/903/oj>).

- (27) Such smaller developers may fall into different categories, such as small mid caps as defined in Commission Recommendation (EU) 2025/1099²¹, or small and medium-sized enterprises as defined in Commission Recommendation 361/2003/EC²².
- (28) In order to ensure that the tasks allocated to the authorities under this Regulation are performed at a sufficiently high quality Member States should ensure that the environmental single point of contact and all competent authorities responsible for any step along the screening and environmental assessments processes, including all procedural steps, have a sufficient number of qualified staff and sufficient financial, technical and technological resources necessary.
- (29) While streamlining and simplifying procedures is crucial, it is equally important that the environmental standards, including those that are stemming from international law, are respected, including the obligations under the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, signed at Aarhus on 25 June 1998, and under the UNECE Convention on environmental impact assessment in a transboundary context, signed at Espoo on 25 February 1991 and its Protocol on Strategic Environmental Assessment, signed in Kyiv on 21 May 2003.

²¹ Commission Recommendation (EU) 2025/1099 of 21 May 2025 on the definition of small mid-cap enterprises ([OJ L, 2025/1099](#)).

²² Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises ([OJ L 124, 20.5.2003](#)).

- (30) In order to provide developers and investors with the security and clarity needed to increase development of projects, Member States should ensure that the environmental assessment process related to such projects does not exceed [...] the time-limits **established by this Regulation**. Clear timelines for decisions to be taken by the competent authorities throughout the environmental assessment process on the basis of a complete application should be introduced to accelerate the development of projects. The time taken to build the actual project should not be counted towards those timelines, except when it coincides with other administrative steps in the environmental assessment process. In exceptional cases related to the nature, complexity, location or size of the proposed project, Member States should be able to extend the timelines. Such exceptional cases could include unforeseen circumstances triggering the need to add to or complete environmental assessments related to the project.
- (31) The first step of the environmental impact assessment pursuant to Directive 2011/92/EU, which consists of the preparation of an environmental impact assessment report, is often predominantly performed by the project developer. That step should therefore not be integrated in the timelines defined within this Regulation.
- (32) Following the completion of consultations with the public concerned, local and regional authorities and other authorities likely to be concerned by reason of their specific environmental responsibilities as well as other Member States, where required, the completeness of the information provided by the developer of a project should be acknowledged by the competent authorities. Before such acknowledgement is issued, the competent authorities should be able to request additional information to enable it to take an informed decision on the environmental effects of the project. Following an acknowledgement, unless specific circumstances arise, the developer shall not be asked to submit new information.

- (33) In order to simplify and harmonise exchanges between competent authorities and developers, such exchanges should be enabled through the use of the European Business Wallets established pursuant to [OP please add - Proposal for a Regulation on the establishment of European Business Wallets], as they provide a secure, standardised, and interoperable platform for developers to interact with competent authorities enabling an efficient and effective submission of required information more efficient and effective, while ensuring a high level of data protection, cybersecurity, and integrity of information.
- (34) The construction, operation, and decommissioning of projects can lead to **incidental** killing or disturbance of bird species protected under Directive 2009/147/EC and **of** other species protected under Directive 92/43/EEC. The extent of killing or disturbance [...] can vary depending on the type of project and its design, [...] the ecological importance of the area for the species and their presence in the area concerned [...]. **Where appropriate and proportionate mitigation measures are adopted and such measures are designed to avoid significant adverse impacts on the population of the species concerned, such killing or disturbance should not be considered deliberate within the meaning of Article 5 of Directive 2009/147/EC.**
- (35) [...] Mitigation measures should be appropriate and proportionate, ensuring on the basis of the best available scientific data that any residual effects do not adversely affect the populations of the species concerned. The level of mitigation effort shall therefore correspond to the degree of risk and the vulnerability of the species, without exceeding what is necessary to achieve that objective. While the cost of mitigation should also be considered as part of the proportionality assessment, economic factors alone should not justify the omission of necessary measures, nor should they serve as grounds to reject effective mitigation. **Member States should ensure that the effectiveness of those measures is monitored and that additional measures are taken where necessary to avoid significant adverse impacts on the population of the species concerned.**

- (36) When establishing whether projects may be covered under the provision on assessing overriding public interest under this Regulation, specific attention should be given to their strategic nature, whether they contribute to decarbonisation goals, resource efficiency and resilience as well as to what extent they are likely – or not – to cause significant effect on the environment. In the upcoming Circular Economy Act, projects which concern prevention, separate collection, re-use, preparing for re-use, and recycling of waste should also be defined as strategic, given their important contribution to circular economy. Also, in the upcoming Industrial Accelerator Act, projects related to decarbonisation of energy intensive industries as well as those located in industrial acceleration areas should also be defined as strategic given their importance to resilience and decarbonisation.
- (37) Predictable, simpler and faster processes for environmental assessments as part of the overall national authorisation processes, are necessary to provide the investment security necessary for the effective development of projects, which may be particularly important in certain sectors of the economy at this juncture. Therefore, as part of the toolbox, sectorial Union legislation may also provide, in accordance with this Regulation, that plans, programmes and projects in certain sectors or categories should be regarded as urgent at national level and should therefore be given a priority status insofar as national law provides for such expedited procedures in all judicial and dispute resolution procedures relating to them, while ensuring respect for the rights to access to justice and defence, if and to the extent, national law provides for such expedited procedures.
- (38) [...]
- (39) Some provisions of this Regulation are not suitable to apply immediately following its entry into force. This is the case of provisions that require Member States to set up new processes such as the designation of environmental single points of contact or setting up central portals for environmental reports and data resulting from environmental assessments and screening procedures. Therefore, it is necessary that the application of those provisions is deferred to a later time than the entry into force of this Regulation.

- (39a) In view of ensuring consistency of the legal framework for environmental assessments and avoid its further fragmentation, provisions on environmental assessments in certain existing sectoral Union legislation should be incorporated in this Regulation. Therefore, Regulations (EU) 2023/1781, (EU) 2024/1252 and (EU) 2024/1735 should be amended accordingly.**
- (39b) In order to ensure legal certainty and avoid disruption of ongoing administrative procedures, environmental assessment, screening and permit-granting procedures initiated before the date of application of this Regulation should continue to be governed by the provisions applicable on the date on which those procedures were initiated. This is necessary to preserve the validity of procedural steps already completed and to avoid imposing additional administrative burdens on competent authorities, project developers and other parties involved in pending procedures. For the purposes of such procedures, references in Union acts to provisions amended or deleted by this Regulation should continue to be understood as references to those provisions as they stood on the date on which the procedure was initiated.**
- (39c) Since this Regulation amends certain provisions of Directive 2011/92/EU, Member States should ensure that their national provisions implementing that Directive are updated to reflect those amendments. As this Regulation is directly applicable and does not require transposition into national law, Article 13 of Directive 2011/92/EU should be amended to introduce an explicit alignment obligation for Member States within a set deadline. Projects having both civilian and military purposes, such as the construction and upgrade of railways, the upgrade of road sections of the network and the enhancement of infrastructure in maritime ports, airports, and inland waterways, as well as projects serving the purposes of preparedness and response to civil emergencies, are crucial for enhancing the Union’s long-term preparedness and security. Certain projects may be excluded from the assessment obligation under Directive 2011/92/EU where such projects mainly serve defence purposes or preparedness and response to civil emergencies. In order to establish the primary purpose of such projects, Member States should take into account their principal objective. Member States may use thresholds or criteria to establish the primary purpose and the strategic nature of such projects.**

- (40) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States but can rather, by reason of the scale or effects of its measures, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives,

HAVE ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Scope and applicable law

1. This Regulation [...] **lays down rules for the organisation, coordination and conduct of environmental assessments and screening of plans, programmes and projects falling within the scope of Directives 2000/60/EC, 2001/42/EC, 2009/147/EC, 2011/92/EU and 92/43/EEC.**
2. **This Regulation shall apply in conjunction with the Directives referred in paragraph 1 and shall complement and specify the procedural arrangements provided therein.**
Where this Regulation lays down specific procedural rules governing the same procedural matters as those provided for in the Directives referred to in paragraph 1, the provisions of this Regulation shall prevail.
3. **The application of this Regulation shall not affect the substantive obligations arising from the Directives referred to in paragraph 1 or from Union legislation applicable to specific sectors, in particular as regards the level of environmental protection, the requirements for assessment, and the conditions for granting authorisation.**

4. **Where Union legislation applicable to specific sectors, including legislation aimed at accelerating the permitting of strategic projects, contains procedural rules on environmental assessment or screening, those rules shall apply together with this Regulation. To the extent that such sector specific Union legislation constitutes more specific provisions governing the same procedural matters, those sectorspecific rules shall prevail.**
5. **Paragraph 4 is applicable to the amendments set out in Articles 14d, 14e and 14f, and to future Union rules setting out sector-specific procedural rules on environmental assessment or screening.**

Article 2

Definitions

1. For the purposes of this Regulation, the definitions in Directives **92/43/EEC, 2000/60/EC, 2001/42/EC, [...] 2011/92/EU, [...] and 2009/147/EC [...]** shall apply, except where a term defined in those Directives is defined otherwise in this Regulation.
2. The following definitions shall also apply:
 - (a) ‘reasoned conclusion’ means the opinion or decision of the competent authority finalizing its examination of the **significant** environmental effects of a project;
 - (b) ‘scoping’ means the procedure to be carried out by the competent authority determining the scope and level of detail of the environmental information to be provided in the form of an environmental assessment report for the plan, programme or project;
 - (c) ‘screening’ means the procedure to be carried out by the competent authority determining whether plans, programmes or projects are to be subject to an environmental assessment because of their likely significant effects on the environment.

- (d) **‘coordinated procedure’ means a process where various individual assessments of the environmental impact of a particular project, plan or programme, required by the relevant Directives, are coordinated.**
- (e) **‘joint procedure’ means a process where a single assessment of the environmental impact of a particular project and, where relevant, plan or programme, required by the relevant Directives, is provided.**

CHAPTER II

COMMON PROVISIONS ON STREAMLINING ENVIRONMENTAL ASSESSMENTS

Article 3

Environmental single point of contact

1. Member States **may** establish or designate environmental single points of contact, **which may be digital**, at the **appropriate** administrative **national, regional or local level** for the environmental assessments **of projects**. **Member States may also establish or designate environmental single points of contact for plans or programmes**. Each single point of contact shall [...] **act as a coordination and communication interface and shall not affect the allocation of decision making powers under national law, unless Member States decide otherwise**. **Where the environmental assessment is integrated into the existing procedures for development consent to projects in the Member States, the authority responsible for the procedure for development consent to the relevant project can act as a single point of contact.**

2. Where a single point of contact is required for an overall permit-granting process pursuant to other Union or national legislation, the environmental single point of contact referred to in paragraphs 1 shall, **where relevant in accordance with paragraph 5 of this Article**, be the same as the one established **in accordance with Article 6 of Regulation (EU) 2024/1735, Article 9 of Regulation (EU) 2024/1252, Article 16 of Directive (EU) 2023/2413, Article 8 of the Regulation (EU) 2022/869, Article 4 of the Proposal for a Regulation establishing a framework of measures for the acceleration of industrial capacity and decarbonisation in strategic sectors and Article 11 of the Proposal for a Regulation of the European parliament and of the Council on establishing a framework of measures for strengthening Union’s biotechnology and biomanufacturing sectors (Biotech Act), Article 12 of the proposal for a Regulation establishing a framework of measures for strengthening Europe’s cloud and AI ecosystem (Cloud and AI Development Act) and Article 22 of the proposal for a Regulation on a framework of measures for strengthening the Union’s semiconductor ecosystem, repealing Regulation (EU) 2023/1781 (Chips Act 2.0)] [...]**.
3. Member States shall provide tools to help developers identify the appropriate established or designated **environmental single point of contact** [...] on the online portal set up in accordance with Article 10.
4. The environmental single point of contact established or designated pursuant to paragraph 1 shall [...] **serve as the primary coordination point** [...] for the developer for the environmental assessments under this Regulation. It shall coordinate and facilitate the submission of all relevant documents and information and shall notify the project **developers** of the outcome of the [...] **reasoned conclusion referred to in Article 2(2)(a)**.
5. **Where this is necessary to reflect its decentralised administrative organisation, a Member State may establish or designate more than one single point of contact pursuant to paragraph 1 of this Article. The Member State shall ensure that effective coordination mechanisms are established and that they provide tools to help project promoters identify the appropriate single point of contact and that this single point of contact acts as the sole interface for each project.**

Article 4

Streamlining of environmental assessment procedures

1. In the case of plans, programmes, or projects for which the obligation to carry out assessments of the effects on the environment or screening arises [...] from any two or more of the Directives referred to in Article 1(1), Member States shall [...] **enable, where appropriate and feasible**, a coordinated **or** joint procedure fulfilling all the requirements of those Directives.

[...]
2. Competent authorities [...] **may** consult the public concerned by the environmental decision-making procedure relating to a plan, programme or project subject to an assessment in accordance with paragraph 1 at the same time as they consult the authorities likely to be concerned by that plan, programme or project by reason of their specific environmental responsibilities or local and regional competences referred to in Article 6(2) of Directive 2001/42/EC and Article 6(1) of Directive 2011/92/EU.
3. In the case of [...] projects for which the obligation to carry out assessments of the effects on the environment arises simultaneously from two or more of the Directives referred to in Article 1(1), Member States shall, **where appropriate**, issue one single opinion on the scope and level of detail of the information to be included in the [...] **relevant reports required to facilitate assessment of the project under the Directives concerned**.
4. **For projects subject to an environmental impact assessment under Directive 2011/92, and in accordance with the provisions of Article 7(1)(b) of this Regulation and Article 5(2) of Directive 2011/92, scoping may be requested by the developer or the competent authority, where an applicable sectoral Directive or other Union legislation, or national law, so provides.**

5. Member States shall ensure that the results of other relevant environmental assessments under Union or national legislation are made available to developers for their preparation of the environmental reports referred to in Article 5 of Directive 2011/92/EU within reasonable timelines **established by the Member State in national law**, respecting the limitations with regard to commercial and industrial confidentiality, including intellectual property, data protection and the safeguarding of the public interest. [...]

Article 5

Changes to projects

[...]

Article 6

Substantial preclusion

1. In [...] judicial proceedings relating to environmental assessments **or screening of plans, programmes and projects referred to in Article 1(1) [...]** , Member States may **provide that** arguments [...] not raised during the administrative **procedure in which the public concerned had an effective opportunity to participate and to submit comments may be declared inadmissible, provided that the conditions set out in paragraphs 2 and 3 are met [...]** .
2. The procedural rules referred to in paragraph 1 may apply in relation to information that was made available in due time and in an accessible manner so as to enable the public concerned to assess it during the administrative procedure.
3. Where the Member State make provision for arrangements under paragraph 1, courts shall apply the procedural rules referred to in paragraph 1, in accordance with national law, where such application preserves effective judicial protection and does not prevent compliance with the Union's international commitments and environmental law.

Duration of screenings and environmental assessments

1. Where a project falls within the scope of Directive 2011/92/EU Member States shall ensure that:
 - (a) [...]
 - (b) for projects subject to an environmental **impact** assessment **and where the [...] project developer requests so, before submitting the application, an opinion from the competent authority** on the scope and level of detail of the information to be included in an environmental **impact** assessment [...] **is issued** within a period of maximum **60** days from the date on which the developer has submitted its request for an opinion;
 - (c) the **period** for consulting the public concerned on **an environmental impact assessment** referred to point (b) is **a minimum of [...] 30 days** and **a maximum of 90 days**;
 - (d) [...]
 - (e) **where Member States choose to provide for assessments falling within the scope of Directive 2011/92/EU in a manner integrated with procedures for consent to projects, the reasoned conclusion on the environmental assessment of the project shall be issued in conjunction with the consent decision. Where Member States choose to provide for assessments falling within the scope of Directive 2011/92/EU in a manner separate to procedures for consent to projects, the competent authority shall issues a reasoned conclusion on the environmental assessment of the project within [...] 90 days of receiving all necessary information pursuant to Articles 5, 6 and 7 of that Directive and after completing the consultations referred to in Articles 6 and 7 of that Directive [...].**

- (f) The time-limits **in point (e)** shall be suspended when the competent authority requests additional information **necessary to complete the evaluation of the assessment, including where environmental information is incomplete or significant new information emerges during consultations that necessitates the provision of additional information. When the requested additional information has been received by the competent authority, a further period of 90 days shall be provided for the competent authority to undertake the consultations referred to in Articles 6 and 7 of Directive 2011/92/EU and reach a reasoned conclusion.**

Time-limits set out in this paragraph shall only apply to projects submitted to the competent authority after the entry into force of this Regulation.

The **time-limits** set out in this paragraph shall also apply in case of joint or coordinated procedures where the assessment of the environmental effects of a project under Directive 2011/92/EU is combined with assessments under Directives 92/43/EEC, 2000/60/EC or 2009/147/EC.

In exceptional cases, where the nature, complexity, location or size of the proposed project **or environmental impact assessment** so require, the competent authority may extend the **time-limits** set out in this paragraph by a period of maximum 30 days. In that event, the competent authority shall inform the developer in writing without delay of the reasons justifying the extension and of the date when the respective administrative act is expected.

2. Where a plan or programme falls within the scope of Directive 2001/42/EC, Member States shall ensure that:

[...]

- (c) the time **period** for consulting the public concerned on the environmental report referred to in Article 5 of that Directive is between 30 and **a maximum of 60 days from the date of publication of the notice on public consultation;**

[...]

[...]

4. Where other Union legislation establishes shorter **time-limits** than the ones set out in paragraphs 1 [...] of this Article, those shorter **time-limits** shall apply. Where other EU legislation establishes timelines for the overall permit granting process that are shorter than the combination of the timelines of the different steps of the environmental assessment procedure under paragraph 1 or 2 of this Article, the shorter timeline for the overall permit granting process applies.
5. The **time-limits** set out in this Article, with the exception of the ones set out in paragraph 1, point (c), and paragraph 2, point (c), shall be without prejudice to any shorter time limits set by Member States, to obligations arising from Union and international law, and to the rights of natural and legal persons to access administrative or judicial procedures to review the legality of the decisions, acts or failure to act of the competent authorities.
6. **If a project or plan requires an opinion of the Commission according to Article 6 paragraph 4 of Directive 92/43/EEC, this opinion shall be delivered within six months of the date by which the Member State has submitted a complete request including all necessary information.**

Protected species

1. When the implementation of plans or when the construction, operation or decommissioning of projects **or when fire prevention works or forestry management works or recurring maintenance activities for infrastructure projects or watercourses, regardless of whether they fall under the scope of Directive 2011/92/EU, result in incidental killing or disturbance of birds protected under Directive 2009/147/EC or in the destruction of, or damage to, their nests and eggs, as well as incidental killing or disturbance of other species protected under Directive 92/43/EEC or destruction of their eggs,** such killing or disturbance of protected species **or destruction or damage to their nests and eggs** shall not be considered to be deliberate within the meaning of Article 5 of Directive 2009/147/EC and Articles 12(1) of Directive 92/43/EEC, provided that the **relevant member state authority ensures that the plan, [...] project, works or recurring activity include** appropriate and proportionate mitigation measures **which may be defined under specific national or regional regimes [...]** to avoid such killing and to prevent disturbance **or destruction or damage to nests and eggs. Where the plans, projects, works or recurring activities referred to in the first sentence result in the incidental picking, collecting, cutting, uprooting or destruction of plant species protected under Article 13(1)(a) of Directive 92/43/EEC, such actions shall not be considered to be deliberate within the meaning of that provision, provided that the relevant member state authority ensures that the plan, project, works or recurring activity includes appropriate and proportionate mitigation measures to avoid such actions.**
2. When **ensuring that** those mitigation measures are appropriate and proportionate to comply with Article 5 of [...] Directive **2009/147/EC** and Articles 12(1) **and 13(1)** of [...] Directive **92/43/EEC, [...] the conservation status of the species concerned shall be taken into account, as shall** whether the measures ensure that significant adverse impacts on the **the populations of the species concerned at local, regional, and, if relevant, national or EU level [...]** **are** avoided, despite the possible existence of negative impacts on individual specimens of those species. Member States shall ensure that those measures are applied and their effectiveness is monitored **by Member States** and that, in the light of the information gathered, further measures are taken as required to ensure that there are no significant adverse impacts on the populations of the species concerned **at local, regional, and, if relevant, national or EU level, and on their conservation status.**

Article 9

Cross-border environmental assessment [...]

1. Where a plan, programme or project falling within the scope of this Regulation requires decisions to be taken in two or more Member States, the relevant national competent authorities shall take all necessary steps for efficient and effective cooperation and communication among themselves. **Where they consider it necessary**, Member States shall endeavour to provide for joint procedures and [...] **to facilitate the coordination between the respective single environmental** points of contact with regard to the assessment of the environmental effects of [...] **cross-border** plans, programmes or projects [...]. [...]
2. Paragraph 1 is without prejudice to more detailed procedures, including cross-border joint procedures, provided for in other Union legislation regarding cooperation between authorities as regards environmental assessment of transboundary effects.

Article 10

Online accessibility of information and digitalisation of the environmental assessments

1. From [OP: please insert the date = **eighteen** months after the date of entry into force of this Regulation], developers shall be allowed to submit any information related to the environmental assessments and screening procedures in electronic form **through a central portal or easily accessible points of access**.
2. From [OP: please insert the date = **eighteen** months after the date of entry into force of this Regulation], Member States shall provide developers and the public with access to the following information as regards plans, programmes or projects, online and in a centralised and easily accessible manner:
 - (a) The environmental single points of contact referred to in Article 3, **where established**;
 - (b) the progress of the environmental assessments and screening procedures, including the upcoming steps of the procedure and the timeline of those steps, as well as information on dispute settlement;

3. From [OP: please insert the date = **twenty four** months after the date of entry into force of this Regulation], Member States shall ensure that reports and data resulting from environmental assessments and screening procedures, related decisions and monitoring of environmental effects and procedures are made and remain publicly available in a digital format through a central online portal **or easily accessible points of access**, in a manner that is compatible with the **protection of national security, public security or defence, or the preservation of [...]** Union or national [...] requirements **on privacy or business secrets**. That portal **or easily accessible points of access** shall [...] include [...] data [...] **generated through the environmental assessment procedures and other relevant publicly available environmental information, without creating obligations to digitise all existing environmental or geological datasets**. Member States may determine the periods for which the reports and data will be available in the central online portal or easily accessible points of access, without prejudice to other relevant EU or national legislation.
4. From [OP: please insert the date = **forty eight** months after the date of entry into force of this Regulation], **to the extent technically and financially feasible**, Member States shall ensure that environmental assessment and screening procedures are ~~fully digitalized~~ and enable the re-use of data and documents held by public authorities at national level as well as the sharing of such data between Member States, developers and the public, in a seamless manner. Where appropriate, such procedures shall be interoperable with European Digital Identity Wallets and European Business Wallets. From that date, Member States shall also **endeavour to** take the necessary measures to enhance the efficiency and effectiveness of their environmental assessment and screening procedures, including through the use of automated systems. These automated systems shall be aligned with relevant Union policies, respect data protection and privacy laws, and adhere to principles of transparency and accountability, including human decisional control.
5. **This Article is without prejudice to Article 7 of Regulation 2024/1735, Article 18 (1) of Regulation 2024/1252, and Article 13(4) of [the proposed Biotech Act], where Member States shall provide information on administrative processes relevant to these sectors.**

Article 11

Administrative [...] charges and fees [...] for environmental assessments

Member States **may** waive administrative charges and fees associated with environmental assessments for developers falling within the definition of small mid-cap enterprises under Recommendation (EU) 2025/1099 or within the definition of small and medium-sized enterprises under Recommendation 361/2003/EC. **The costs for the preparation of environmental assessment reports in accordance with Article 5(1) of Directive 2011/92/EU shall remain borne by the developer.**

Article 12

Resources and training

Member States shall ensure that the environmental single point of contact, **where established**, and all competent authorities responsible for any step in the screening and environmental assessments procedures, including all procedural steps, have a sufficient number of qualified staff and sufficient financial, technical and technological resources necessary, including, where appropriate, for up-skilling and re-skilling of staff, for the effective performance of their tasks under this Regulation and under the Directives referred to in Article 1.

Article 13

[...]

Toolbox for strategic sectors or categories

[Corresponding provision in the Annex deleted and placed here with amendments]

- 1. Projects referred to in Article 14 of this Regulation developed for strategic sectors or categories shall be considered to be of public interest and may, on a case-by-case basis and where appropriate, be considered to serve overriding public interest and the interests of public health and safety, provided that all the conditions set out in Directives 2000/60/EC, 2009/147/EC and 92/43/EEC are fulfilled.**

When assessing the fulfilment of the conditions referred to in paragraph 1, the strategic nature of the project shall be taken into account in the assessment of those conditions. In such case, Member States may, in duly justified and specific circumstances, limit the application of this paragraph to certain parts of their territory, to certain types of technology or to projects with certain technical characteristics.

- 2. For projects referred to in Article 14 of this Regulation, Member States shall ensure that, where an authority participating in the permit-granting procedure fails to provide its position within the applicable deadline, the competent authority responsible for the permit-granting procedure may proceed on the basis that such position has not been submitted, allowing the procedure to advance, without this implying that consent has been granted or that any assessment requirement has been fulfilled. This paragraph shall not apply to -projects subjects to assessment or authorisation requirements pursuant to Directives 2000/60/EC, 2009/147/EC, 2011/92/EU or Directive 92/43/EEC requiring an explicit opinion, assessment or determination by the competent authority, or where the principle of administrative tacit approval is not recognised under national law.**

The previous subparagraph shall not apply to final decisions on the outcome of the permit-granting procedure, which shall be explicit. All decisions shall be made publicly available, except where this would adversely affect international relations or be contrary to the essential interests of Member States' national security, public security or defence.

- 3. For projects referred to in Article 14 of this Regulation, all dispute resolution procedures, litigation, appeals and judicial remedies related to projects within strategic sectors or categories before any national courts, tribunals or panels, including with regard to mediation or arbitration, where they exist in national law, shall be treated as expeditious proceedings, where such expedited handling exists under national law, provided that the usually applicable rights of defence of individuals or of local communities are respected.**

4. In Member States where the environmental assessment process is integrated into the permit granting process, a project promoter may, or shall where the Member State so provides, before submitting the application, request the advice of the competent authority to establish what information should be submitted to accompany the application and to ensure its quality in the interests of satisfying the completeness check requirements arising from sector-specific Union legislation.

Article 14

[...] Projects in strategic sectors or categories

1. The provisions set out in **Article 13** shall apply [...] **to the following projects in strategic sectors or categories [...] provided that those projects, except for projects set out in points h) and i) of this paragraph, contribute to resilience and decarbonisation or resource efficiency:**
- (a) **the following projects which are part of trans-European transport network as defined in Regulation (EU) 2024/1679:**
 - (i) **maritime and inland ports and port-related infrastructure, and inland waterways**
 - (ii) **airports and airport-related infrastructure,**
 - (iii) **railways and railway-related infrastructure, in particular high speed rail;**
 - (b) **net-zero strategic projects, as defined in Regulation (EU) 2024/1735;**
 - (c) **strategic critical raw material projects as defined in Regulation (EU) 2024/1252;**
 - (d) **construction of EuroHPC supercomputer facilities, AI factories, and giga factories as defined in Regulation (EU) 2024/1732 and Regulation (EU) 2025/xxxx amending Regulation (EU) 2021/1173²³ on establishing the EuroHPC that meet requirements related to resource efficiency and contribute to decarbonisation;**

²³ Insert reference if act adopted in the meantime, or replace by reference to existing act / add reference to RSEA into the act under negotiation on the basis of Article 14(2) of this Regulation.

- (e) **projects for the prevention, separate collection, re-use, preparing for re-use, and recycling as defined in Article 3 of Directive 2008/98/EC;**
- (f) **new residential dwellings and the renovation of existing residential dwellings, as well as the infrastructure that serves those residential dwellings, including transport, energy, water including wastewater, telecommunications and social infrastructure, where the Member State considers that a plan, programme or project is needed;**
- (g) **European semiconductor technology initiatives and strategic projects as defined in Regulation (EU) 2026/XXX on a framework of measures for strengthening the Union’s semiconductor ecosystem, repealing Regulation (EU) 2023/1781 (Chips Act 2.0)²⁴;**
- (h) **projects identified on the military mobility corridors in order to meet the transport infrastructure requirements defined in Annex II to the Council Military requirements²⁵, as well as dual-use transport infrastructure projects on the trans-European transport network supporting military mobility;**
- (i) **Projects for national defence and corresponding projects of allied partners, including defence-critical projects for the production of arms, munitions and war material, as well as projects which are determined as imperative for preparedness and response to civil emergencies;**
- (j) **Data centres deployed in data centre acceleration zones as defined in Regulation (EU) 2026/xxxx establishing a framework of measures for strengthening Europe’s cloud and AI ecosystem (Cloud and AI Development Act)²⁶**
- (k) **[IAA]²⁷**

²⁴ Insert reference if act adopted in the meantime, or replace by reference to existing act / add reference to RSEA into the act under negotiation on the basis of Article 14(2) of this Regulation.

²⁵ **10440/23, ADD1, Council ‘Military Requirements for Military Mobility within and beyond the EU’ approved by the Council on 26 June 2023 and 23 October 2023 and any subsequent amendments thereof as approved by the Council**

²⁶ Insert reference if act adopted in the meantime, or replace by reference to existing act / add reference to RSEA into the act under negotiation on the basis of Article 14(2) of this Regulation.

²⁷ Reference to this Regulation can be deleted in IAA to remain consistent with the new logic of this Regulation

(l) [Biotech]²⁸.

[...]

2. The provisions set out in **Article 13** shall also apply to **projects in** strategic sectors or categories [...] defined in future Union legislation **that expressly** refers to this Regulation [...].

Article 14a

Amendments to Directive 2011/92/EU

Directive 2011/92/EU is amended as follows:

1. **Article 1, paragraph 3 is replaced by the following:**

“3. Member States may decide not to apply this Directive to projects, or parts of projects, having defence as their main purpose, or to projects having preparedness and response to civil emergencies as their main purpose.”

2. **Article 4, paragraph 6 is replaced by the following:**

“6. Member States shall ensure that the competent authority makes its determination as soon as possible and within a period of time not exceeding 90 days from the date on which the developer has submitted all the information required pursuant to paragraph 4.

For changes or extensions of projects, that period shall not exceed 60 days.

In exceptional cases, for instance relating to the nature, complexity, location or size of the project, the competent authority may extend that deadline to make its determination; in that event, the competent authority shall inform the developer in writing of the reasons justifying the extension and of the date when its determination is expected.”

²⁸ Reference to this Regulation can be deleted in Biotech to remain consistent with the new logic of this Regulation

2a. The following new paragraph is added in Article 13:

"Member States shall ensure that their national provisions implementing this Directive are consistent with the amendments introduced by Regulation (EU) [XXX] of the European Parliament and of the Council of [date] by [date/X months after entry into force of this Regulation]. They shall forthwith communicate the text of the relevant provisions to the Commission."

Article 14d

Amendments to Regulation (EU) 2023/1781 [Chips]

Regulation (EU) 2023/1781 is amended as follows:

Article 18(3) is deleted²⁹.

Article 14e

Amendments to Regulation (EU) 2024/1252 [CRM]

Regulation (EU) 2024/1252 is amended as follows:

(1) Articles 11(8), 12(3), (4) and (5) and Article 14 are deleted.

(2) In Article 10, paragraph 2 is amended as follows:

“With regard to the environmental impacts or obligations addressed in Article 6(4) and Article 16(1), point (c), of Directive 92/43/EEC, Article 4(7) of Directive 2000/60/EC and Article 9(1), point (a), of Directive 2009/147/EC or in Union legislative provisions regarding the restoration of terrestrial, coastal and freshwater ecosystems, Strategic Projects in the Union shall be considered to be of public interest or serving public health and safety, and may be considered to have an overriding public interest [...] **under Article 13(1) of Regulation XXXX/XX [RSEA].**”

²⁹ This provision might become redundant if “Chips II” is adopted in the meantime.

(3) In Article 10, paragraph 5 is amended as follows:

“All dispute resolution procedures, litigation, appeals and judicial remedies related to the permit-granting process and the issuance of permits for Strategic Projects in the Union before any national courts, tribunals or panels, including with regard to mediation or arbitration, where they exist in national law, shall be treated as urgent [...] **under Article 13(3) of Regulation XXXX/XX [RSEA].**”

(4) In Article 11, paragraph 6 is amended as follows:

“No later than 45 days following the receipt of a permit-granting application related to a Strategic Project, the single point of contact concerned shall acknowledge that the application is complete or, if the project promoter has not sent all the information required to process an application, request the project promoter to submit a complete application without undue delay, specifying which information is missing. Where the application submitted is deemed to be incomplete a second time, the single point of contact concerned shall not request information in areas not covered in the first request for additional information and shall be entitled only to request further evidence to complete the identified missing information.

The date of the acknowledgement referred to in the first subparagraph shall serve as the start of the permit-granting process.

In Member States where the environmental assessment process is integrated into the permit granting process, Article 13(4) of Regulation XXXX/XX [RSEA] shall apply.”

(5) In Article 12, paragraph 1 is amended as follows:

“Where an environmental impact assessment is required for a Strategic Project in accordance with Articles 5 to 9 of Directive 2011/92/EU, the relevant project promoter **may** request, no later than 30 days after the notification of the recognition as a Strategic Project and before submitting the application, an opinion from the single point of contact concerned on the scope and level of detail of the information to be included in the environmental impact assessment report under Article 5(1) of that Directive.

The single point of contact concerned shall ensure that the opinion referred to in the first subparagraph is issued as soon as possible and within a period of time [...] **as specified in Article 7(1)(b) of of Regulation XXXX/XX [RSEA].**

(6) In Article 12, paragraph 2 is amended as follows:

“In the case of Strategic Projects for which the obligation to carry out assessments of the effects on the environment arises simultaneously from Directives 92/43/EEC, 2000/60/EC, 2008/98/EC, 2009/147/EC, 2010/75/EU, 2011/92/EU or Directive 2012/18/EU of the European Parliament and of the Council, Member States shall **enable, where appropriate and feasible, [...]** a coordinated or a joint procedure fulfilling all the requirements of those Union legislative acts is applied.

Under the coordinated procedure referred to in the first subparagraph, the competent authority shall **enable, where appropriate and feasible, coordination** of the various individual assessments of the environmental impact of a particular project required by the relevant Union legislative acts.

Under the joint procedure referred to in the first subparagraph, the competent authority shall **enable, where appropriate and feasible, [...]** a single assessment of the environmental impact of a particular project required by the relevant Union legislative acts.

Assessments under 92/43/EEC, 2000/60/EC, 2009/147/EC, 2011/92/EU shall be governed by Article 4 of Regulation XXXX/XX [RSEA].

(7) In Article 12, paragraph 6 is amended as follows:

“Paragraph 1 shall not apply to the permit-granting process for Strategic Projects that had entered in the permit-granting process before being recognised as a Strategic Project.

Paragraphs 2 [...] shall apply to the permit-granting process for Strategic Projects that had entered in the permit-granting process before being recognised as a Strategic Project only to the extent that the steps addressed in those paragraphs have not yet been completed.”

(8) In Article 13, paragraph 2 is amended as follows:

“Where plans including provisions for the development of critical raw material projects are subject to an assessment pursuant to Directive 2001/42/EC of the European Parliament and of the Council and pursuant to Article 6 of Directive 92/43/EEC, those assessments shall, **where appropriate and feasible**, be combined **in accordance with Article 7 of Regulation XXXX/XX [RSEA]**. Where applicable, the combined assessment shall also address the impact on potentially affected water bodies referred to in Directive 2000/60/EC. Where relevant Member States are required to assess the impacts of existing and future activities on the marine environment, including land-sea interactions, as referred to in Article 4 of Directive 2014/89/EU of the European Parliament and of the Council, those impacts shall also be covered in the combined assessment.

Article 14f

Amendments to Regulation (EU) 2024/1735 [NZIA]

Regulation (EU) 2024/1735 is amended as follows:

(1) Articles 9(5) and 9(9), Article 10(3), (4), (5) and (6) and Article 12 are deleted.

(2) In Article 9, paragraph 10 is amended as follows:

“No later than 45 days from the receipt of the permit-granting application, the single point of contact concerned shall acknowledge that the application is complete or, if the project promoter has not sent all the information required to process the application, request the project promoter to submit a complete application without undue delay, specifying which information is missing. In the event that the submitted application is deemed to be incomplete for a second time, the single point of contact may, within 30 days of the second submission, make a second request for information. The single point of contact shall not request information in areas not covered in the first request for additional information and shall be entitled only to request further evidence to complete the identified missing information. The date of the acknowledgement of the completeness of the application from the single point of contact referred to in Article 6(1) shall serve as the start of the permit-granting process for that particular application.

In Member States where the environmental assessment process is integrated into the permit granting process, Article 13(4) of Regulation XXXX/XX [RSEA] shall apply.”

(3) In Article 10, paragraph 1 is amended as follows:

“Where an environmental impact assessment is required pursuant to Articles 5 to 9 of Directive 2011/92/EU, the project promoter concerned may request, before submitting the application, an opinion from the single point of contact on the scope and level of detail of the information to be included in the environmental impact assessment report pursuant to Article 5(1) of that Directive. The single point of contact shall ensure that the opinion is issued as soon as possible and [...] **within a period of time as specified in Article 7(1)(b) of Regulation XXXX/XX [RSEA].**

(4) In Article 10, paragraph 2 is amended as follows:

“Where the obligation to assess the effects on the environment arises simultaneously from any two or more of Directive 2000/60/EC, Directive 2001/42/EC of the European Parliament and of the Council, Directive 2008/98/EC, Directive 2009/147/EC, Directive 2010/75/EU, Directive 2011/92/EU, Directive 2012/18/EU or Directive 92/43/EEC, Member States shall **enable, where appropriate and feasible, [...]** a coordinated or joint procedures fulfilling all the requirements of those Union legislative acts are applied.

Under the coordinated procedure referred to in the first subparagraph, a competent authority shall **enable, where appropriate and feasible, coordination of** the various individual assessments of the environmental impact of a particular project required by the relevant Union legislative acts.

Under the joint procedure referred to in the first subparagraph, a competent authority shall **enable, where appropriate and feasible, [...]** a single assessment of the environmental impact of a particular project required by the relevant Union legislative acts. The application of the joint or coordinated procedure shall not affect the content of the environmental impact assessment.

Assessments under 92/43/EEC, 2000/60/EC, 2009/147/EC, 2011/92/EU shall be governed by Article 4 of Regulation XXXX/XX [RSEA].”

(5) In Article 11, paragraph 2 is amended as follows:

“Where plans include provisions for the development of net-zero technology manufacturing projects, including net-zero strategic projects, and their required infrastructure, and are subject to an assessment pursuant to Directive 2001/42/EC and pursuant to Article 6 of Directive 92/43/EEC, those assessments shall, **where appropriate and feasible**, be combined **in accordance with Article 7 of Regulation XXXX/XX [RSEA]**. Where applicable, the combined assessment shall also address the impact on potentially affected water bodies referred to in Directive 2000/60/EC. Where relevant Member States are required to assess the impacts of existing and future activities on the marine environment, including land-sea interactions, as referred to in Article 4 of Directive 2014/89/EU of the European Parliament and of the Council, those impacts shall also be covered in the combined assessment. The fact that assessments are combined pursuant to this paragraph shall not affect their content or quality. The combined assessment shall be carried out in a manner that does not lead to a prolongation of the time limits set out in this Regulation.”

(6) Article 15(3) is amended as follows:

“3. Net-zero strategic projects shall be considered to contribute to the security of supply of net-zero technologies in the Union and, therefore, to be in the public interest. With regard to the environmental impacts or obligations referred to in Article 4(7) of Directive 2000/60/EC, Article 9(1), point (a), of Directive 2009/147/EC, Articles 6(4) and 16(1) of Directive 92/43/EEC and in Union legislative acts on nature restoration, net-zero strategic projects in the Union shall be considered to be of public interest and may be considered to have an overriding public interest and to serve the interests of public health and safety [...] **under Article 13(1) of Regulation XXXX/XX [RSEA]**.”

(7) Article 15(4) is amended as follows:

“4. All dispute resolution procedures, litigation, appeals and judicial remedies related to net-zero strategic projects before any national courts, tribunals or panels, including with regard to mediation or arbitration, where they exist in national law, shall be treated as urgent if and to the extent to which national law concerning permit-granting processes provides for such urgency procedures [...] **under Article 13(3) of Regulation XXXX/XX [RSEA]**.”

(8) Article 18(2) is amended as follows:

“With a view to avoiding duplication of assessments, when issuing the **scoping** opinion **as provided for in Regulation (EU)[XXX/XXX (RSEA)]** [...] the competent authority shall take into account the results of the assessments carried out pursuant to Article 17(2), point (c).”

(9) Article 18(4) is amended as follows:

“Net-zero technology manufacturing projects in Valleys shall be considered to contribute to the security of supply of net-zero technologies in the Union and, therefore, to be in the public interest. With regard to the environmental impacts or obligations referred to in Article 4(7) of Directive 2000/60/EC, Article 9(1), point (a), of Directive 2009/147/EC, Articles 6(4) and 16(1) of Directive 92/43/EEC and in Union legislative acts on nature restoration, net-zero technology manufacturing projects in Valleys in the Union shall be considered to be of public interest and may be considered to have an overriding public interest and to serve the interests of public health and safety [...] **under Article 13(2) of Regulation XXXX/XX [RSEA].**”

Article 14g

Transitional provisions

- 1. This Regulation shall apply to environmental assessment and screening procedures initiated from [date of application].**
- 2. Procedures initiated before the date referred to in paragraph 1 shall continue to be governed by the procedural provisions applicable on the date on which they were initiated.**

Decisions, opinions, screening determinations and other procedural acts adopted before the date of application of this Regulation under provisions amended or deleted by this Regulation shall remain valid and continue to produce their legal effects.

Article 15

Notification of national implementing rules and measures

If Member States lay down rules and measures on the practical implementation of this Regulation, they shall notify the Commission of those rules and measures and, without delay, of any subsequent amendments affecting them.

Article 16

Entry into force and application

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

Article 3(1) and Article 10 shall apply as of the date provided for in those provisions.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament

For the Council

The President

The President
