
Revision of the TEN-E Regulation

BirdLife's Expectations for a sustainable energy transition

In the European Green New Deal the European Commission announced its plans to revise the TEN-E-Regulation (Regulation EU No. 347/2013). BirdLife welcomes the initiative to ensure consistency with the climate neutrality objective. However, Climate protection and Nature Conservation should not be played off against each other in order to get more power lines and underground cables built. Protecting nature and delivering on necessary trans-european energy infrastructure at the same time is possible. Building the energy infrastructure that Europe needs while halting the Biodiversity and Climate Crisis is the twofold challenge that the revised TEN-E-Regulation must deliver.

The Biodiversity and Climate Crisis is a massive threat to Europe's biodiversity, and new energy infrastructure is needed to limit greenhouse gas emissions. There is a risk that electricity projects will have a negative impact on nature and the environment if not properly planned. In line with the mitigation hierarchy, precautionary avoidance of harm to biodiversity and ecosystems from the outset of project identification, design and development is therefore essential. Especially location is important when it comes to nature conservation and to fulfilling legal requirements under the Birds and Habitats Directives and the Marine Strategy Framework Directive. Power lines and underground cables can co-exist, when sited properly and impacts are mitigated to limit wildlife mortality. In order to avoid high costs and delays in the development of electricity projects, the TEN-E Regulation must be consistent with the Nature Directives and take into account public concerns around nature and biodiversity.

Sustainable Energy Infrastructure in harmony with nature is the pillar to decarbonise the energy system in line with the EU's climate and environmental objectives and the Paris Agreement. In order to do so, and to make the energy system sustainable and secure, more interconnection is needed. Currently, European electricity markets are fragmented and insufficiently connected. At the same time renewable electricity production is increasing and supplied 35 % of EU electricity in 2019 (Agora, 2020). Europe's energy infrastructure must follow the same direction. For the first time low-cost wind and solar energy generated more electricity than coal. However, fossil fuel based gas replaced half of the coal. Since 2018 fossil fuel based gas is responsible for more emissions in the EU than coal (IEA WEO, 2019). Compared to renewable energy, gas fired power plants emit more than ten times more CO₂. Building further infrastructure for fossil fuels, such as gas and oil, enabled through the TEN-E Regulation, contradicts the EU's pathway to 1,5 °C and the Paris Agreement.

Among the current energy infrastructure promoted by the label "Projects of Common Interest" only smart grids to enable consumers regulate their electricity consumption and interconnecting electricity projects can help reducing emissions. The TEN-E Regulation must lay a special focus on nature-compatible electricity projects, as they are crucial to make grids ready to take up more electricity from renewable energy sources and reduce CO₂-emissions in the upcoming 10 years. Complementary options are furthermore needed and will be displayed in the following.

8 Asks for the TEN-E Regulation:

1. **Address Climate and Biodiversity together via nature-sensitive energy development.** Ensure the Ten-E regulation is consistent with the Paris Agreement and protecting nature while building the energy infrastructure needed.
2. **Avoiding biodiversity loss.** Protect habitats and vulnerable species through the PCI-label through referring to targets and objectives for energy, climate and biodiversity policy.
3. **Ensure all TEN-E infrastructure is net-zero and nature compatible.** Exclude fossil fuels infrastructure (gas and oil) and fossil gas dependent technologies like blue hydrogen. Add new flexibility options to back up the canon of TEN-E infrastructure. Routing should avoid areas of ecological sensitivity and of high biodiversity value.
4. Ensure the **efficiency first principle** in the scenario development and project assessment to ensure only cost-effective choices are taken and check if **any non-infrastructure solutions** could be identified before granting the PCI-label.
5. The new TEN-E Regulation needs to be based on an obligatory and detailed set of criteria for sustainability and tools to implement a **strict climate and strategic environmental impact assessment at an early stage** before granting PCI-status to any project. This should take into account present, planned developments and cumulative impacts for ecosystems. It should be fully rooted in scientific knowledge and consider tools, such as wildlife sensitivity mapping.
6. **Adequately include nature and environmental aspects in the assessment of impacts and costs.** Cost-benefit methodologies for all PCIs and for the energy system wide cost-benefit analysis should include information on potential environmental impacts, including whether all or part of a project is likely to fall within a site protected for its nature value in Europe. Direct and indirect impacts across the life-cycle must be taken into account. The methodologies must also be based on scenarios and demand assumptions that are in line with Europe's commitments of cutting carbon emissions.
7. Strengthen **EU-wide and cross-member states strategic spatial planning** processes of generation capacity at the landscape scale in order to assess necessary grid capacity in line with ecological limits and maintaining ecological connectivity
8. Ensure full transparency through **enhanced and participatory stakeholder engagement** and promote post-construction monitoring, whilst making sure that all environmental baseline and monitoring data and reports that are collected in connection with a project are freely **publicly available** immediately.

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