



**HWEA**  
**HELLENIC WIND ENERGY ASSOCIATION**

Thursday, March 19, 2020

**PRESS RELEASE**

**on the draft law "Modernization of the Environmental Legislation"**

**Protecting the environment through the massive development of Wind Energy and other renewables**

The provisions of the draft law "Modernization of the Environmental Legislation" announced by the Ministry of Environment & Energy are in the right direction. Their proper implementation can achieve the golden balance between effective environmental protection and economic development. However, improvements are needed to some critical aspects. This is the message of the detailed memorandum submitted by the Hellenic Wind Energy Association ELETAEN to the Minister of Environment & Energy.

ELETAEN believes that the draft law will form a better new overall framework for renewables, if combined with the forthcoming, much-needed, interventions in the remaining licensing process. Adoption of ELETAEN's proposals is also needed.

**The fundamental principle of ELETAEN's proposals is to establish a genuine relationship between the State and the Businesses based on transparent rules and mutual commitments.**

The draft law is taking steps towards this direction as it involves simplifications in the licensing of RES and introduces clear deadlines for the Administration at certain stages of the environmental licensing process. It also includes provisions on how investments will not freeze. However, it is important to extend this approach to all relevant provisions of the draft law, including the procedures for modifying issued environmental licenses and the procedures for issuance of the opinions by the archaeological councils.

It is even more important not to provide an automatic cancelation of the production license (the Certificate<sup>1</sup>) of a RES investment, if it has not been matured enough within the time limit set by the draft law due to the Administration's delays. Moreover, there should not be any burden on RES companies by paying the maintenance license fee (for 2017-2019) if they have already been committed for huge amounts through letters of guarantee or they are developing special projects (e.g. wind projects with underwater cables).

---

<sup>1</sup> This is the name of the new Production License which will be issued with the simplified criteria of the draft law

**HWEA/ELETAEN**

Kosta Varnali 52 & Epidavrou str, Chalandri 15233 (Polidroso), 1<sup>st</sup> floor, tel./fax. ++30 2108081755  
President of BoD and CEO: Tychis 2, Chalandri 15233, tel. ++30 210 6816803, fax. ++30 210 6816837  
e-mail [info@eletaen.gr](mailto:info@eletaen.gr) web [www.eletaen.gr](http://www.eletaen.gr)





**Regarding the protected areas, ELETAEN considers their new management system to be more effective.**

However, a more integrated approach is needed for the elaboration and the approval of the Special Environmental Studies (SES) for the protected areas, so that these will ensure environmental, economic and social balance in the context of sustainable development. To achieve this, the draft law should foresee that (i) these Studies should be accompanied by an impact assessment of the proposed measures on the climate, the development and the society and (ii) their approval will involve the other competent directorates i.e. the ones for spatial planning, energy and forestry.

The draft law should not delete the provision that, **after an environmental impact assessment, RES can be installed in areas that are not strict nature reserved, nature reserved, RAMSAR nor priority habitats.** Otherwise, the proposed amendments may be interpreted as a political retreat to pseudo-environmental populism or as undermining the national climate policy.

Wind farms - and RES in general - are environmentally friendly investments as they contribute to tackling climate change. A specific application for such an investment can only be rejected if it is substantiated by factual scientific evidence and specific analysis - and not general declaration - that it will cause irreversible significant damage to a high value protected object which cannot be remedied by other measures.

**It is noted that in its letter addressed to the Minister, ELETAEN makes a special reference to the crucial situation for our country due to the COVID-19 crisis. ELETAEN assures the Minister that the wind sector and wind energy companies in Greece are closely following the announcements of the Government and they are adopting them targeting to protect the health of the employees and the citizens and to ensure the high availability of their power plants.**

*Note: The main proposals of ELETAEN included in its letter to the Minister are attached*





## ANNEX:

### MOST SIGNIFICANT PROPOSALS FOR THE DRAFT LAW

1. The new deadlines for environmental licensing procedure and the new 15-year duration of the EIA approval should apply on the pending procedures and the existing EIA approvals as well.
2. Must not be required the submission of whole new EIA Study for the modification of an existing EIA approval when the modifications in the project design reduces the impact on the environment (Article 4) eg. when the number of wind turbines decreases by increasing their geometrical characteristics within the licensed polygon.
3. In Article 46 of the draft law, the provision of Article 19 (8) of Law 1650/1 1986 must remain. According to that clause it is possible to install RES in Natura areas following EIA and Special Ecological Assessment.
4. The RES installations should not be horizontally and selectively prohibited (as provided in Article 46) by the “Habitats and species protection Zones” or the “Zones of sustainable natural resource management”.
5. The Special Environmental Studies should include impact assessment of the proposed measures on climate policy and development. The approval of the Special Environmental Studies should be done with the involvement of the Spatial Planning, the Energy and the Forestry Directorates of the Ministry (Article 47 (2) and (4)).
6. The Minister should not be able to lay down transitional protection measures for an area without Presidential Decree if he has not previously approved the relevant Special Environmental Study (Article 47 (6)).
7. The validity of a Certificate (i.e. production license) should not be terminated if the Administration violates its own deadlines and therefore the investor misses the deadline set by Article 12.
8. The procedures for modifying Certificates should be more flexible, e.g permit licenses merger or capacity transfer between existing licenses (Article 11 (13)).
9. The License Maintenance Fee (Article 21) should be further reduced and not burden (i) projects that have already submitted a Letter of Guarantee and (ii) special projects.
10. The restrictions for the polygons (Article 13) should be adapted and do not apply on existing licenses nor modifying requests of new or existing licenses.

