Bureaucracy during the Environmental Licensing of Wind Farms in Greece

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Abstract

The key point in licensing a wind farm in Greece is the Environmental Impact Assessment. It is probably the most important step and definitely the most time consuming. According to the latest EWEA survey, Greece is one of the slowest countries in terms of completing the licensing procedure for a wind farm. Recently, the Greek government, in an effort to alter this status quo inserted a new Law for the simplification of the procedures and accelerating the total time necessary to construct a wind farm. The legal framework, under which the environmental process operates, is a general law containing all the necessary procedures and has various references to other legislations and clauses according to each case. During the environmental licensing of a wind farm, various administrations are asked to give their opinion and get involved directly or indirectly in the procedure. These include archeological offices, forestry and aviation authorities among others. The operation of these administrations is governed by certain legislation, according to which is asked their opinion. However, Greece has a quite complex legal framework, which comprises of a large number of Laws. Often new laws are piling up in this vast legislation. In parallel, there are many central independent administrations that impose different legislation that often come in conflict with one another. Also, the fact that most of this legislation was written a long time ago, not taking the installation of RES into account, often allows administrations to interpret the laws at will and disregard guidelines for RES. So, although the Ministry of Environment is trying to create a solid legal framework, this often comes in conflict with other laws and their guidelines. The limits of every administration’s authority are often violated and various sub administrations issue supplementary instructions and regulations. On top of that deadlines for submitting an opinion are not kept for various reasons and leave wind projects waiting in the queue for long. The main step that must be taken is the establishment of a central Office that will be commonly acknowledged and accepted. The licensing procedure and the relevant legislation will be supervised by them, being responsible to observe the procedures and make sure all administrations work in time and always within their limits.

Objectives

The scope of this presentation is to point out the key factors that slow down wind farm licensing, what is the current status of the administrative procedure, how does it operate and how it can be modified and be improved. In general the procedure followed is shown in the graph below:

- Application for Environmental Terms to the Central Administration
- Central Administration forwards the Application to all Authorities that think should express their opinions upon the Study
- Central Administration gathers the opinions of the Authorities and issues the Environmental Terms Decision

Obviously the crucial phase is the examination of the application by the various Authorities. The key to this point is the category in which a project is ranked. This determines the administrative path it will follow, thus which is the central Administration responsible. Currently, there are two Administrations that deal with wind projects. The Special Environmental Service (SES) of the Ministry of Environment and the Environmental Administration of each Prefecture. Depending on this, the time needed for the environmental approval differs significantly.

Additionally, taking into account the basic authorities (3 different archeology departments, Civil Aviation Authority, Hellenic Army, Forestry Dept, Local Prefecture Council, Tourism Authority) it is evident that in many cases more than 10 different offices may be involved in this procedure, not taking into account those involved indirectly. This fact is also depicted clearly in EWEA’s survey “WindBarriers”. These authorities come under different Ministries and it is often that specific legislations allow distinct interpretations and overlapping of the RES related regulations. Moreover, the vast majority of these authorities is not a central administration, but a local office in the area of the proposed project. Therefore, it is common that such offices are understaffed and most importantly not adequately informed or qualified to handle and examine wind projects. If such an incident occurs it takes lot of time and effort to resolve it and achieve the desirable result.

Methods

A certain model is proposed which focuses in the distinction of wind projects and RES in general from other cases that each authority copes with. It must be noted that there should be a distinction between projects based on their size and the impact they will incur. However, the existing criteria for this categorization should be revised and updated according to the current needs and practices. In any case the staffing of the Administrations is crucial for the success of any project.

A serial sequence of administrative process is proposed, based on the steps that must followed in order for a project to reach the construction phase. Each phase will lead to the next, once all necessary examination has been performed and all required licenses will have been awarded. This avoids the need for modification or adjustment of previously awarded licenses which constitute a prerequisite for obtaining the following one.

Results

We estimated the average time needed to obtain the environmental approval as this is calculated by actual cases and knowledge of the field, and finally the time needed as this is estimated with the proposed model, based on work experience and knowledge of the Greek status.

In the 1st graph the present status is showed for the two different occasions of administrative procedure. The 2nd graph shows the lead time needed, assuming that present central administrative status is being preserved with SES handling large scale projects and local Prefectures handling the rest. It can be seen that the proper coordination, along with qualified personnel can decrease the time schedule significantly.

Conclusions

In order to overcome the obstacles in Environmental licensing of Greek wind farms the following measures/actions must be taken:

- Create a solid framework with which all administrations will have to comply. The procedure followed should keep a serial sequence, since the parallel procedure in effect contains by default the need for various approvals and often creates confusion, conflicts among authorities and in many cases moves an application back and forth in order for a file to be modified or adjusted accordingly.

- Concentrate all relevant legislations and regulations related to RES in a sole Law containing all necessary measures, requirements, specifications and limitations, as these are described in the current legislation or with the corrections needed. Remove references to other laws or legislation than may create vagueness and allow misinterpretations.

- The various administrations or offices must be enforced with personnel that will be responsible only for projects related to energy, thus will relieve the corresponding authority from the over-concentration cases and will speed up the process.

- The implementation of the above proposed measure will contribute significantly in respecting the required deadlines for the expression of opinions by the Authorities.

- A mutually accepted framework will omit arguments and conflicts, accelerate procedures and mostly will attract investments.

References

1. WindBarriers, EWEA.