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Energie. Wasser. Leben.

What can we learn from Germany?

Boosting RES and the implications on biodiversity

Boosting RES and the implications on biodiversity

- Large number of reforms
- Focus on onshore wind power
- Most important: **Legislation in 2022**
- New booster: **EU-Emergency Regulation** implemented in 2023
- Long-term concept: **RED III** - Renewable Acceleration Areas

Legislation in 2022

Reform of Renewable Energy Act

- Higher buildout targets and faster expansion paths
- **Overriding Public Interest (OPI)** for RES

Reform of planning law for onshore wind power

- 2% area-target set for 2032
- Already now a very strong signal
- Simplified designation of wind energy areas
- Most German wind energy areas
can be labelled as Renewable Acceleration Areas under RED III

Legislation in 2022

Reform of Federal Nature Conservation Act for onshore wind power

- Minimizing scopes for interpretation in species protection law
- Focus on mitigation measures on project level
- Implementation of a **Species Protection Program (SPP)**
 - SPP shall protect species affected by RES
 - Contribution in case of exceptions from species protection law
 - Intention: Good conservation status of populations
(vs. individual protection)

EU-Emergency Regulation

- OPI for RES
- Core of regulation is **Article 6:**
 - Permissions for
 - projects in designated renewable areas
 - based on existing data
 - without environmental impact or species protection assessment
 - with a set of mitigation measures and/or payments into SPP
 - Speeds up permission process significantly

RED III

- Faster permissions in Renewable Acceleration Areas
 - Designation of Renewable Acceleration Areas
 - Focus on mitigation measures on plan level
 - Screening process to identify significant unforeseen adverse effects
 - If necessary: Measures on project level or monetary compensation (SPP)
- Slightly deeper assessment than Emergency Regulation

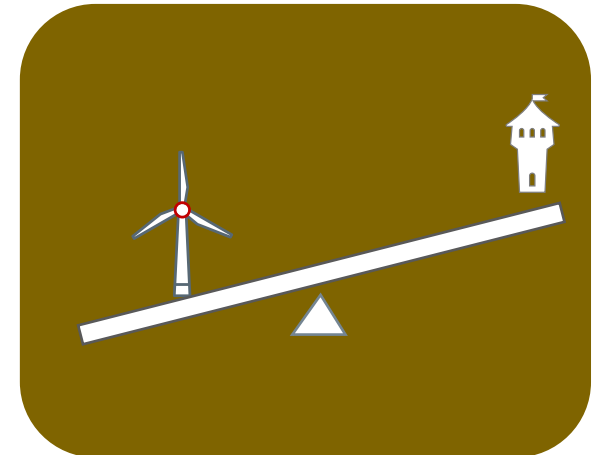
Overriding Public Interest

Political and psychological effect

- Emphasizing the importance of RES
- Working towards an enabling attitude

Legal effect

- Enhancement of legal position when balancing legal interests



Overriding Public Interest

- OPI has no direct effect in nature and species protection law
- Only at the level of possible exceptions

Conclusion:

- OPI has an important political and broadcasting effect
- Creates an enabling attitude
- Strong legal reforms and OPI have been equally important for Germany's booster

Contact



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