

## EWEA Position on the Review of the Environmental Impact Assessment Directive

EWEA welcomes the review of the Environmental Impact Assessment Directive (EIAD) as it introduces a number of incremental improvements and simplifications to the current EIA process without weakening the environmental protection provided by the Directive. The wind industry supports streamlining of EU and national permitting procedures, as administrative barriers are the main cause for significant delays that push up the cost of wind energy, with no additional benefits for the environment or wildlife.

EWEA does not support any reduction in the level of environmental protection provided by the EIA Directive.

### **EIA costs are not necessarily a burden, but administrative streamlining is required**

The wind industry is committed to improving its positive environmental impact, and EIAs are an important element of public acceptance and permitting. For these reasons, wind energy project developers do not view the cost of an EIA as prohibitive. According to IVM<sup>1</sup>, the industry spends €38-51 million per year to fulfil the requirements of the EIAD. The average cost per project is around €387,500, representing up to 1.5% of total project costs.

EWEA calls on Member States to use the occasion of the EIA Directive review to streamline EIA procedures, as well as other relevant administrative procedures to facilitate permitting, e.g. through the establishing of “one-stop-shops” for wind farm developers.

### **Speeding up and clarifying the EIA process by setting deadlines for authorities to reach decisions**

EWEA strongly welcomes the proposed idea of time limits for the duration of the EIA process. Delays pushing back operation of a wind farm are a main concern of wind project developers with the EIA procedure, especially during screening and scoping. Evidence from literature and the Commission’s internet consultation shows that EIA procedures have often contributed to delays in, or even failure of, wind energy projects. The “Wind Barriers<sup>2</sup>” project also concludes that EIAs cause delays in about 50% of cases. .

The high number of different authorities to be consulted during the process also results in delays. EWEA welcomes the ‘one-stop-shop’ approach to EU legislation proposed, and encourages Member States to use one stop shops, including for national permitting laws. Having a single point of contact for all permitting procedures would significantly reduce delays and hence costs, without lowering environmental integrity.

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<sup>1</sup> IVM Institute for Environmental Studies, wind energy and the review of the EIA directive, December 2011

<sup>2</sup> EWEA – Wind Barriers, 2010

A further factor causing delays are additional requests to developers in late stages of the EIA procedure. Local authorities should only be allowed to request additional information beyond what they first required in exceptional cases.

### **Screening out projects without significant impacts more efficiently**

EWEA welcomes the move to make more use of existing sources of data during screening. This is already implemented in some countries and can avoid significant delays and duplication of work. Furthermore, this additional data should enable to filter out projects without significant impacts and only require full EIAs where appropriate. In some countries, EIAs are automatically required for wind energy projects, which should not be the case according to their EIA classification (Annex II – projects without mandatory EIA).

EWEA also strongly supports the merger of impact assessment procedures required for EIA and other environmental directives to avoid overlaps and duplications. Requesting authorities to publish their decisions, positive or negative, and the reasons that justify those, should equally help transparency and objectivity.

### **Requiring the right information for each type of project**

EWEA welcomes the guidance given to Member States on what constitutes “significant impacts” of a project on the environment. While developers have to determine ‘significant impacts’, competent authorities differ in their interpretation of the term and in the data required to determine these impacts. EWEA expects the changes proposed by the Commission to help identify major impacts early in the process and scope out non-significant issues.

However, some requirements arising from the new Annex IV could be difficult to fulfil: the consideration of a baseline scenario for environmental status is a useful tool to assess project impacts, but baseline data is often partial or altogether missing. EWEA recommends that developers be not required to create a baseline if none already exists.

EWEA understands the mandatory consideration of reasonable alternatives to proposed developments should ease project acceptance, avoid unjustified requests for more information and clarify existing requirements.

### **Accredited consultants for EIAs: a new system with advantages and disadvantages**

This system has been used notably for validation of Clean Development Mechanism projects<sup>3</sup> in the UNFCCC framework with diverging results. While the aim is commendable, this could lower quality, reduce the choice of consultants for project developers and ultimately push up development costs through reduced competition.

### **EIA should take account of positive environmental impacts as well as negative ones**

EWEA welcomes that the positive impacts of technologies are given more emphasis by the review of the Directive. In addition to greenhouse gas emissions, wind energy avoids emissions of air pollutants like SO<sub>x</sub>, NO<sub>x</sub> and Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>), heavy metal pollution, and ground level ozone emissions. These impacts, and lack thereof, can now be more prominently taken in consideration when conducting EIAs..

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<sup>3</sup> Emission-reducing projects outside of the EU but counting for the EU's GHG reduction target, e.g. wind farms