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| From: | General Secretariat of the Council |
| To: | Antici Group (Simplification) |
| Subject: | Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on speeding-up environmental assessments (Permitting)<br>- Exchange of views |

Delegations will find attached a discussion note with a view to the AGS meeting on 6 July 2026.

Discussion Note

# Antici Group on Simplification

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## Omnibus VIII (Environment)

Proposal for a Regulation on speeding up environmental assessments

6 July 2026

## Overview

The proposed Regulation on speeding up environmental assessments aims to allow project developers to benefit from simplified and accelerated procedures for environmental assessments, including single points of contact, digitalisation and streamlined timelines.

Significant progress was made on this proposed Regulation under the Cyprus Presidency. In spite of this progress, COREPER did not manage to agree a position at its meeting on 24 June.

The Irish Presidency is committed to driving forward work on this proposal and will aim to reach agreement with the European Parliament on the Environment Omnibus by the end of 2026, in line with the targets set out in the One Europe, One Market Roadmap. Success will require all Member States and each institution to work purposefully together in a spirit of cooperation and compromise.

The Irish Presidency believes it is important to collect the views of the Member States on the outstanding issues before developing a revised compromise text. In order to help inform the next steps, delegations are invited to consider and provide views on the questions set out below at the meeting of the Antici Group Simplification on 6 July. The Presidency will also take into account previous written comments submitted by delegations under the Cyprus Presidency when drafting the fifth revised compromise text.

## Questions

The reference point for these questions is the fourth compromise text presented by the Cyprus Presidency on 17 June. They reflect the Presidency's view of the key issues that require further consideration and deliberation, based on the views expressed by Member States in the latest discussions on this proposal.

The questions have been selected to help guide the work of the Irish Presidency. They do not constitute a closed list, and delegations are invited to raise any issues they consider may help to inform the work of the Irish Presidency on this proposal.

### 1. Article 3: Environmental Single Point of Contact

The Environmental Single Point of Contact, as set out in Article 3, has featured prominently in discussions on this proposal. With its fourth compromise text, the Cyprus Presidency sought to respect the calls for sufficient flexibility, especially for Member States with decentralised administrative structures, while acknowledging the need to prevent fragmentation amongst SPOCs already established under other legislative instruments, or to be established by future legislation. It also acknowledged the differences between projects as to their strategic importance.

Delegations are invited to provide views on the following questions in their interventions.

- *Is the flexibility proposed in the fourth compromise text adequate to address the issues raised by delegates in previous meetings?*

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## 2. Article 7: Timelines

Timelines have emerged frequently in discussions on this proposal. The text in the fourth revised compromise extends the time-limits in Article 7 with a view to ensuring that competent authorities remain able to carry out all steps prescribed by relevant legislation; at the same time, it is clarified that time-limits shall be suspended when the competent authority requests additional information or when significant new information emerges during consultations, until the required information has been provided.

- *Are delegations satisfied with the duration of the timelines set of out in Article 7?*
- *Do these timelines provide sufficient flexibility to accommodate different Member State approaches to broader permitting processes?*

## 3. Article 8: Birds and Habitats Directives

Article 8 concerns protected species. In its fourth compromise text, the Cyprus Presidency responded to a lack of support for compromise wording presented in Articles 14b and 14c in its third compromise text. It therefore decided to migrate those changes back to Article 8, and suggested making additional changes to cover recurring activities and projects not subject to an environmental assessment, such as maintenance of infrastructure or waterways or forestry and fire prevention works. In spite of these changes, several Member States expressed opposition to the text of the fourth compromise at COREPER on 24 June.

- *The Presidency would like to hear the views of delegations on how to strike the right balance between addressing the issue of incidental mortality of species following best practice precautionary preventative actions while maintaining environmental standards*?

## 4. Article 13: Toolbox for strategic sectors or categories

In the text of the fourth compromise text, the toolbox, originally placed in the Annex to the Commission proposal, has been moved to Article 13 and its wording has been simplified. It defines under which conditions a strategic project might be considered as being of overriding public interest, provides for the possibility of having recourse to the so-called administrative tacit approval and sets out certain dispute resolution rules.

In the text of the fourth compromise text, a list of strategic projects that shall be subject to the accelerated procedures under this Regulation has been set out in Article 14; this is accompanied by the possibility of referring to this Regulation in future legislative acts if the co-legislators make this choice.

- *Is the list of projects in strategic sectors or categories sufficiently comprehensive*?

## 5. Articles 14d to 14f: Cross-sectoral approach

In line with the call from a number of delegations to pursue a comprehensive cross-sectoral approach within the framework of this Regulation, the text of the fourth compromise seeks to streamline various sectoral permitting provisions: in Articles 14d to 14f, the text provides for

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a number of deletions in the Net Zero Industry Regulation (NZIA), in the Chips Act and in the Critical Raw Materials Act.

- *Should the provisions of other existing sectoral permitting regimes beyond NZIA, Chips and CRMA be covered by this Regulation?*
- *Do you support the proposed deletions of certain provisions of NZIA, Chips and CRMA?*

## 6. Defence

The fourth compromise text introduced two notable changes on defence. First, a modification of Article 1(3) of the EIA Directive allowing to exempt all projects that have defence as the sole purpose, without a case-by-case assessment. Second, this is combined with the inclusion of all defence projects under Article 14, in order to make them benefit from the Toolbox measures, and to allow for a case-by-case assessment whether they are of overriding public interest. An earlier amendment by the Cyprus Presidency also ensures that military mobility projects, which combine civil infrastructure with its potential military use, are also covered.

- *The Presidency would like to hear the views of delegations in relation to these proposed provisions on defence?*

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