

# Inception Impact Assessment of the New Regulation to impose legally binding nature restoration targets

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Eurelectric comments

Eurelectric represents the interests of the electricity industry in Europe. Our work covers all major issues affecting our sector. Our members represent the electricity industry in over 30 European countries.

We cover the entire industry from electricity generation and markets to distribution networks and customer issues. We also have affiliates active on several other continents and business associates from a wide variety of sectors with a direct interest in the electricity industry.

## We stand for

The vision of the European power sector is to enable and sustain:

- A vibrant competitive European economy, reliably powered by clean, carbon-neutral energy
- A smart, energy efficient and truly sustainable society for all citizens of Europe

We are committed to lead a cost-effective energy transition by:

**investing** in clean power generation and transition-enabling solutions, to reduce emissions and actively pursue efforts to become carbon-neutral well before mid-century, taking into account different starting points and commercial availability of key transition technologies;

**transforming** the energy system to make it more responsive, resilient and efficient. This includes increased use of renewable energy, digitalisation, demand side response and reinforcement of grids so they can function as platforms and enablers for customers, cities and communities;

**accelerating** the energy transition in other economic sectors by offering competitive electricity as a transformation tool for transport, heating and industry;

**embedding** sustainability in all parts of our value chain and take measures to support the transformation of existing assets towards a zero carbon society;

**innovating** to discover the cutting-edge business models and develop the breakthrough technologies that are indispensable to allow our industry to lead this transition.

Dépôt légal: -

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**Eurelectric welcomes that the European Commission will propose a new regulation to impose legally binding nature restoration targets.** Beside policies aiming to protect the local environment, we will further have to reduce the pressure on our global environment, by combating climate change. The power sector is striving to achieve carbon-neutral electricity by 2045 and we need more sustainably sourced energy to lead the fight against climate change and biodiversity loss.

As the European Union is considering a 2030 higher greenhouse gas (GHG) target - that could lead to a higher 2030 EU RES target - and given the importance a clean and renewable energy supply would play in the decarbonisation of energy intensive sectors, **it has to be ensured that enough space is available for the necessary expansion and upgrading of existing power infrastructure and installation of new facilities, including renewable and carbon neutral generation, storage and grids, whereas compensation is possible.**

**Eurelectric calls for a consistent approach in the new regulation to impose legally binding nature restoration targets to ensure that biodiversity as well as energy and climate policies go hand in hand.** A balance as well as early-stage coordination between conflicting and sometimes even contradictory goals of energy, climate and environmental policies is necessary. A challenge that often occurs at the member state level are the discrepancies during the permitting procedures in the context of the Water Framework Directive, the Marine Strategy framework Directive, and the EU Nature Directives, resulting in long-lasting assessments of different public interests.

**An amended regulatory framework for Natura 2000 sites and similar areas with constraints is needed to provide more flexibility with regard to the establishment of renewable and low carbon installations as well as critical power infrastructure while protecting ecosystems.** Building on the Biodiversity Strategy to 2030, RES projects might also be “win-win” solutions, which can for instance be realised at off/on-shore wind parks, PV farms as well as hydropower assets. As these projects lead the fight against climate change and simultaneously conserve the local biodiversity, a reconsideration of allowed activities in Natura 2000 is necessary, based on a comprehensive, empirical data analysis of the impacts of RES technologies instead of the currently applied “prohibition basis” of any potential project in or with effect on Natura 2000 sites.

**The new regulation to impose legally binding nature restoration targets has to ensure that that the different pieces of environmental legislation (e.g. Water Framework Directive, Nature Directives and the Taxonomy Regulation) and their goals are fully coherent.** It is of uttermost importance that conservation targets (Nature Directives) and restoration targets (Water Framework Directive, WFD) are clear and coherent, which is unfortunately still not the case. The practical implementation of EU environmental legislation shows that that the achievement of environmental objectives can be hindered by environmental legislation itself, especially when conservation targets prevent the fulfilment of restoration targets. A case in point is dam removal (to fulfil the restoration target of the WFD) within a Natura2000 area, which is only possible via derogation from the Nature Directives (conservation target). Concerning the Inception Impact Assessment, it has to be highlighted that neither the Birds Directive nor the Habitats Directive aim at achieving the mentioned “good condition of ecosystems” but at a favourable conservation status.

**The European power sector is committed to the current environmental targets and objectives and we will try our best to contribute to bring Europe's biodiversity on a path to recovery.**

Eurelectric members have been showing their continuous commitment by implementing environmental restoration as well as compensation measures and by contributing to research and development (R&D), improving the scientific basis for ecological-effective as well as cost-effective measures. In general, measures are taken to mitigate or compensate effects on land, roads, habitats as well as species and can lead to net losses in renewable energy, a case in point is the generation of renewable hydropower. Examples for environmental measures are the construction of fish migration facilities, the creation of spawning grounds or the restoration of river beds, mowing concepts beneath grid lines, the integration of artificial nesting sites on pylons or the creation of new biotopes, such as gravel beds or chalk heath in transformer stations, as new habitats for endangered species. Many of these measures result in a decrease of water inflow available for hydropower generation and/or decrease the flexibility output from hydropower assets – both being goals of the EU climate and energy policies.

**Eurelectric is looking forward to constructive exchanges to avoid possible adverse effects of electricity infrastructure on priority areas or species.**

Eurelectric pursues in all its activities the application of the following sustainable development values:

Economic Development

- Growth, added-value, efficiency

Environmental Leadership

- Commitment, innovation, pro-activeness

Social Responsibility

- Transparency, ethics, accountability



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