

## Advice concerning 'EU wind energy and nature conservation guide - final draft'

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## MOTIVE

The final draft (version March 2010) of the European Commission guidance document 'Wind energy development and Natura 2000', has been prepared with the assistance of Ecosystems LTD. This document has greatly benefitted from discussions with and information supplied by experts from Member States and key stakeholder groups, within the framework of an ad hoc group on wind energy and nature conservation that has met on three occasions. This guidance document is now structured in five main chapters:

- A review of wind energy development in context of EU climate change and energy goals.
- A review of EU legislation on nature and biodiversity and of the relationship between SEA, EIA and Article 6 of Habitats Directive.
- A review of potential impacts of wind energy developments on nature and wildlife.
- Strategic planning of wind farm developments.
- Step by step guide to the procedures under Article 6 for wind farm developments affecting Natura 2000 sites.

## REQUEST

Before the European Commission services proceed with the finalisation and publication of the guidance document, they would like to provide the members of the ad hoc group with the opportunity to have a final check of the draft to see if there are any major factual errors or fundamental misrepresentations.

## COMMENTARY

The document is clear and useful, and is a well balanced reproduction of previous discussions between experts in the ad hoc working group. There are only a few factual errors and/or misrepresentations in the text of the document, which we strongly advice to adjust. We also have some additional references of guidance documents in Belgium.

- p. 3,4. Table of Contents.

The page numbers are wrong. This should be adjusted after the text in the document is finalised. The word "insignificant" (part 3.4 on p. 3) must be "insignificant".

- p. 30.

The potential significance of cumulative impacts with increasing numbers of wind farms, must be mentioned in the frame and general text. Additionally, the first sentence in the frame would be more correct with the adjustment: "At present, wind energy is generally not a major threat....".

- p. 36.

The text about habituation in the 4<sup>th</sup> paragraph could be misinterpreted. As correctly mentioned, for the offshore Horns Rev wind farm in Denmark, there are indeed results that indicate habituation for some species (Petersen & Fox 2007). It should however also be noted that habituation could increase collision risk. For the onshore situation, there is a reference from Madsen & Boertmann (2008). However, it is important to know that this study was performed at 3 wind farm locations with small turbines, and that the degree of habituation for these turbines seemed to be dependent on the height of the turbines, with more disturbance at larger turbines (Madsen & Boertmann 2008).

From the review of Hötker et al. (2006), there is no statistical evidence that birds generally become habituated to wind farms in the years after their construction. The results of studies lasting longer than one season revealed about as many cases of birds occurring closer to wind farms over the years (indications for the existence of habituation) as those of birds occurring further away from wind farms (indications for the lack of habituation). A similar conclusion was also stated in the reviews of Stewart et al. (2007) and Winkelman et al. (2008).

The review of Hötker (2006) also showed a significant relationship between wind turbine height and avoidance distance outside the breeding season for some species.

We advise the following adjusted text for the 4<sup>th</sup> paragraph on page 36:

“ More long-term studies are needed regarding the potential for different species to habituate and recover. The available reviews of several published studies indicate local population declines over time for various species (e.g. among waterfowl and waders at staging and wintering sites) and no conclusive evidence of habituation (Stewart et al. 2004, 2007). In the review of Hötker et al. (2006) it was found that the results of studies lasting longer than one season revealed about as many cases of birds occurring closer to wind farms over the years (indications for the existence of habituation) as those of birds occurring further away from wind farms (indications for the lack of habituation or even more disturbance). More recently published studies indicate that some species may habituate at offshore turbines (Petersen & Fox 2007) and small onshore turbines (Madsen & Boertmann 2008). More follow-up studies are needed before any more conclusive statements can be made. Additionally, there is also some evidence that larger wind turbines can cause more disturbance for some species outside the breeding season (Hötker 2006). ”

- p. 51.

In the first paragraph, the word “sites” is written twice in the same sentence.

- p. 92-96. Annex II.

The markings and text for the species groups (in grey background) should be corrected and completed in relation with the maximum risk of impact for the mentioned individual species. Otherwise, the current description is unclear and incorrect.

The description in the “proposed buffer zones” can also be interpreted wrong because for some species/species groups, no buffer is mentioned. From the reviews of several published studies, an indicative buffer of at least 400m around foraging/roosting areas of waterfowl and waders, and at least 500-600m around foraging/roosting areas of geese and swans is recommended (Hötker et al. 2006; Winkelman et al. 2008, Bright et al. 2009). So, for the species groups (in grey background) “grebes”, “ducks”, and “waders”, a minimum indicative buffer of 400m, and for “geese” a minimum indicative buffer of 500-600m should be mentioned around foraging/roosting areas. The additional references (see above) can be attached with reference numbers 164, 168 and 174.

For every other species or species group where no buffer is mentioned in the Annex II, it should be noted that there is not enough information at this point to determine a possible proposed buffer.

- p. 102. Annex V.

“Everaert & Steinen (2007)” must be “Everaert & Stienen (2007)”.

- p. 105. Annex VI. Guidance documents in Belgium.

National: Gouvernement Wallon (2002), Vlaamse regering (2006), Everaert (2008).

NGOs: Natagora (2008), Vanholme & Vanderbeuren (2009).

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