

Workshop: Participatory approaches for meaningful public engagement

6-7 October 2022

RE spatial allocation and go-to areas



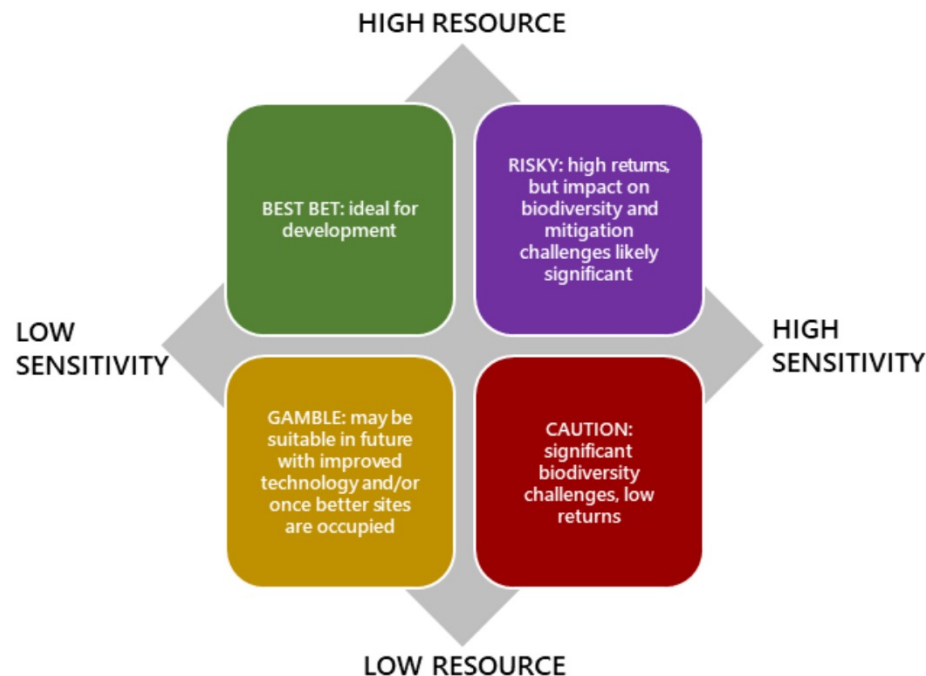
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The importance of strategic planning and the role of existing environmental legislation

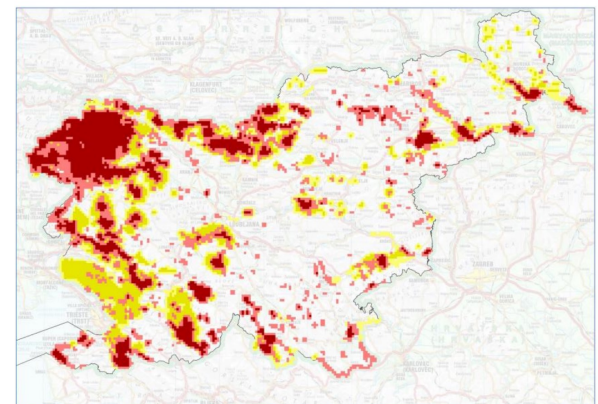
- The EU policy and legislation (SEA, EIA, HD, WFD, MSPD,...) already provide **tools to avoid conflicts between renewables and biodiversity**.
- **The EU nature legislation allows for effective deployment of renewable energy infrastructure and its coexistence with nature protection.**
- The Habitats Directive (Article 6.3) allows implementation of projects if they **do not harm the integrity of the Natura 2000** sites. In justified cases, even projects affecting the integrity of the sites can be carried out, if it is proven that there are **no alternatives** and appropriate **compensatory measures** have been put in place (Article 6.4).
- There is also an obligation to show that the plan or project is '**of overriding public interest**' and under REPowerEU it is proposed that renewables are presumed as being in the overriding public interest.
- **Species protection** regime is complementary.

The importance of strategic planning

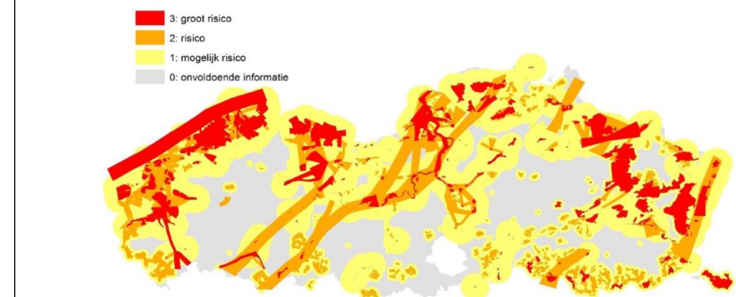
- **Conflicts are best avoided through good strategic planning.**
- Member States should rely on the good practices in strategic planning of renewables through **sensitivity mapping**.



Slovenian national wind farm sensitivity map for birds (6/7)



Wind farm sensitivity map for birds and bats in Flanders (Belgium) (7/7)



Synthesis map of bird sensitivity to wind turbines in Flanders.

Guidance and support

- **Guidance document on wind energy developments and EU nature legislation** clarifies existing obligations and flexibilities built in the EU law.
- **The wildlife sensitivity mapping manual** with case studies.
- **The recommendation on speeding-up permit-granting procedures** for renewable energy projects (and the accompanying guidance) adopted as part of the REPower EU Package.



Guidance document on
wind energy developments and
EU nature legislation

Guidance on Energy Transmission
Infrastructure and EU nature legislation



REPowerEU Plan

- Aims at rapidly reducing our dependence on Russian fossil fuels
- Reinforces and accelerates the implementation of the European Green Deal and tackling the climate crisis
- **Three pillars:**
 - **diversifying energy sources**
 - **saving energy**
 - **accelerating renewable energy**

Target for solar photovoltaics

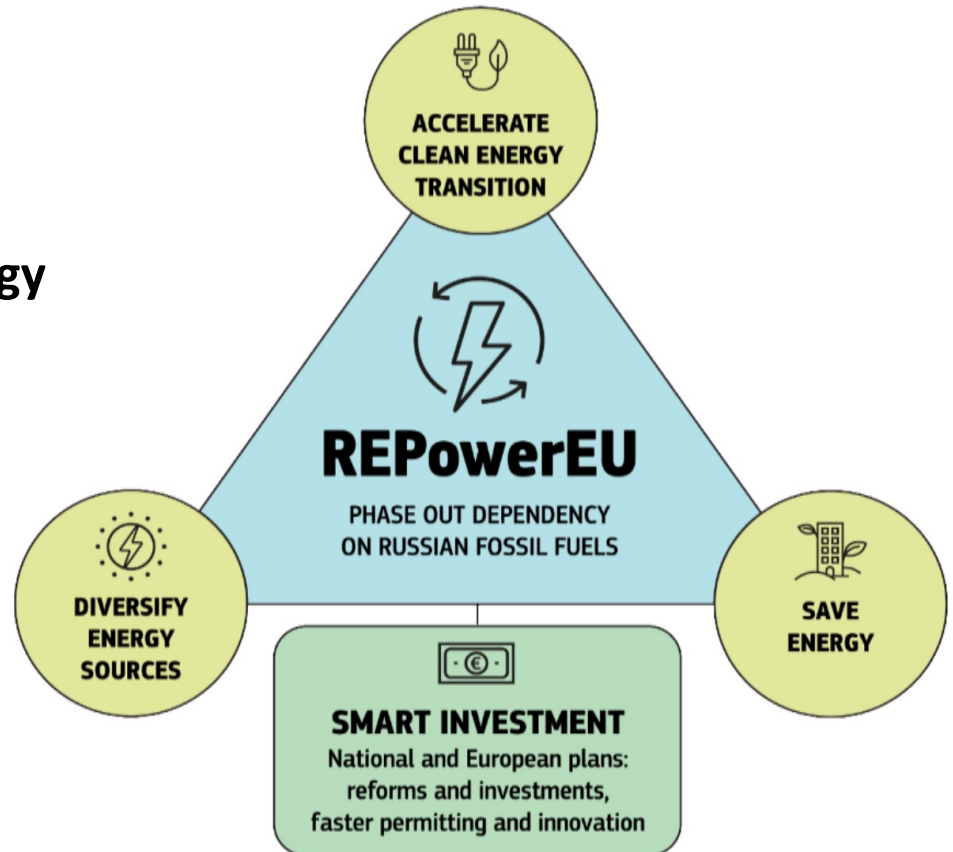
EU solar strategy

European solar rooftop initiative

Heat pumps

Hydrogen

...



RE projects permitting – proposed amendment to the Renewable Energy Directive

- Member States to identify “**renewables go-to areas**” - locations on land or sea that are particularly suitable for the installation of RE, other than biomass combustion plants, where renewable projects are not expected to have significant environmental impacts
 - give **priority to artificial and built surfaces**;
 - **exclude Natura 2000 sites** and nature parks and reserves, the identified bird migratory routes as well as other areas identified based on sensitivity maps and other tools;
 - use **all appropriate tools and datasets** to identify the areas where the renewable energy plants would not have a significant environmental impact, including wildlife sensitivity mapping.
- Before its adoption, the plan or plans designating renewables go-to areas will be subject to **SEA and, if needed, to AA under the Habitats Directive**.
- Member States to establish appropriate **mitigation measures** to prevent deterioration of habitats and disturbance of species in Natura 2000 sites as well as the killing of protected species including birds.

Permit-granting process for projects located in go-to areas

- Renewable energy projects in go-to areas are **exempted from the EIA and AA under Article 6(3) HD** (not for projects which are *likely to have significant transboundary effects*)
- Exempted projects will be subject to a **screening (15-30 days)**
 - If the competent authority has **clear evidence** that a specific project is **highly likely** to give rise to **significant unforeseen adverse effects** that cannot be mitigated – it adopts a motivated decision to **request an EIA and (where applicable) AA (to be carried out within 6 months)**.
 - If no clear evidence of highly likely significant unforeseen adverse effects during screening – the project **authorised from an environmental perspective without requiring any express decision from the competent authority**.
- The global **deadline of 6 months or 1 year** for permit-granting with a possibility for extension by 3 months.

Permit-granting process for projects located outside go-to areas

- For projects subject to EIA and AA, a **single procedure** to be established + **mandatory scoping**.
- Where the specific projects have adopted appropriate mitigation measures, any killing or disturbance of the species protected under Article 12(1) of Directive 92/43/EEC and Article 5 of Directive 2009/147/EC shall **not be considered deliberate**.
- The **global deadline of 1 or 2 years for permit-granting** with a possibility for extension by 3 months.

New mapping tool

To support Member States in identifying “renewables go-to areas”, the Energy and Industry Geography Lab, from May 2022, includes relevant layers:

- Natura 2000 sites
- Nationally designated protected areas
- Ecologically or biologically significant marine areas
- Important bird areas
- Key biodiversity areas
- Underwater noise
- Peatlands
- Wastewater treatment plants

https://joint-research-centre.ec.europa.eu/energy-and-industry-geography-lab_en

Thank you



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