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Voting recommendations

ENVI vote 25 October 2022 on the proposal for a revision of the renewable energy directive (REPowerEU)

On the 25th of October, the Environment Committee of the European Parliament will vote on its opinion on the revision of the Renewable Energy Directive under the REPowerEU legislative proposal (amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency).

The European Environmental Bureau, EuroNatur, Birdlife, CEE Bankwatch, WWF, and ClientEarth call on Members of the European Parliament's ENVI committee to adopt ambitious amendments that will put the EU on the right track to speed-up renewable energy permit-granting procedures in an effective way by striking the right balance between accelerated renewable deployment, nature protection, and public participation.

In particular, we call on Members of the ENVI committee to consider these recommendations:

- **Only promote renewable energy technologies with low climate and environmental impact.** Among renewable energy technologies, wind and solar, when positioned in the right places, have the lowest impact on nature, and are the two technologies that can deliver the biggest contribution to emission cuts. Therefore, they should be preferred over technologies with generally higher climate or environmental impacts. Specifically, there should be no go-to areas for hydropower or bioenergy.
Support AMs 52, 69. Reject AMs 53, 54
- **Maintain existing environmental safeguards.** Existing environmental provisions remain key because on the one hand they do not slow down permitting - as they, inter alia, reduce the risk of litigation at the local level and thereby help speed-up development processes - and on the other hand they provide the needed clarity and predictability for both developers and permitting authorities. They are also part of the EU's obligations under international treaties such as the Aarhus Convention and Bern Convention. Projects in go-to areas must not be exempted from Environmental Impact Assessments and/or Appropriate Assessments or meaningful screening under the existing legislation. In addition, they should not be automatically presumed to be projects of overriding public interest contributing to public health and safety with regards to the Birds, Habitats and Water Framework Directive. As the Nature Directives contain other tests that need to be met on a case-by-case basis (before a project can be allowed to go ahead, despite its harmful effects, due to overriding public interest) the presumption will not accelerate the permitting process but will only create legal uncertainty, risk a regression of existing EU environmental law and set a harmful precedent. Considering the envisaged



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Compromise Amendments (CAs), we are worried that the ENVI committee could even worsen the text with respect to the Commission's proposal from an environmental law perspective if those CAs are adopted. Thus, we call on Members of the ENVI committee to: **Support AMs 145 - 147, 153 - 155, 157 - 160, 163 - 165, 168 - 171, 173, 182, 183, 204 - 206, 208, 209. Reject CAs 2, 3, 5, AMs 148 - 152, 161, 162, 166, 167, 172, 174, 175, 185 - 188, 207**

- **Ensure a holistic approach to spatial planning.** Spatial planning provisions should allow a 'cascading' deployment of additional renewable energy capacity, focusing development on the least harmful areas. Renewables go-to areas (priority areas for renewables deployment, i.e. the most suitable ones) must be well defined through an inclusive process. At the same time, the spatial planning process must be used to also designate space for nature, to ensure that EU obligations on protected and strictly protected areas, Natura 2000 sites, other protected areas, reserves and nature restoration areas can be met. Equal priority should be given to addressing the biodiversity crisis which requires ecosystem-based spatial planning for both land and sea areas. **Support CA1 or AMs 58, 61, 64 - 67, 69, 71, 73, 74, 79 - 81, 87 - 89, 91, 95, 97, 100, 110, 115, 116 - 119. Reject AMs 59, 85, 86, 90, 103, 105**
- **Target administrative bottlenecks.** As also outlined by industry, the main problems hindering RES deployment are not related to nature protection legislation. Barriers related to administrative processes are acknowledged among the major factors hindering renewables developments in Europe. However, many of the actual problems are not tackled by this legislative proposal – remarkably the understaffing and lack of adequate skills in public authorities. Those obstacles must be addressed by bringing Member States to ensure sufficient and adequate staffing, with relevant skills and qualifications, for their permit-granting bodies and environmental assessment authorities. **Support AMs 66, 132, 133**
- **Facilitate the installation of solar energy in artificial structures.** To achieve an accelerated deployment of additional solar capacity, procedures to install small and medium-size installations should be simplified and streamlined. **Support CA 4, AMs 193 - 195, 198, 199, 201 - 203. Reject AMs 192, 197, 200**