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MEETING DOCUMENT

From: To:	General Secretariat of the Council Antici Group (Simplification)
N° Cion doc.:	ST 16755/25 + ADD 1
Subject:	Environment Omnibus (Environmental Assessments - Permitting): WP meeting on 17 April 2026 - Presidency explanatory note

With a view to the above mentioned meeting, delegations will find attached an explanatory note prepared by the Presidency.

Antici Group on Simplification (AGS) 17 April 2026

Omnibus VIII:

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on speeding-up environmental assessments

1st Presidency compromise text

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The purpose of this explanatory note is to provide delegations with additional information, clarifications and reasoning for the amendments proposed by the Presidency in the first compromise text (ST 8103/26).

Overview of amendments proposed by the Presidency

Recital/ Article	Amended provision	Explanation
Recital 6		Additional clarification
Recital 9		Clarification on the scope of this Regulation, including which 'environmental assessments' under HD/BD and WFD are concerned.
Recital 13 (a)		Clarification on the scope of this Regulation, including which 'environmental assessments' under HD/BD and WFD are concerned.
Recital 15		Clarification of SPOC role in line with changes made in Article 3(1).
Recital 16		Clarification of the link with the SDG (Single Digital Gateway) and Your Europe Portal for listing environmental SPOCs.
Recital 17		Clarification on the possibility of combining the procedures.
Recital 20		Linguistic changes
Recital 22		Additional clarification on changes/extensions to projects.
Recital 24		Additional clarification on application of the preclusion in accordance with the Aarhus Convention.
Recital 26		Linguistic changes
Recital 30		Linguistic changes
Recital 35		Additional reaffirmation of species protection levels and proportionate mitigation established under Directives 2009/147/EC and 92/43/EEC.
Recital 39 (a)		Additional clarification

CHAPTER I		
Article 2	Article 2(1)	Adjustments to address requirement to further clarify the relation between this Regulation and the underlying Directives.
	Article 2(2)	Definitions of coordinated and joint procedure have been added instead of the text initially included in Article 4 on the streamlining of procedures. Definitions of major works and measures to ensure decarbonisation have been added to increase legal certainty.
CHAPTER II		
Article 3	Article 3(1)	Clarification on the coordination role of SPOC, its format and the appropriate administrative level.
	Article 3(2)	Linguistic changes in order to provide additional flexibility requested by Member States.
Article 4	Article 4(1)	Clarification that scoping shall only be mandatory when this is already provided for by the sectoral Directive.
	Article 4(2)	The Presidency suggests to delete Article 4(2) due to its redundancy with para 1.
	Article 4(4)	Introduction of additional flexibilities to address the concerns of the Member States relating to access to justice whilst codifying the flexibility provided by case law.
	Article 4(5)	Deletion of the paragraph in response to complaints on the relevance and feasibility regarding data availability.
Article 5	Article 5(1)	Introduction of additional flexibility (may/shall).
	Article 5(1)	Clarification that by derogation from Article 4(1) of the EIA Directive, changes or extensions of projects falling under point 7(a) of its Annex I shall be exempt from the requirement to carry out an environmental impact assessment.
Article 7	Article 7(1a)	Linguistic changes
	Article 7(1c)	Linguistic changes
	Article 7(1d)	The Presidency suggest deleting this paragraph.
	Article 7(1e - g)	Substantial simplification of the time-limits, and addition of further safeguards to clarify under which conditions they shall be suspended.
	Article 7(2a - c)	Substantial simplification of the time-limits, and addition of further safeguards to clarify under which conditions they shall be suspended.
	Article 7(2d)	Linguistic changes
	Article 7(3)	Linguistic changes
	Article 7(4)	Linguistic changes

	Article 7(5)	Linguistic changes
Article 9		Clarification to reflect that the cross-border character pertains to the need for assessment by the authorities of more than one Member State, rather than mere transboundary effects of a project.
Article 10		Linguistic changes + Introduction of additional clarifications and flexibilities.
Article 11		Linguistic changes + Introduction of additional clarifications and flexibilities.
Article 13		The Presidency suggests deleting Article 13 as it is sufficiently covered by the current wording of Recital 29.

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