
**Environmental Impact Assessment (EIA) –
Key or Hindrance for the Expansion of
Renewables in Germany and Japan?**

Webinar on June 25th, 2020

Summary of the Q&A Session

ECOS GmbH

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Key Questions (moderator Johanna Schilling, ECOS):

- 1. How can the balance between hindering and promoting effect can be improved?*
- 2. How much public participation is necessary? Is it crucial for the acceptance of new RE projects?*
- 3. What else would help to increase public acceptance and to fasten the expansion of RE?*

Takahiro Hosokawa, Environment & Energy Technology Dept., Asia Air Survey Co., Ltd.:

In Japan, it is the developer which finds a suitable place and proceeds the process of development, and they can implement projects wherever they want – in principle. They get in contact with only a relatively small number of relevant people such as landowners or local governments, because they could face the risk that people oppose the project at the early stage of planning. Most of the local residents get to know the development project from EIA for the first time.

So, in order to avoid this situation, the policy of the site zoning led by local government will be helpful. The local government selects areas where renewable energy can be promoted. For the zoning, local governments can hold open meetings with relevant stakeholders and list up suitable areas for renewable energy. In this way, it is expected that local residents make some sort of agreement on coming projects before EIA starts.

For the development for offshore wind power, Japan enacted a new law last year, and prefectural and central government implemented zoning. The Ministry of Economy, Trade and Industry (METI) and the Ministry of Land, Transportation and Infrastructure (MLTI) together with prefectures, relevant local government experts and stakeholders - mainly fishermen - set up meetings and discussed the guidelines or points which the selected developers need to consider. The developer is afterwards selected through bidding. This new system for offshore wind park is thought to reflect the local opinion or direction well before EIA starts. Together with the new movement of offshore wind power, the Ministry of the Environment (MoEJ) launched a loaning program for onshore and offshore wind power energy for several local governments. This programme gives local people more chances to get informed about renewable energy and helps to find favourable areas for its development.

Maybe this kind of zoning is very effective to improve or promote renewable energy in Japan.

Lars Langeleh, Financing & Sales, WestWind ENERGY:

On local environmental impacts in Germany, we have to differentiate here. In Germany for all projects, if PV or wind onshore, we have the situation that we have to view on several zonings. We have the regional zoning, which is developed by the county. Then we have the community zoning. And at the end the approval of the application of the proponents. At all 3 zonings we have to make an environmental impact assessment.

So, if you say we have 3 years development time here in Germany, that's from a practical point of view today not more possible. Because we have legal circumstances that first if we recognize a zone or a land for a power plant, if PV or onshore wind, we have to consider that this land has to be recognized by the regional zoning plan, by the community zoning plan and then at the end to get a permit for that project. On the other hand, we have legal claims then against permits which also comprehend the zoning plans. Meaning, you needed 3 years, 4 years, 5 years to go through these processes and at the end a court then says the permit is deleted and the zoning plan is deleted. So, when somebody claims today against a permit and he tries also to claim against a zoning plan. That makes from a legal point of view very difficult in Germany to gather really secure permits.

From our practical point of view, we also try to make an EIA with public participation even for small projects with 2 turbines for example. For a project with let's say 5 turbines we have also to consider the regional plan of a county. The Federal State behind and also the target of the State are important, but we have to consider the regional zoning plan and that is the zoning plan of the county, which probably as in Japan is a really big area to consider. In some counties they define a zone in their county where wind energy is possible or not and also for big solar plants, primarily in Eastern Germany. In Eastern Germany the regional zoning plans are more important than in Western Germany and that makes it very difficult to come to a successful project.

Question/comment (audience):

From the point of EIA, public participation might be more effective if it is done during the period of zoning (if zoning system is more encouraged). But at the same time, I think public participation for each project would be essential to secure local benefits by introducing the project.

Q1 (audience):

Is it more costly to install offshore wind parks in Japan than in Germany due to the geographical conditions? If so, how many years does Japan need in terms of depreciation compared to Germany?

A1 (Hosokawa):

Yes, of course. Sea level is very much deeper from the shoreline, so floating wind farms are needed in Japan. 17 years is the depreciation period for wind projects, designated by law

Q2 (audience):

The Japanese PV power generation volume is bigger than the one in Germany. Is it because the number of the installation in Japan is larger or the sunshine efficiency?

A2 (Moderator):

I compared the installed capacity (MWp) in my presentation. The solar impact in Japan is a little bit higher compared with Germany, but it depends on the region. And even in Germany we have regions with very high solar impact. So, it is really because of the bigger installed capacity like the actual number of panels and the installed surface of PV.

Q3 (audience):

Do you have insights into differences of features/characteristics of public engagement/interest/discourses on a regional/local level? I would think it might be more difficult to get public in Japan engaged and interested as well as discourses differ.

Moderator: How active are the citizens in Japan in the EIA process? Is the public in Japan really interested in participating in this process? Are they giving their opinions? Are they attending the meetings when the project is explained?

A3 (Hosokawa):

It depends on the project or developer. If the developer explains in early stage, developer just get a few opinions. However, if the developer explains not well, or residents worry especially about infrasound noise, people together submit opinions to the developer. In that case the number of submitted opinions is more than 100.

Q 4 (audience)

Even though the EIA processes look similar between Germany and Japan, I would imagine that the actual internal procedures differ because of more vertical (tatewari) character of decision making in Japan compared to a more horizontal style in Germany.

A4 (Langeleh):

We actually see also a vertical problem in Germany from the regional area to the local area. There are some politicians who think more in the way that the communities should decide which power plants should be built - PV and wind energy - on their land and not the regional or the Federal State side or at the end the National Government. So, to bring the responsibility more on the community area and not on the County, Federal State or National Government side would help very much to bring the discussions more to the locality to decide.

And I think it is also the same if we speak today about sector coupling, hydrogen and so on. We are now in the situation that we can provide energy for heat and electricity within the area of the local community – also with wind energy. So, it makes sense to bring this decision on the local community area or responsibility, because they need the heat and electricity at first and then all regional people. So, if we come to the situation that we only agree on the local community side, this would be very fine. We also develop a project in Romania (Eastern Europe), and the permit authority there is on the local area as long the project site is in the area of the local community. So, there is no vertical decision-making. There is only a decision making on local community responsibility side.

Q 5 (audience):

If in Japan, it depends on the developer to what degree the public is engaged in the EIA process, does it mean it is a top-down structure? I.e. more top-down from the developer who is assigned by the government, than bottom-up grassroots.

Moderator: I mentioned the Buergerwind Parks (citizens co-operatives) in Germany which sometimes propose to erect wind turbines. Then, from the start the citizens are involved. I think this is more often the case than in Japan. I think in Japan it is often the case that the developers for example for big megasolar parks or offshore wind parks, are Marubeni or Kawasaki Heavy, and NEDO is giving the money, so it is a more top-down process, is that right?

A 5 (Langeleh):

I have to say, we have here many Buergerwindparks, and they sometimes loose permit at court. So, the participation in Buergerwindparks or wind farms or public wind farms is different. You have people who are against the wind farm and they do not want to participate

as owner of the wind farm, and they claim against the wind farm. So that is not really an issue to get a higher acceptance.

We actually have a high acceptance of renewables in Germany. A new study from last year of our association FA Wind (Fachagentur Wind) says that we have 93% acceptance for onshore wind. So, the acceptance here in the population of Germany is very high, perhaps higher than in Japan - I do not know for onshore wind. Because we have really high instalments of wind energy here. But we have to convince the people who live directly in the neighbourhood of the wind farm. From our point of view, it is very important to let them participate via the electricity bill, so that they get cheaper electricity than other people, because they are living near a wind power plant.

Moderator: I think this is one measure that can be taken: you provide cheaper electricity if a wind turbine is installed in the neighbourhood. So, this is an advantage for the citizens that may raise the acceptance.

Q 6 (moderator):

Do you think that in Japan zoning, for example for the offshore wind farm projects, is a more top-down process by the central government, or are the regions really involved here?

A 6 (Hosokawa):

Recently more regions are involved. Central government just makes the opportunity to discuss, just prepares the place for discussion between the stakeholders. The central government does not have any rights to promote the project, for example offshore wind farms, just local governments or committees involving the local government or stakeholders (especially fishermen). The committee decides if the offshore wind farm is good or not.

[Addition (Hosokawa): In Japan, local land use plans don't have the area for renewable energy. Some local governments make zoning plan for renewable energy with support of MoEJ. For port area, where MLTI and prefectural government control, sea use plans can include the area for renewable energy. Central Governments such as MoEJ, MLTI, METI generally provide subsidies and a platform by organizing a conference. The result of the conference is very important. From the view of national subsidy including FIT, it will be top-down approach. However, project phase such as the place or size, it depends on developer.]

Moderator: Also in case of the offshore wind zoning project in Japan which is now going on (11 zones, 4 have been assigned as advanced zones), the central government says, "we will do zoning". And then the regional local government decides "we will apply".

Hosokawa: Yes. The Prefectural Governments recommend feasible offshore wind areas to the Central Government. Then, the Central Government reviews the request and decides whether the area is suitable or not.

Questions which have been not answered due to shortage of time:

Q7 (audience):

You mainly discussed local environmental consequences. How much attention is devoted to non-local consequences (e.g. environmental consequences of material mining elsewhere in the world) in EIAs in your countries? Would it be good to have a larger focus on these non-local impacts, or would that delay the development even further?

Moderator: this might be related for example to PV production, because rare materials are needed. Is EIA only concerned with local consequences in Germany or also worldwide?

A7 (Hosokawa):

It is very difficult to say how wide the range of a social responsibility of developers is. Developers can declare environmental consideration for material of solar panels in EIA documents. However, it is difficult to predict the impact of non-local impacts and to execute mitigation measures about non-local impacts because developers can't control such a broad area. The possible way to mitigate such impacts for developers is to select an environmental friendly company for materials. If it is enough description in EIA, it doesn't take long time.

Q8 (audience):

Do you have ideas how to get the public more involved/interested in Japan?

A8 (Hosokawa):

For more public involvements, when local governments make land-use plan or energy plan, public meetings or public involvements should be done. For more public notice, environmental education is very effective, I think.

Q9 (audience):

The question is: is the acceptance increasing or decreasing in the local people and public? My feeling is, it is decreasing because nobody likes the wind park (not beautiful!)

A9 (Hosokawa):

In Japan, it depends on developer's attitude. I think more supports from central or local governments are necessary, too. If natural disaster is prevented by renewable energy, public acceptance is increasing near future.