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Committee on Regional Development

2008/0016(COD)

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OPINION

of the Committee on Regional Development

for the Committee on Industry, Research and Energy

on the proposal for a directive of the European Parliament and of the Council
on the promotion of the use of energy from renewable sources
(COM(2008)0019 – C6-0046/2008 –2008/0016(COD))

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SHORT JUSTIFICATION

In its opinion for the Committee on Industry, Research and Energy on "a roadmap for renewable energy in Europe of 2007, the Committee on Regional Development urged the European Commission to come forward as soon as possible with a proposal for a Directive on renewable energies, together with tools for promotion, technology transfer and the dissemination of best practices in the exploitation of this potential.

It should be also recalled that the Committee was in favour of an average target of 25% renewables by 2020 and clear binding targets for the electricity, transport, heating and cooling sectors. The Committee called on the EU to clarify the roles, rights and responsibilities of the regions and local authorities in policy implementation, in line with the principle of subsidiarity.

The 'New Energy Policy for Europe' should be supported, as it fully respects Member States' choice of energy mix and their sovereignty over primary energy sources, while at the same time, the policy is underpinned with a spirit of solidarity amongst Member States, to ensure an integrated approach to climate change and the challenge of promoting environmental sustainability. It should be stressed that an energy policy using renewables offers the opportunity for a decentralised energy policy through the exploitation of regional potential and meeting regions' needs. Therefore, the competent authorities should be given the means to achieve these objectives. It is important that Member States consider all possible renewable energy technologies.

The Commission should be requested to make cogeneration compulsory, when technically possible, where renewable energy is produced from biomass. Furthermore, the Commission should study the impact of wood burning furnace projects on the local and sustainable development of the timber sector, given that this sector plays a major role in contributing to regional development and the dynamism of rural economies.

In this context, Members States and regions should support the initiatives and activities of all local stakeholders involved in the development of renewable energy sources – local and regional authorities, farmers and foresters, businesspeople and planners, universities, researchers and private individuals. They should also encourage the establishment of public-private partnerships and improve the supply and marketing circuits for the renewable energy produced.

Regional and local authorities should set an example for the European public by adopting renewable energy technologies on their premises, encouraging the use of biofuels in their vehicles and saving energy by means of energy efficient installations.

It must be underlined that the use of renewables, as well as the production of equipment and machines, can provide development opportunities to many regions across Europe, especially in regions with limited job creation options.

Making full use of renewable energy sources still requires a great deal of research activity, product development, publicity and exchange of best practices.

The value of renewable energy sources from the regional point of view must be strongly stressed. Therefore, it is important that the use of renewables serves a purpose with demonstrable added value.

AMENDMENTS

The Committee on Regional Development calls on the Committee on Industry, Research and Energy, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a directive Recital 5 a (new)

Text proposed by the Commission

Amendment

5a. To obtain an energy model that supports renewable energies there is a need to establish strategic cooperation in which the regions and local authorities take part, together with the Member States, with the aim of involving them directly in its development.

Amendment 2

Proposal for a directive Recital 38 a (new)

Text proposed by the Commission

Amendment

38a. Deep undrained peatland with high stocks of carbon in its soil or vegetation should also not be utilised for the development of other renewable energy projects such as the construction of wind turbines and their associated roads, including 'floating roads' and other infrastructure. The impact of such developments on peatland would inevitably lead to the drying out of the peat bog over large areas and the release of stored carbon into the atmosphere, leading to the formation of carbon dioxide.

Justification

Peat land is a carbon sink. The construction of windfarms, 'floating roads' and other infrastructure leads to the disruption of the natural drainage and the drying out of the peat thus releasing vast quantities of carbon dioxide into the atmosphere, creating more carbon emissions than the wind farm will ever save.

Amendment 3

Proposal for a directive

Recital 45

Text proposed by the Commission

(45) In order to avoid a disproportionate administrative burden, a list of default values should be laid down for common biofuel production pathways. Biofuels and other bioliquids should always be entitled to claim the level of greenhouse gas savings established by this list. Where the default value for greenhouse gas savings from a production pathway lies below the required minimum level of greenhouse gas savings, producers wishing to demonstrate their compliance with this minimum level should be required to show that actual emissions from their production process are lower than those that were assumed in the calculation of the default values.

Amendment

(45) In order to avoid a disproportionate administrative burden, a list of default values should be laid down for common biofuel production pathways. Biofuels and other bioliquids should always be entitled to claim the level of greenhouse gas savings established by this list, ***albeit that that should in no case lead to discrimination against Member States and regions whose territories are relatively unproductive because of the nature of their soil, climate or output of raw materials***. Where the default value for greenhouse gas savings from a production pathway lies below the required minimum level of greenhouse gas savings, producers wishing to demonstrate their compliance with this minimum level should be required to show that actual emissions from their production process are lower than those that were assumed in the calculation of the default values.

Justification

Avoiding discrimination between Member States and third countries.

Amendment 4

Proposal for a directive

Recital 51

Text proposed by the Commission

(51) Support measures taken pursuant to this Directive that constitute State aid in the sense of Article 87 of the Treaty have to be notified to and approved by the Commission before their implementation, pursuant to Article 88(3) of the Treaty. Information provided to the Commission on the basis of this Directive does not substitute for the obligation of Member States under the notification obligation pursuant to Article 88(3) of the Treaty.

Amendment

(51) *The Member States, regions and local authorities may set up public aid to support renewable energies, as they are initially more expensive than those they replace, with the consequence that their penetration of the energy market is not resulting in short-term commercial benefits or lower prices for consumers.* Support measures taken pursuant to this Directive that constitute State aid in the sense of Article 87 of the Treaty have to be notified to and approved by the Commission before their implementation, pursuant to Article 88(3) of the Treaty. Information provided to the Commission on the basis of this Directive does not substitute for the obligation of Member States under the notification obligation pursuant to Article 88(3) of the Treaty.

Justification

The best way of backing alternative energies in the Member States is to involve them in public aid to promote such energies.

Amendment 5

Proposal for a directive

Recital 51 a (new)

Text proposed by the Commission

Amendment

51a. *The opportunities for establishing economic growth through innovation and a sustainable competitive energy policy have been recognised. Often, renewable energy production depends on local or regional SMEs. The opportunities for growth and employment that regional and*

local renewable energy investments bring about in the Member States and their regions are important. The Commission and the Member States therefore should support national and regional development measures in these areas, encourage the exchange of best practices in renewable energy production between local and regional development initiatives and promote the use of structural funding in this area;

Amendment 6

Proposal for a directive

Article 3 – paragraph 3 – subparagraph 1

Text proposed by the Commission

3. Each Member State shall ensure that the share of energy from renewable sources in transport in 2020 is at least 10% of final consumption of energy in transport in that Member State.

Amendment

3. Each Member State shall ensure that the share of energy from renewable sources **and from sustainable peat sources** in transport in 2020 is at least 10 % of final consumption of energy in transport in that Member State.

Justification

In several EU Member States sustainable peat is an important regional and local source of heat and power responding to the needs of decentralized and diversified energy systems. Transport fuel produced from peat would fulfil the greenhouse gas emission saving requirement, the benefits for climate are same as for other biofuels. Transport fuel produced from peat would enhance also the commercialization of 2nd generation Fischer Tropsch technology. Transport fuel produced from peat would also decrease the import dependency and the oil dependency of the European Union.

Amendment 7

Proposal for a directive

Article 4 – paragraph 1

Text proposed by the Commission

1. Each Member State shall adopt a national action plan.

Amendment

1. Each Member State shall adopt a national action plan, **based on energy**

The national action plans shall set out Member States' targets for the shares of energy from renewable sources in transport, electricity and heating and cooling in 2020, and adequate measures to be taken to achieve these targets, including national policies to develop existing biomass resources and mobilise new biomass resources for different uses, and the measures to be taken to fulfil the requirements of Articles 12 to 17.

action plans draw up at local and regional level and coordinated with regional and land use policies; Member States shall actively consult and involve regional planning and local authorities at an early stage in the preparation of their national action plans.

The national action plans shall set out Member States' targets for the shares of energy from renewable sources in transport, electricity and heating and cooling in 2020, and adequate measures to be taken to achieve these targets, ***also at regional and local level***, including national ***and regional*** policies to develop existing biomass resources and mobilise new biomass resources for different uses, and the measures to be taken to fulfil the requirements of Articles 12 to 17.

1a. The Commission shall provide local and regional authorities with detailed guidelines concerning the active role and competences they have in the implementation of the national action plans, using practical examples of the use of renewable energies, based on existing best practices.

Amendment 8

Proposal for a directive

Article 12– paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) national legislation and administrative procedures allow and support the establishment of public-private partnerships and foster co-operation between businesses, the public sector, schools and universities in order to create regional innovation clusters, in the spirit of the Lisbon Strategy.

Amendment 9

Proposal for a directive

Article 12 – paragraph 1 – subparagraph f

Text proposed by the Commission

(f) less burdensome authorisation procedures are established for smaller projects; and

Amendment

(f) less burdensome authorisation procedures are established for smaller projects ***and for decentralized renewable devices such as photovoltaic, solar thermal, small biomass stoves, small biogas microcogen, for which authorisation procedures will be replaced by a simple notification to the competent government body***; and

Justification

Simple notification instead of burdensome authorisations will speed up penetration of small and decentralised renewables.

Amendment 10

Proposal for a directive

Article 12 – paragraph 4 – point a

Text proposed by the Commission

(a) ***the use of passive, low or zero energy buildings; or***

Amendment

(a) ***building energy efficiency, defined by a combination of insulating standards and heating technology used, including combined heat and power generation.***

Justification

In new building construction the use of renewable energies is feasible in many cases without great additional cost. But further technology options should be open to investors, as they often contribute to the aims of security of supply and climate protection even more cost-effectively. With existing buildings, however, there are often high extra costs involved in the subsequent installation of equipment to use renewable energies and they vary considerably from case to case. Here financial support by government makes more sense than building regulations that would greatly increase the cost in the case of existing buildings and involve bureaucratic inspection procedures.

Amendment 11

Proposal for a directive

Article 12 – paragraph 5 – sub-paragraph 1

Text proposed by the Commission

5. With respect to their building regulations and codes, Member States shall promote the use of renewable energy heating and cooling systems and equipment that achieve a significant reduction of energy consumption. Member States shall use energy or eco-labels or other appropriate certificates or standards developed at national or European level, where these exist, as the basis for encouraging such systems and equipment.

Amendment

5. With respect to their building regulations and codes, Member States shall promote the use of renewable energy heating and cooling systems and equipment, ***mainly in urban areas where these systems are of a particular utility***, that achieve a significant reduction of energy consumption. Member States shall use energy or eco-labels or other appropriate certificates or standards developed at national or European level, where these exist, as the basis for encouraging such systems and equipment.

Justification

It is important from the point of view of EU regional policy to underline, in connection with the encouragement of energy heating and cooling systems, the urban dimension of the promotion of renewable energy sources.

Amendment 12

Proposal for a directive

Article 13 – title

Text proposed by the Commission

Information ***and*** training

Amendment

Information, training ***and research***

Amendment 13

Proposal for a directive

Article 13 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States shall support research into renewable energies and the

development of links between research centres and industry in a way that will facilitate the implementation of new technology and further product development.

Amendment 14

Proposal for a directive Article 13 – paragraph 3

Text proposed by the Commission

3. Member States shall develop certification schemes for installers of small-scale biomass boilers and stoves, solar photovoltaic and solar thermal systems and heat pumps. Those schemes shall be based on the criteria laid down in Annex IV. Each Member State shall recognise certification awarded by other Member States in accordance with these criteria.

Amendment

3. Member States shall develop certification schemes, ***insofar as they are not already available in the relevant national training programmes***, for installers of small-scale biomass boilers and stoves, solar photovoltaic and solar thermal systems and heat pumps. Those schemes shall be based on the criteria laid down in Annex IV. Each Member State shall recognise certification awarded by other Member States in accordance with these criteria.

Justification

In view of the high standard of craft training in most Member States this proposed certification scheme is too far-reaching.

Amendment 15

Proposal for a directive Article 13 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States shall agree to establish principles of cooperation involving regional and local authorities, to enable them to participate fully in the development of information, awareness-raising, guidance and training programmes.

Justification

The regional and local authorities play an important role in education and training and are increasingly being asked by citizens to improve the quality of information currently provided.

Amendment 16

Proposal for a directive

Article 14 – paragraph 2

Text proposed by the Commission

2. Without prejudice to the maintenance of the reliability and safety of the grid, Member States shall ensure that transmission system operators and distribution system operators in their territory guarantee the transmission and distribution of electricity produced from renewable energy sources. They shall also provide for priority access to the grid system of electricity produced from renewable energy sources. When dispatching electricity generating installations, transmission system operators shall give priority to generating installations using renewable energy sources insofar as the security of the national electricity system permits.

Amendment

2. Without prejudice to the maintenance of the reliability and safety of the grid, Member States shall ensure that transmission system operators and distribution system operators in their territory guarantee the transmission and distribution of electricity produced from renewable energy sources. They shall also provide for priority access to the grid system of electricity produced from renewable energy sources. When dispatching electricity generating installations, transmission system operators shall give priority to generating installations using renewable energy sources insofar as the security of the national electricity system permits ***and the operation of combined heat and power generation plants is not affected.***

Justification

The promotion and use of renewable energies and combined heat and power generation both aim to increase security of supply and climate protection and should be regarded as equally important instruments for fulfilling those aims. In individual cases the contribution of the plant concerned to security of supply and climate protection should be evaluated while also considering the economic aspects.

Amendment 17

Proposal for a directive Article 15 – paragraph 3

Text proposed by the Commission

3. Biofuels and other bioliquids taken into account for the purposes referred to in paragraph 1 shall not be made from raw material obtained from ***land with recognised high biodiversity value, that is to say land that had one of the following statuses in or after January 2008, whether or not the land still has this status:***

(a) forest undisturbed by significant human activity, that is to say, forest where there has been no known significant human intervention or where the last significant human intervention was sufficiently long ago to have allowed the natural species composition and processes to have become re-established;

(b) areas designated for nature protection purposes, unless evidence is provided that the production of that raw material did not interfere with those purposes;

(c) highly biodiverse grassland, that is to say grassland that is species-rich, not fertilised and not degraded.

The Commission shall establish the criteria and geographic ranges to determine which grassland shall be covered by point (c). Such a measure designed to amend non-essential elements of this Directive shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 21(3).

Amendment

3. Biofuels and other bioliquids taken into account for the purposes referred to in paragraph 1 shall not be made from raw material obtained from:

(a) areas designated by law for nature protection purposes, unless evidence is provided that the production of that raw material did not interfere with those purposes;

(b) highly biodiverse grassland, that is to say grassland that is species-rich, not fertilised and not degraded;

(c) areas where an illegal change of land use or the devastation of pristine wetlands has occurred which might lead to a depletion of the soil's carbon stock.

Justification

The original definition "Forest undisturbed by significant human activity" in art.15(3)a is an inaccurate term used mainly for statistical purposes, which leaves room for ambiguous interpretation as to which forests would belong to this category. In some cases, sustainably managed forests in normal economic use could be regarded as untouched, biodiverse forest and fall outside the 10% biofuel target.

Amendment 18

Proposal for a directive Article 15 – paragraph 4

Text proposed by the Commission

4. Biofuels and other bioliquids taken into account for the purposes referred to in paragraph 1 shall ***not be made from raw material obtained from land with high carbon stock, that is to say land that had one of the following statuses in January 2008 and no longer has this status:***

(a) wetlands, that is to say land that is covered with or saturated by water permanently or for a significant part of the year, including pristine peatland;

(b) continuously forested areas, that is to say land spanning more than 1 hectare with trees higher than 5 metres and a canopy cover of more than 30%, or trees able to reach these thresholds in situ;

The provisions in this paragraph shall not apply if at the time the raw material was obtained, the land had the same status as it had in January 2008.

Amendment

4. Wood based raw materials used for the production of biofuels and other bioliquids taken into account for the purposes referred to in paragraph 1, shall ***be obtained from:***

(a) forests that are managed and harvested according to MCPFE criteria for sustainable forest management or comparable criteria set in other regional forest policy processes;

(b) forests that comply with national forest and environmental legislation; or

(c) wetlands, that is to say land that is covered with or saturated by water permanently or for a significant part of the year, including pristine peatland; the peat obtained for the purposes referred to in paragraph 1 shall not exceed its natural annual acquisition.

Justification

Ministerial Conferences on the Protection of Forests in Europe (MCPFE), has listed an extensive set of criteria and indicators for sustainable forest management on which all the signatories have to report. These criteria have also been implemented at national level and are nowadays an essential part of national forest legislation in many EU countries. Corresponding criteria and indicators have also been created in different parts of the world and should be used for forest-based raw materials outside Europe.

Amendment 19

Proposal for a directive

Article 19 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) the involvement of regions in this process and the measures taken at local and regional level;

Amendment 20

Proposal for a directive

Article 19 – paragraph 1 – subparagraph c a (new)

Text proposed by the Commission

Amendment

(ca) Public aid to support these energies, which may include the use of Structural Funds for research and development of energy technologies in accordance with the provisions of the European Strategic Energy Technology Plan.

Justification

The use of Community instruments such as the Structural Funds should strengthen research, development and innovation capacity in these areas.

Amendment 21

Proposal for a directive

Article 19 – paragraph 1 – subparagraph k a (new)

Text proposed by the Commission

Amendment

(ka) the estimated impact of investments in renewable energy production on regional development goals.

Amendment 22

Proposal for a directive

Article 20 – paragraph 5 – point a

Text proposed by the Commission

(a) the relative environmental benefits and costs of different biofuels, the effects of the Community's import policies thereon, the security of supply implications and the ways of achieving a balanced approach between domestic production and imports;

Amendment

(a) the relative environmental benefits and costs of different biofuels, ***with particular consideration being given to their impact on the economic situation of regions involved in their production, distribution and utilisation;***

(aa) the effects of the Community's import policies thereon, the security of supply implications and the ways of achieving a balanced approach between domestic production and imports;

Amendment 23

Proposal for a directive

Article 20 – paragraph 5 – subparagraph d a (new)

Text proposed by the Commission

Amendment

(da) the impact of Member State and regional investments in renewable energy production on regional growth and employment.

PROCEDURE

Title	Energy produced from renewable sources	
References	COM(2008)0019 – C6-0046/2008 – 2008/0016(COD)	
Committee responsible	ITRE	
Opinion by Date announced in plenary	REGI 19.2.2008	
Drafts(wo)man Date appointed	Samuli Pohjamo 26.3.2008	
Discussed in committee	8.4.2008	29.5.2008
Date adopted	25.6.2008	
Result of final vote	+: 29 –: 5 0: 11	
Members present for the final vote	Emmanouil Angelakas, Stavros Arnaoutakis, Jean Marie Beaupuy, Rolf Berend, Jana Bobošíková, Victor Boştinaru, Wolfgang Bulfon, Antonio De Blasio, Petru Filip, Gerardo Galeote, Iratxe García Pérez, Eugenijus Gentvilas, Ambroise Guellec, Jim Higgins, Filiz Hakaeva Hyusmenova, Mieczysław Edmund Janowski, Tunne Kelam, Evgeni Kirilov, Constanze Angela Krehl, Sérgio Marques, Miguel Angel Martínez Martínez, Miroslav Mikolášik, James Nicholson, Lambert van Nistelrooij, Maria Petre, Markus Pieper, Giovanni Robusti, Wojciech Roszkowski, Elisabeth Schroedter, Kyriacos Triantaphyllides, Oldřich Vlasák	
Substitute(s) present for the final vote	Bernadette Bourzai, Jan Březina, Jill Evans, Emanuel Jardim Fernandes, Ramona Nicole Mănescu, Francisca Pleguezuelos Aguilar, Zita Pleštinská, Samuli Pohjamo, Christa Prets, Richard Seeber, László Surján, Iuliu Winkler	
Substitute(s) under Rule 178(2) present for the final vote	Anneli Jäätteenmäki, Glenis Willmott	