

# Non-energy mineral extraction and Natura 2000



*New mineral extraction plans or projects can be undertaken in Natura 2000 sites as long as they do not adversely affect the integrity of the site.*

## New EC guidance on Natura 2000 for the non-energy extractive industry

- The non-energy extractive industry provides many of the basic raw materials for Europe's manufacturing and construction industries.
- As old quarries become exhausted, new extraction sites need to be developed in order to meet continuing demand. Some of these sites may be located in or near areas of high nature value, such as Natura 2000 sites.
- To assist the non-energy extractive industry, the European Commission has published new guidance on how to ensure extraction plans and projects are in line with the requirements of EU nature legislation.
- The guidance document seeks to promote a better understanding on how to avoid or minimise potential effects on Natura 2000 sites in particular and on how to carry out an Appropriate Assessment under Article 6 of the Habitats Directive.
- The guidance document aims to give the economic operators and authorities concerned the clarity they need to ensure that the drive for further development, as promoted under the relevant EU Raw Materials Initiative, is fully reconciled with the objectives of the EU Birds and Habitats Directives.

nature



*Copper: an important metallic mineral for the EU's manufacturing industry.*

## Non-energy mineral extraction in the EU

The non-energy mineral extraction industry is divided into three main sub-sectors: construction, industrial and metallic. In total, around three billion tonnes of minerals are extracted from European quarries every year.

Securing reliable access to raw materials is important for the EU's economic competitiveness. In 2007, it generated a turnover of around €49 billion and employment for around 287,000 people. The Initiative sets out targeted measures to secure and improve access to these precious natural resources both within the EU and globally.

## Non-energy mineral extraction and wildlife

Mineral resources are unevenly spread across the territory. Consequently, extraction can only take place where commercially viable deposits are present. This has led to situations where individual extraction projects have come into conflict with competing land uses or broader societal interests.

The extraction of minerals from the ground inevitably has an impact on the land being excavated. If this is located in an area that is of high ecological value it can also, on occasion, cause damage to natural habitats and species that are protected under EU legislation.

The degree of impact varies considerably from one site to another and must therefore be examined on a case-by-case basis. Much depends on the type and quality of minerals being extracted, the geological structure of the site and the kind of species and habitats present.



*Species such as the bee-eater sometimes colonise old quarries.*



*Marble extraction in Italy. New quarries are needed as old ones become exhausted.*

## New extraction sites and Natura 2000

Like all other land users, the non-energy mineral extraction industry must operate within the framework of EU environmental laws, which include both the Habitats and Birds Directives. The two Directives aim to conserve Europe's most valuable and endangered nature, habitats and species. In particular, they require Member States to designate core areas for their conservation. These areas, known as Natura 2000 sites, form part of the EU-wide Natura 2000 Network.

However, Natura 2000 sites are not intended to be 'no development zones' and new developments are not automatically excluded. Instead, the Directives require that new plans or projects are undertaken in such a way that they do not adversely affect the integrity of the Natura 2000 site.

## A step-by-step authorisation procedure

Article 6 of the Habitats Directive lays down the procedure to be followed for authorising plans and projects that are likely to have a significant effect on a Natura 2000 site. This procedure is explained in detail in the European Commission's new guidance document. Particular attention is paid to the need for decisions to be taken on the basis of sound scientific information and expertise.

The guidance document investigates the kind of impacts an extraction plan and project might have on rare and endangered species and habitats protected under EU legislation and examines how these impacts can best be avoided or minimised, for instance through more strategic mineral plans and adequate mitigation measures.

The document also recognises that the restoration of used quarries and mines has the potential to benefit wildlife in already impoverished environments and explores ways to maximise these benefits wherever possible.



*Projects that foresee the rehabilitation of used quarries at the end of their life can make an important positive contribution to biodiversity.*



# Key messages from the guidance document



## ● Strategic planning makes life easier for everyone

Planning developments in a strategic manner over a broad geographical area is one of the most effective means of identifying potential conflicts and minimising the impacts on nature and wildlife early on in the planning process. It not only leads to a more integrated, transparent and stable development framework for industry, but also reduces the risk of difficulties or delays for individual projects.

## ● Early dialogue and consultation is important

Early consultation with environmental stakeholders, and indeed all stakeholders, is important in ensuring that sustainable solutions are found. It generally leads to a faster, smoother decision-making process. It also increases the potential for development projects to make a positive contribution to biodiversity in already degraded natural environments, for instance, through the restoration or re-naturalisation of a used quarry at the end of its life.

## ● The Appropriate Assessments under Article 6 of the Habitats Directive must be carried out correctly

Experience has shown that many of the problems encountered when applying for planning permission are caused by the fact that the necessary steps for the appropriate assessment have not been followed correctly and the information gathered for the assessment is incomplete. This can lead to significant delays in the approval of these plans or projects since the whole process has to be put on hold whilst the missing information is gathered.

Combining the Appropriate Assessment with the broader EIA assessment can also help improve the effectiveness of the decision making procedure, provided that the specific legal requirements of each assessment are respected. Early consultation with environmental stakeholders, and indeed all stakeholders, is important in ensuring that acceptable and sustainable solutions are found. It also generally leads to a faster, smoother decision-making process.

[http://ec.europa.eu/environment/nature/natura2000/management/guidance\\_en.htm](http://ec.europa.eu/environment/nature/natura2000/management/guidance_en.htm)

*Delays in receiving project approval under the Habitats Directive are often due to the fact that the Appropriate Assessment has not been carried out correctly.*



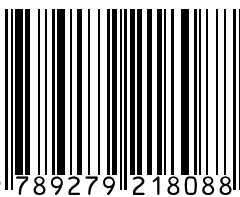
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