

# Climate protection needs tailwind: Towards a reliable expansion of onshore wind energy in Germany

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In February 2022, the German Advisory Council on the Environment (SRU) published a comprehensive statement on expansion of onshore wind energy in Germany. This publication summarises the German-language long text version. [↗](#)

Onshore wind energy is one of the pillars of the “Energiewende” (energy transition). Germany can only reach its climate targets if onshore wind is developed much faster. However, in the last few years the expansion has almost stalled. There are various reasons for this. Germany is densely populated and wind energy competes with other land use claims. The protection of residents as well as nature and landscape must be ensured. Nevertheless, there is sufficient land available for more onshore wind turbines. New legal and political requirements are needed to use this potential. In this report, the German Advisory Council on the Environment addresses the major challenges and gives recommendations. Key conclusions are:

2 % of the total land surface of Germany must be made available for onshore wind energy. In order to increase the amount of land for wind energy use in the short term, the SRU recommends setting a legally binding target in all German regions (Länder) regarding the area designated for wind energy generation. If a planning authority does not reach the 2 % target, it should no longer be entitled to restrict the construction of wind turbines in other parts of its planning area. In this case, wind turbines would be permissible in the entire planning area as far as no other regulations, such as those relating to immission control or species protection, conflict with this. It would also be conceivable to phase-in the 2 % target gradually. In this way, the first areas can be designated quickly without overburdening the planning authorities, while further areas can be added over time. The planning authorities should be granted an appropriate implementation period. Beyond making new land available, the sites of decommissioned wind turbines should be used again for wind energy generation (repowering), insofar as this is possible and reasonable in individual cases.

The expansion of wind energy is not in conflict with the protection of the residents. Already today, the requirements of immission control and the principle of “mutual consideration” in the building law sufficiently protect the local residents against negative impacts of wind turbines. For this reason, the German regions (Länder) should no longer be allowed to prescribe minimum distances between wind turbines and residents that go beyond this. This will provide additional land for wind energy use without compromising the protection of residents.

Wind energy use and nature conservation can be reconciled. In order to achieve this, it is important to choose the right site for wind turbines. Areas of nature and landscape that are of particular ecological value should be kept free of wind energy use. In order to reduce complexity

and simplify procedures, requirements for species protection need to be standardised and made legally binding. In future, it will be necessary to make greater use of the legal possibilities for exemptions from the species protection ban on killing. This should be prepared by means of an ordinance that precisely regulates under which conditions these exemptions can be made. Furthermore, effective management of Natura 2000 sites and species conservation programmes is needed to conserve species that are wind energy-sensitive. The measures must be adequately funded.

Planning and approval procedures are too lengthy and error-prone. In particular, requirements developed by the jurisdiction for the designation of areas legally suitable for wind energy generation are over-demanding and should be simplified. Where there is uncertainty about legal or factual requirements in planning or approving procedures, these should be specified by the legislator as far as possible. This includes defining methodological standards. The environmental administration has structural staff shortages, which are reflected in the long duration of procedures. In order to accelerate these procedures, staffing and procedural management should be enhanced. Additionally, it should be examined which means can be used to improve procedure management. For example, sufficiently detailed guidance or professional support can facilitate and accelerate administrative decisions.

The expansion of onshore wind energy is taking place almost exclusively in rural areas. However, wind turbines may have negative impacts on local environment and landscape but typically little local added value. In order to improve distributive justice, citizens and in particular municipalities should receive a share of the revenues from wind energy generation. In addition, civic and municipal operator models should be strengthened. In order to increase procedural fairness, the SRU recommends that civil society groups should be involved further in planning procedures. With regard to approval procedures, project developers should be required to engage in early public participation even before submitting the application for constructing a wind turbine. Also, during the approval procedure public participation should always be obligatory and should receive professional support.

The expansion of wind energy requires continued funding. The SRU recommends supporting individual wind turbines directly via feed-in tariffs and maintaining tenders only for medium-sized and larger wind energy projects. In addition, the mechanism for artificially reducing the tendered capacity (so-called endogenous rationing) should be abolished. Ambitious wind energy expansion guarantees security of supply and must not be subordinated to a static logic of competitiveness. Financial support, however, can only be effective if other constraints, such as land availability, are addressed at the same time.

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