

Luxembourg, 23rd October 2023

Environmental and Social Data Sheet

Overview

Project Name:	<i>ENGELHARTSTETTEN</i>
Project Number:	<i>2023-0514</i>
Country:	<i>Austria</i>
Project Description:	<i>The project concerns the implementation and operation of a 44,85 MW wind farm in Engelhartstetten / Lower Austria</i>
EIA required:	yes
Project included in Carbon Footprint Exercise ¹ :	yes

(details for projects included are provided in section: “EIB Carbon Footprint Exercise”)

Environmental and Social Assessment

Environmental Assessment

The project comprises the implementation and operation of a wind farm in Lower Austria with a grid-connected capacity of 44.85 MW. The project’s grid connection to the local substation is based upon underground cables at 30 kV. Project implementation commenced in September 2023.

The project was already appraised as part of operation WINDLANDKRAFT WIND POWER (2012-0060) and approved by the EIB in 2013 (CA/469 doc.13/614). Wind farm Engelhartstetten was not implemented to date, largely as a result of a substantial delay in obtaining the final permit. Consequently, it was excluded from financing under operation 2012-0060.

In 2014, a wind power development plan was developed by the government of Lower Austria. It identifies preferential zones for wind power development on the basis of a Strategic Environmental Assessment (SEA). The project site got its spatial planning decision before from municipal authorities and the zone was subsequently adopted into this development plan. This ensures compliance with the overall spatial plan.

Wind farms fall under Annex II of the EIA Directive 2011/92/EU (as amended by Directive 2014/52/EU). It is, therefore, up to the Member State’s competent authority to judge whether an individual wind farm requires an EIA or not, based on criteria defined in Annex III of the EIA Directive. The project was screened-in and underwent a full EIA process including public consultation.

The project is located in a particularly sensitive bird area. That is why its development underwent a particularly comprehensive multi-stakeholder engagement and planning process including the involvement of an international NGO specialised on ornithology.

In November 2013, the Bank considered operation 2012-0060 as acceptable for Bank financing under environmental aspects if the following loan conditions were met:

¹ Only projects that meet the scope of the Carbon Footprint Exercise, as defined in the EIB Carbon Footprint Methodologies, are included, provided estimated emissions exceed the methodology thresholds: 20,000 tonnes CO₂e/year absolute (gross) or 20,000 tonnes CO₂e/year relative (net) – both increases and savings.



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- The promoter shall provide the Bank with a confirmation from the competent nature conservation authority, or an equivalent assessment satisfactory to the Bank, that wind farm Engelhartstetten does not have a significant negative impact on any site of nature conservation importance, prior to any disbursement related to this scheme.
- Any disbursement related to the wind farm Engelhartstetten is conditional upon submission of Environmental Impact Studies including non-technical summary, and a final and legally valid consent, both satisfactory to the Bank.

Public consultation took place at the end of 2014. Several objections were raised and discussed with experts. In March 2015, the EIA process was concluded and the competent authority issued the relevant permit. The permit states that the project's residual impact on the integrity of Natura 2000 sites is non-significant. The permit is conditional to comprehensive mitigation measures including, in particular, on birds and bats.

Subsequently, the permit was legally appealed on the basis of insufficiently consulted during authorisation. In June 2016, the federal administrative court (Bundesverwaltungsgericht Republik Österreich) made a ruling on these appeals, following expert consultations, new studies, and a public hearing. Two appeals were fully rejected and the third was partly rejected, and consequently partly addressed by additional permit conditions for the protection of birds and bats.

Further legal action against this decision was taken. In May and November 2018, the Austrian supreme administrative court (Verwaltungsgerichtshof) rejected their requests for revision. The Bank is not aware of any pending legal proceedings which may still have any impact on the project.

In July 2020 and August 2021, respectively, the Lower Austrian Government issued permit amendment decisions regarding the extension of the deadline for commencement of construction of the project.

The promoter applied for a modification of the project's permit (as amended), because it was based upon the use of a turbine model that was not available any further on the market (Senvion 3.2MM114). In September 2021, the Lower Austrian Government issued a permit amendment decision pursuant to section 18b UVP-G (Änderungsverfahren) concerning inter alia (i) the construction and operation of 13 wind turbines (Vestas V136 instead of originally Senvion/REPower 3.2M114, with a nominal power of 3.6 MW each), (ii) the increase of the total capacity of the wind park by 5.2 MW to 46.8 MW, (iii) a change of the construction height from 202.2 m to 237 m above ground level and (iv) certain other changes (e.g. change of the nominal power, adjustment of the wiring). This decision contains conditions which amend and supplement prior consent conditions. Amongst others, in the first year of operation the project's wind turbines have to be shut down under certain conditions to protect bats, and a bat monitoring and reporting to the competent authority is required.

The permit amendment dated 16 September 2021 was also legally appealed. In October 2022, the Federal Administrative Court (BVwG) decided to keep the amended permit in force but requested yet additional conditions for the operating phase to protect bats.

In April 2023, the Lower Austrian Government issued a permit amendment decision regarding the extension of the deadline for commencement of construction until 30 June 2024, the deadline for (i) completion of the construction and (ii) the realisation of permanent and temporary forest clearance (Rodung), each until 31 December 2025.

At the time of appraisal of the current operation in 2023, it is observed that the final project design concerns the construction and operation of 11 Vestas V136-4.2MW wind turbines whilst the latest version of the amended permit relates to 13 Vestas V136-3.6MW wind turbines. Turbine foundations have also been elevated by 3m. The promoter has confirmed that both turbine models do not differ in their external dimensions (tower height, rotor diameter). The promoter has confirmed that the 11 turbine locations do not change, just two



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turbines less are needed to achieve the target installed capacity (marginally reduced from 46.8 MW to 46.2 MW). The promoter will seek formal approval of this modification at project completion ('UVP Kollaudierungsverfahren'), in-line with legislation in Austria.

The project has been assessed for Paris alignment and is considered to be aligned both against low carbon and resilience goals against the policies set out in the Climate Bank Roadmap and the Bank's Energy Lending Policy.

The promoter is an SPV that is outside the scope of the Bank's PATH framework.

EIB Carbon Footprint Exercise

The direct CO₂ equivalent emissions of the plant under this operation are negligible.

In accordance with the Bank's current Carbon Footprint methodology, it is calculated that based on the avoidance of electricity generation from a combination of existing and new power plants in Austria (combined margin for intermittent electricity generation), the total relative effect of the project is a net reduction in CO₂ equivalent emissions by 24 kt CO₂e/yr.

For the annual accounting purposes of the EIB Carbon Footprint, the project emissions will be prorated according to the EIB lending amount signed in that year, as a proportion of project cost.

Other Environmental and Social Aspects

The promoter is a small entity, experienced in implementing and operating wind farms in Austria. It is known to the Bank from operation WINDLANDKRAFT WIND POWER (2012-0060, CA/469 doc.13/614). The promoter and its contractors are deemed to have a good environmental and social management capacity.

Conclusions and Recommendations

The project is deemed acceptable for Bank financing under environmental and social aspects subject to the following condition:

- The promoter undertakes to seek formal approval of all modifications at project completion ('UVP Kollaudierungsverfahren') and provide such documentation to the Bank, upon request.