



**COUNCIL OF
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NOTE

from: General Secretariat
to: Permanent Representatives Committee / Council

No. Cion prop.: 15627/12 ENV 825 CODEC 2533 - COM(2012) 628 final

Subject: Proposal for a Directive of the European Parliament and of the Council amending
Directive 2011/92/EU of the assessment of the effects of certain public and
private projects on the environment
- Orientation debate

I. INTRODUCTION

1. The Commission submitted the above-mentioned proposal on 26 October 2012. The objective of the proposed Directive is to streamline the environmental assessments, enhance the quality elements of the EIA process and reinforce its effectiveness. Furthermore, the proposal intends to enhance policy coherence and synergies with other EU law instruments.

The proposed amending provisions foresee in particular to introduce a "one-stop shop" for environmental assessments under various Union legislative acts, establish further details of the screening procedure, render scoping mandatory, set more detailed provisions on the verification of the EIA report and the content of the final decision and introduce monitoring measures.

2. The vote in the ENVI Committee in the European Parliament is currently scheduled for 10 July 2013. The Economic and Social Committee adopted its opinion on 13 February 2013 (CESE 2482-2012). The Committee of the Regions has not yet adopted its opinion.
3. The Working Party on the Environment started its examination of the Commission proposal on 31 October 2012, and continued at several meetings, most recently on 18 February 2013, also including the examination of the impact assessment.

II. QUESTIONS FOR THE ORIENTATION DEBATE

4. On the basis of the discussions so far, including written comments submitted by delegations, and with a view to obtaining guidance for further work, the Presidency has drafted the questions set out in the Annex to this document for the orientation debate in Council on 21 March.
5. The Presidency encourages delegations to send written replies before the Council meeting and, where possible, to make joint interventions during the Council meeting.

Questions concerning
the draft Proposal for a Directive
amending the Environmental Impact Assessment (“EIA”) Directive

1. *Do Member States agree with the proposal to introduce an obligation for a joint or coordinated assessment of a project under one competent authority in all cases, where the obligation to assess its effects on the environment arises from various Union legislative instruments?*
2. *Do Member States consider that the scoping of the environmental impact assessment by the competent authority should be mandatory in all cases as foreseen in Article 5 of the proposal?*
3. *Are Member States satisfied that the development of a system of accreditation of persons entitled to draw up an environmental report is the best way to ensure the quality of such reports?*

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