



EurEau position on the proposal for a regulation on speeding-up environmental assessments

Summary

Overall, the simplification of environmental assessments needs to strike the right balance to avoid creating loopholes for sectors with significant environmental footprints.

EurEau supports the cross-sectoral measures on the single contact point, joint environmental assessment procedures, and designated procedural timeframes. However, the regulation should lay grounds for Union's support intended for boosting the administrative capacity of national competent authorities so they are able to implement the procedures in accordance with full environmental scrutiny required by law.

Although measures on speeding-up permitting for existing projects might be beneficial for capacity upgrades of existing water infrastructure, for example to accommodate urban expansion, we are concerned that the provisions on project modifications as proposed by the Commission may result in adverse environmental impacts being overlooked, including the deterioration of water quality status.

EurEau calls on the co-legislators to recognise water infrastructure projects as critical to enabling vital societal functions and economic activities, and to acknowledge that the Union's strategic sectors depend on these essential services.

1. Permitting: a multi-layered conundrum for the water services sector

Simplifying the environmental assessment framework¹ with the view to accelerating permitting for infrastructural projects while maintaining environmental safeguards raises important multifaceted considerations for the **water supply and wastewater treatment sectors**.

¹ Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on speeding-up environmental assessments. [2025/0391 \(COD\)](#).



In many Member States, essential investments to build, modernise, or upgrade drinking water and wastewater infrastructure are often delayed for years in the permitting process, and in some cases, permits are not granted at all. These hurdles are mainly caused by a **lack of procedural clarity, fragmented processes, and overlapping requirements**. For example, additional environmental documentation or technical adjustments may be requested at advanced procedural stages, even after earlier steps have been completed. Projects may also be subject to multiple layers of assessment as well as separate approvals from different authorities. This results in overlapping responsibilities among review bodies and procedures that are carried out sequentially rather than in parallel resulting in a significant slowing-down of decision-making.

In addition to procedural administrative flaws, obtaining permits for water supply and sanitation infrastructure projects may be further hindered by inefficient litigation dynamics and legal interpretation challenges. With regard to **litigation proceedings efficiency**, the Greater Dublin Drainage Project in particular, has illustrated the vulnerability of large-scale national wastewater infrastructure projects that have essential societal and strategic importance. It has shown how exceptional delays (18 years) between the project inception and initiation of the works may arise from complex, prolonged and repeated litigation proceedings linked to judicial reviews and the combined effects of complicated administrative processes, flawed decision-making and institutional arrangements that interact throughout the permitting process.

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Streamlining environmental assessments has the potential to mitigate permitting challenges facing the water services sector and enable the timely development or modernisation of this critical infrastructure. This is essential to respond to urgent needs of safe and affordable supply of drinking water, the collection, proper treatment and discharge of wastewater, as well as the application of reused water while keeping up with population and economy growth in many urban areas. It can also help infrastructural projects that aim at improving the energy efficiency, energy security, and decarbonisation of water treatment operations and their resilience against flooding, droughts, or man-made malicious acts.

However, water services infrastructure projects (both water supply and wastewater treatment) are dependent on a natural healthy environment. We want to abstract clean water for drinking water purposes and to return treated wastewater safely to the environment. Water service projects are designed with the environment at its core to ensure that those projects are sustainable and protect/restore



the environment. Without a natural healthy environment, the provision of water services is more difficult and expensive.

Faster permitting must not end up in the flawed implementation of environmental safeguards that are essential particularly for preventive action. For example, the Water Framework Directive (WFD)² is the key legal instrument for preventing pollution of water resources. Inadequate implementation of environmental assessments in accordance with requirements under the WFD can have negative implications for the chemical status of groundwater or surface water resulting in pollution of water resources used for drinking water. Larger volumes of industrial wastewater discharges potentially containing harmful pollutants that are difficult to remove may require advanced treatment operations. The costs associated with these remediation measures are more expensive than prevention, and often borne by water bills and/or taxes, not polluters. This is a real danger we need to be careful about, not just a technicality. **Accelerated permitting must strike the right balance to avoid creating loopholes for sectors with significant environmental footprints and must not go to the detriment of water resilience.** The regulation should therefore ensure such risks are minimised.

2. Cross-sectoral measures intended for speeding-up environmental assessments

Single contact point, joint assessment procedures, timeframes

The water services sector supports the introduction of a **single contact** point under **Article 3**. We welcome also the possibility of **bundling environmental assessment requirements** arising from various relevant pieces of EU legislation and coordinating the assessment procedures as proposed under **Article 4**.

Water infrastructure projects often require multiple permits under different EU environmental frameworks (Environmental Impact Assessment Directive (EIA), Habitats Directive, WFD). **A single entry point and joint assessment procedures should improve procedural clarity, reduce fragmentation and avoid duplication and overlapping requirements for project developers and competent authorities alike.** This is also pertinent for setting up the infrastructure and processes for the use of reclaimed water. Implementation of Regulation (EU) 2020/741 on **water reuse** has illustrated procedural complexity, as the preparation of comprehensive risk management plans has required extensive site-specific assessments and coordination among numerous actors, in the absence of harmonised templates or clear sequencing with discharge permits. These challenges have increased regulatory uncertainty and also affect the marketability and scalability of water reuse schemes.

The **designated timeframes** on the duration of screening and environmental

² Directive (EU) 2026/805 of the European Parliament and of the Council of 30 March 2026 amending Directive 2000/60/EC establishing a framework for Community action in the field of water policy, Directive 2006/118/EC on the protection of groundwater against pollution and deterioration and Directive 2008/105/EC on environmental quality standards in the field of water policy.



assessments in **Article 7** are another important step forward. Mandatory deadlines mean authorities and applicants know exactly how long each stage can take, ensuring predictable schedules and avoiding situations where decisions such as whether environmental assessments are required are delayed indefinitely.

Recommendation

Provisions under Articles 3, 4 and 7 on the single contact point, joint assessment procedures, and timeframes respectively, imply the need for enhanced administrative capacity of the competent authorities for them to be able to efficiently process the workload ensuring all relevant elements pertaining to the realisation of the environmental safeguards are respected throughout the entire procedure. We welcome, therefore, the provision proposed under Article 12 on resources and training and call to enhance it further in order to ensure its effectiveness. See section 4 below.

Changes to projects

Article 5 aims at ensuring **changes or extensions of projects do not automatically trigger a full environmental assessment**, but would first be subject only to a screening procedure. A full environmental assessment would be required where the modifications would result in environmental risks comparable to or greater than those of the original project.

This provision has the potential to facilitate permitting for water infrastructure by introducing a proportionate approach to modifications of existing assets. Water service operators frequently need to upgrade or extend existing infrastructure, for example, replacing or upsizing pipelines, modernising wastewater treatment plants, or retrofitting facilities to improve energy efficiency, reduce emissions or physical security of the plants.

We fear, however, the provisions under Article 5 could result in adverse environmental impacts being overlooked and especially risking deteriorating the status of water quality. Having a cross-sectoral nature, they may be applied to a variety of infrastructural projects including those with significant environmental impact. **Already minor increases in certain emissions may pose risks to the aquatic environment, even if they are less significant than those resulting from the original project.**



Recommendation

Article 5 should ensure also water infrastructure modifications related especially to capacity upgrade or infrastructure resilience are subject to screening only to determine if they are likely to have effects on the environment that are similar or greater than those posed by the original project, taking into consideration their overall positive impacts on human health, the environment, energy efficiency, energy neutrality, and security resilience.

However, the Article should be carefully reviewed and amended as necessary to ensure that it does not create a legal loophole benefiting the most polluting industries. For example, the reference to *significant* environmental effects as the threshold triggering a screening procedure by the competent authorities is insufficiently defined and may confer excessively broad discretion on those authorities in determining what constitutes a "significant" effect.

In addition, the last sentence of Article 5(1), as phrased, seems to focus on the environmental risks and impacts of the *works* involved in such projects, not on the environmental impacts of the *operations* of the finished infrastructure. The provision should make it clear that the environmental risks subject to an environmental assessment should result from the operations that are consequence of the works necessary for infrastructure upgrades or modifications.

3. Sector-specific measures intended for speeding-up environmental assessments

Faster permitting for strategic sectors

The draft Regulation in **Article 14(1), first paragraph**, recognises that certain '**strategic**' sectors, such as clean energy production, mining, transport and digital infrastructure, warrant additional facilitating measures to accelerate permitting for strategic projects, given their systemic importance for the Union's sustainable prosperity, competitiveness and strategic autonomy. Where the relevant strategic infrastructure projects contribute to resilience as well as to decarbonisation or resource efficiency, and fall within the scope of the environmental assessments and the obligations under the EIA Directive, Strategic Environmental Assessments Directive, WFD, and the Habitats Directive, such projects shall be considered to be of public interest and may be considered to have an **overriding public interest**. Second, in the authorisation procedures, in cases where there is lack of reply from competent authorities within the established timeframes, the specific administrative steps shall be considered as **tacitly approved**. Third, all judicial proceedings or **dispute settlement**



related to the projects within strategic sectors shall be treated as most expeditious.

The provision of drinking water and the collection and treatment of wastewater fall in the category of essential services³. Essential services are key for the maintenance of vital societal functions, economic activities, public health, safety, and environmental protection. Their operation is fundamental not only in their own right, but also because other (strategic) sectors depend on them. Some of the EU's key strategic sectors, such as semiconductors, data centres, renewable energy, and agriculture are heavily depended on water and this dependency is expected to rise significantly in the coming decade⁴. These dependencies mean that weaknesses in water infrastructure development can hinder adequate adaptation to growing population in certain areas as well as have serious impact across multiple sectors affecting strategic economic performance.

It is necessary to underline that these weaknesses can be also a result of the sector's **vulnerability to man-made hazards or natural disasters**. The water sector infrastructure modernisation and upgrade are essential also to ensure it copes with contemporary multifaceted security challenges involving physical- and cyber-security threats as consequence of malicious acts as well as impacts of climate extremes resulting in prolonged and intensive draughts or floods⁵.

Finally, **the water sector has a significant potential to generate renewable energy and further implement energy efficiency and neutrality solutions**. On the one hand, by supplying renewable energy to external users (such as biogas for public transport, heat for district heating or biomethane that can be injected in the gas grid), the water sector can contribute to reducing the dependence on imported energy. On the other hand, by incorporating renewable energy sources (such as solar, wind, and biogas) to cover the energy demand of drinking water and wastewater treatment and distribution operations, water utilities can effectively reduce their carbon footprint and dependence on fossil fuels, thus contributing to its energy security and climate neutrality the EU.

Recommendation

The Regulation should recognise water infrastructure projects as critical for enabling vital societal functions and economic activities, and acknowledge that the Union's strategic sectors rely on these essential services. It should ensure, therefore, the sector-specific measures for faster permitting are applied in a comprehensive and coherent way.

³ Commission Delegated Regulation (EU) 2023/2450 of 25 July 2023 supplementing Directive (EU) 2022/2557 of the European Parliament and of the Council by establishing a list of essential services.

⁴ WSP, Water Europe. 2024. Socio-economic study on the value of the EU investing in water.

⁵ These stand also as legal requirements for the water supply and wastewater treatment entities identified as critical and essential under Directive (EU) 2022/2557 and Directive (EU) 2022/2555.



4. Measures intended for ensuring environmental safeguards

Resources and training

A more detailed identification of the specific causes of delays in permitting and reporting at national level is necessary. These include, among other factors, insufficient administrative capacity and technical expertise for the effective implementation of EU legislation, inadequate staffing arrangements, including complex institutional structures and fragmented decision-making within competent authorities, as well as insufficient EU and national funding to ensure the full implementation of adopted legislation⁶.

Measures on the single entry point, joint assessment procedures and designated timeframes for screening and environmental assessments proposed under Articles 3, 4 and 7, respectively, imply **the need for enhanced administrative capacity of the competent authorities**. Such capacity is necessary to carry out these procedures in a comprehensive, diligent, and transparent manner, while ensuring the full environmental scrutiny required by law and thereby avoid the risk of inadequate or partial assessment.

The provision in **Article 12** on resources and training is well placed and has the potential to help address the likely increase in workload, as it requires Member States to allocate sufficient resources to enable competent authorities to manage these additional responsibilities efficiently.

Recommendation

Article 12 should enable Union's support for enhancing the administrative capacity of competent authorities at national level, such as technical support instruments, recruitment and training support of staff within permitting authorities, the development of an EU pool of technical expertise for environmental assessments, promoting studies and careers in the field, and the digitalisation of permitting procedures.

Access to environmental information, decision-making and justice

Article 13 requires Member States to ensure that the public has the right of access to environmental information, participation in decision-making, and access to justice within the scope of this Regulation, as defined in Article 1. This applies directly to plans, programmes, or projects subject to environmental assessment or screening under the relevant directives (EIA, WFD, Habitats Directive, etc.). In practice, this **obliges Member States to guarantee that the public can exercise the rights established in applicable international instruments, such as the Aarhus Convention**.

⁶ ClientEarth. 2025. Contribution to the European Commission's Call for Evidence: Simplification of administrative burden in environmental legislation.



Recommendation

The water services fully support the obligation to ensure the public has access to key environmental rights recognised under the international legal order. This is a critical measure that is required to ensure the environmental safeguards will be preserved while applying measures under this Regulation that are intended for speeding-up environmental assessments alongside policy-based recognition that benefit for the common good, including environmental benefit, is realised by the efficient delivery of critical public infrastructure and any individual environmental rights must be balanced in this context. We call on the co-legislators to ensure this provision is kept along the co-decision procedure and confirmed in the final agreement.



About EurEau

EurEau represents Europe's water sector, bringing together 70,000 public and private drinking water and wastewater service providers across 33 countries.

We work with EU institutions and international organisations to ensure legislation supports resilient, sustainable and affordable water services by protecting water quality, promoting resource efficiency and safeguarding access to water.



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Annex

Justifying the need for faster permitting: A case for water services infrastructure projects

Across several Member States, essential water supply and wastewater infrastructure projects have experienced significant bottlenecks due to **lack of procedural clarity, fragmented processes, and overlapping requirements** as well as **institutional capacity and inefficient litigation dynamics**. These hindrances are not marginal and have serious implications for the delivery of essential services and strategic infrastructure.

Procedural complexity, fragmentation and overlapping requirements

In Italy, over recent years, interventions concerning strategic water sources, including optimisation and safeguarding measures on major supply systems serving Rome, have been affected by extended scrutiny linked to abstraction permits and environmental assessments. For instance, the Lago di Bracciano abstraction management case saw prolonged legal and regulatory review, including final rulings by the Italian Supreme Court affirming regional decisions to limit extractions in order to protect the lake's ecosystem, with consequent effects on permit timelines and operational planning.

While environmental protection remains paramount, the interaction between concession regimes, impact assessments and multiple institutional stakeholders has frequently resulted in prolonged review timelines. In some instances, additional environmental documentation and technical integrations were requested at advanced stages of procedures, leading to the rescheduling of investment plans and increased indirect costs.

Similarly, upgrades and capacity expansions of wastewater treatment infrastructure within the metropolitan area have encountered procedural complexities. Projects such as the Rome Metropolitan Area wastewater treatment upgrade have required environmental impact screenings or full assessments, alongside landscape and hydrogeological clearances from multiple authorities. The overlapping competencies of different review bodies, combined with sequential rather than parallel processes, have contributed to extended authorisation timelines. These procedural challenges have had tangible consequences in terms of delayed commissioning, financial planning uncertainties and potential discontinuity with broader EU environmental targets.

A further area of difficulty relates to the implementation of Regulation (EU) 2020/741 on water reuse for agricultural purposes. This Regulation establishes minimum requirements for safe reuse in irrigation and mandates the preparation of a comprehensive Water Reuse Risk Management Plan covering the entire reuse chain, from treatment plant to agricultural application. In practice, the preparation of such risk management plans has proven challenging. The requirement for detailed site-specific risk analysis, the involvement of multiple actors (water utility, health authorities,



regional administrations and agricultural users), and the need to align with existing discharge permits have constituted a significant procedural hurdle. The lack of standardised templates and harmonised guidance, as well as the need to reconcile EU-level risk planning with national and regional regulatory frameworks, has extended the timeframes required to operationalise reuse schemes. As a result, projects such as the Fregene treated wastewater reuse for irrigation initiative have faced longer preparatory phases and increased regulatory uncertainty, affecting investment bankability and deployment scalability.

Combined effects of procedural complexity, institutional capacity, and litigation dynamics on excessive permit-granting delays

The Greater Dublin Drainage (GDD) Project was conceived to respond to the projected growth in population and increased commercial activity resulting in a 50% increase in the volume of wastewater generated in the Greater Dublin Area during the next 30 years. Adequate wastewater collection and treatment capacity in the Greater Dublin Area is vital to social and economic growth including provision for new housing while ensuring the protection of public health and the environment⁷.

First conceived in 2008, the project received planning permission in 2019, after obtaining approval through Ireland's Strategic Infrastructure Development procedure before *An Bord Pleanála* (the national planning authority, ABP). The initial planning permission granted in 2019 was subsequently annulled by the High Court in 2021 following the judicial review proceedings that found the approval legally flawed because ABP had failed to consult the Environmental Protection Agency (EPA) under Ireland's Waste Water Discharge Regulations (implementing the WFD) on the project's effluent discharges. Even though the case was fast-tracked under the Strategic Infrastructure List, the litigation process consumed roughly two years and forced the project to return to the planning stage. Following the court judgment, in April 2021, the court remitted the application to ABP to reconsider (rather than start anew) to save time, requiring additional environmental assessment and further consultation. However, decision-making stalled, and ABP did not reconvene on GDD until August 2022, in part due to member shortage and governance issues. Further environmental documentation and updated assessments were required to address the issues identified by the court. This included revisiting aspects of the Environmental Impact Assessment Directive and appropriate assessment for protected habitats, which added additional time to the process. After updating the environmental assessment in late 2023, ABP finally re-approved GDD Project in July 2025.

In September 2025, a second judicial review challenge was lodged by NGO Wild Irish Defence targeting the legality of the planning permission. The hearing was set for 8 December 2025, but Uisce Éireann⁸ and objectors settled on the eve of that hearing agreeing to additional environmental measures to be implemented by the developer,

⁷ Uisce Éireann. *Greater Dublin Drainage Project*. Available at: <https://www.water.ie/projects/local-projects/greater-dublin-drainage> (08/03/2026).

⁸ The national water utility, formerly Irish Water.



allowing both parties to avoid the uncertainty, cost and time associated with a full High Court hearing. Construction is expected to commence in early 2026.

The GDD case has illustrated the vulnerability of large-scale essential national water infrastructure projects that have essential societal and strategic importance. It has shown how exceptional delays (18 years) between the project inception and initiation of the works may arise from the combined effects of administrative processes, flawed decision making, institutional arrangements, policy complexity and litigation dynamics that interact throughout the permitting process⁹ and finally resulting in additional costs amounting to €650 million of taxpayer money doubling the initial investment amount.

⁹ Gupta, Hari. 2025. Proposed legislation affecting judicial review of planning decisions. Policy and legislative Briefing Paper.