



Council of the European Union
General Secretariat

**Interinstitutional files:
2025/0391 (COD)**

Brussels, 20 January 2026

WK 898/2026 INIT

LIMITE

SIMPL

ANTICI

ENV

ENT

MI

IND

COMPET

CODEC

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

MEETING DOCUMENT

From:	General Secretariat of the Council
To:	Antici Group (Simplification)
Subject:	Environment Omnibus Package: follow-up to the WP meeting on 19 January 2026 – Commission presentation on Permitting

Delegations will find attached the presentation on Permitting that was made by the Commission at the meeting of the Antici Group (Simplification) working party.

PUBLIC

Proposal for a Regulation on speeding-up environmental assessments

COM 2025/984

DG Environment

PERMITTING PROCEDURES

**Land town
planning**

**National
heritage
rules**

**Technical
permits**

Environmental assessments

- Environmental Assessment Directive (EIA)
- Strategic Environmental Assessment Directive (SEA)
- Habitats Directive (HD)
- Birds Directive (BD)
- Water Framework Directive (WFD)

Provisions of RSEA

AGS 19/01/2026

Scope: Applies to environmental assessments and screening of plans, programmes and projects falling within the scope of Directives 2011/92/EU, 2001/42/EC, 2000/60/EC, 2009/147/EC and 92/43/EEC (EIAD, SEAD, WFD, BHDs) - [Art. 1](#)

Builds on the existing EU legislative framework.

Key elements (I):

- Single Points of Contact (with resources/capacity building) - [Art. 3](#)
- Coordinated/joint procedures when various environmental assessments required by EU legislation for a same plan, programme or project – [Art. 4](#)
- When screening or assessments are needed when projects are changed (codification of case law) – [Art. 5](#)



Provisions of RSEA

Next AGS meeting

PUBLIC

Key elements (II):

- Maximum timeframes for impact assessment under the EIAD, the SEAD and, in case of coordinated/joint procedures, under SEA/EIA/Water framework/Birds and Habitats Directives – [Art. 7](#)
- Permitted use of ‘substantial preclusion’ in judicial proceedings – [Art. 6](#)
- Effective coordination between national authorities in case of plans, programmes or projects with transboundary effect – [Art. 9](#)
- Digitalisation of environmental assessments procedures and related data management (portal) – [Art. 10](#)
- Encourages Member States to bear the administrative costs (levies) of environmental assessments for SMEs and midcaps – [Art. 11](#)
- Toolbox for strategic sectors (harmonizes language, other legislation to refer to it for strategic sectors) – [Art. 14 and annex](#)

Annual savings of roughly EUR 180 million per annum



Questions from Member States (I)

Horizontal

- Choice of the legal instrument (Regulation) and legal basis
- Principle of subsidiarity
- Scope of the Regulation



Questions from Member States (II). Horizontal and Article 1

Scope and Interlinks with other EU legislation:

- 1) Environmental Impact Assessment, Strategic Environmental Assessments, Birds and Habitats, Water Framework Directive (Article 1)
- 2) RED III & Grids package
- 3) Defence Readiness Omnibus
- 4) NZIA and CRMA



Questions from Member States

Article 2

Definitions

- Relation to the same terms defined in the Directives under the scope of this Regulation (Art.1)



Questions from Member States

Article 3

Environmental single point of contact (SPOC):

- Relation between environmental SPOC and overall permit granting SPOC
- Establishment of a SPOC at strategic level (SEA)
- Format of the SPOC



Questions from Member States

Article 4

Streamlining of environmental assessment procedures

- Level of detail required in EIA/SEA joint and coordinated procedures
- Relation between public consultations and the consultation of public authorities



Questions from Member States

Article 5

Changes to projects

- Projects covered by Art. 5
- Meaning of “major works”



Article 6 : Substantial preclusion

Member States may preclude arguments from being raised before a court where they were not raised during the administrative stage. Conditions:

- The necessary information was made available during the process to raise the arguments during the administrative stage, and, consequently:
- The arguments were known or could have been known by the claimant to raise them during the administrative stage.



Strategic sectors - Article 14 & Annex

For strategic sectors the toolbox of the Annex shall apply.

Strategic sectors identified in other EU legislation will refer to this toolbox (dynamic approach).

I. Overriding public interest

When balancing the interests at stake for the purpose of applying the relevant conditions under the HD, BD and WFD, the competent authority is **required to give specific consideration to the strategic nature of the project in question vis-à-vis other interests to protect.**

II. Tacit approval

The lack of reply by the relevant competent authorities within the established deadline results in the specific **intermediary administrative steps to be considered as approved.**

III. Dispute settlement

Priority access to judicial remedies and dispute resolution mechanisms.

