



PUBLIC CONSULTATION : RENEWABLE ENERGY PROJECTS - PERMIT-GRANTING PROCESSES – TotalEnergies ADDITIONAL COMMENTS

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Question8. What good practices (if any) have you encountered in the areas of simplified permit-related and administrative procedures? (can be EU/national or international)

- Upfront preparation (public consultations, territorial planning, identification of available sites at early stage, environmental surveys...) by the Authorities reducing the duration of the process and ensuring high public acceptance.
- Identification of a single point of contact in the administration or a “one-stop-shop” for the consent submission and review.
- Use of electronic platforms to exchange information with the authorities.
- Provide access to a wide spread of data necessary for the permitting process.
- Reduce processing times for legal challenges/appeals and imposition of a maximum time limits.

Question10. Are you planning lifetime extension, repowering (as defined in Art 2(10) of the Renewable Energy Directive) or decommissioning of your installations in the next 5 years?

Today in most countries, decommissioning is planned (much less than repowering)

Question22. Do you/your company/your organization have further comments on accelerating permitting of renewable energy projects?

In most Europeans countries, the current heavy and tedious administrative procedures and regulatory frameworks that prevail are totally incompatible with the Fit for 55 ambitions , and even less with the RePowerEU goals to emphasize and accelerate them.

Given these stated ambitions and the expected growth of the renewable energy sector, an important increase of applications and procedure for renewable projects should be expected. Therefore, it is necessary to put in place actions to facilitate the granting procedures by easing the administrative dossiers, simplifying the permitting process, increasing government staff, and improving qualification by regular trainings. It will be interesting to streamline administrative procedures specially for smaller projects and to simplify the authorization procedures (simple prior declaration, exemption from environmental impact assessment and/or case-by-case examination procedure, etc.).

One important way forward could be to qualify renewable energy projects, as being in the public interest, for offshore wind projects for instance, or big Solar Farms as it will increase social acceptance and facilitate access to land which will allow to ease and reduce the duration of the permitting process. It is indeed very important, from a legal perspective, that the goals of energy transition and fight against climate change be at least granted the same level of legal protection as other public policy requirements. Energy transition and the fight against climate

change must be defined as being in the public interest and being fundamental legal principles or objectives, at the same level as other principles such as the protection of biodiversity for instance. This will allow courts to uphold important projects that favour the energy transition, balancing the benefits of these projects with the costs that they may have with regards to other public policy goals (e.g. protection of biodiversity). If the legal protection granted to the fight against climate change and the energy transition was lower than that offered to other public policy goals, this may undermine the objectives pursued by the EU under Fit for 55.

Besides, permitting processes differ across countries without standardization at European level. The EU must put in place monitoring or at least guidelines to ensure joint development of the sector. Also, implementation of digitalized and standardized authorization procedures needs to be promoted.

In addition, access to land and land planification are key for the development of the renewable sector (“go to areas”). Therefore, a common planification would be needed. For the Offshore-wind sector for instance, the demand for ocean space is rising, as established sectors such as fishing, tourism, and shipping continue to grow. The amount of space assigned to spatial conservation measures such as marine protected areas (MPAs) is also set to increase so a smart and joint planification would be fundamental.

Thus, it is necessary to develop spatial planning and create land databases to give a clear vision of the land specificities upstream and throughout the project. Also, there is a need to ease the access of data and allow all the stakeholders to quickly access to a widespread of data necessary for the overall permitting process (land qualification, landownership, zoning plans, administrative steps, etc.). A single online platform for the submission and consultation of applications would enable all developers, project leaders and instructing departments to have a clear and common view of the appraisal of each project and its progress, while facilitating exchanges between the parties (request for additional information, specific questions related to a deliverable, etc.).

Likewise, cross-border and transnational collaboration mechanisms should be strengthened and collaboration between countries for research programs increased. Today, some similar initiatives are launched in parallel in different countries. Thus, mutualization of resources and budget or public financial participation could lead to economy of scale and will provide security for both developers and communities.

In parallel, there is a need to promote hybrid projects or projects enabling multiple uses of land. Renewable projects using the same space should be sponsored and a clear regulatory framework should be defined.

Finally, from a more general perspective, it will be important for EU to relaunch post-covid plans and European plans towards renewable energy transition.