

ENVI Committee vote
on the Environmental Impact Assessment (EIA) Directive
– 4 July 2013 –

Dear MEPs, members of the Environment, Public Health and Food Safety Committee,

We, a coalition of environment and health NGOs, are asking you to support the inclusion of all unconventional fossil fuels (UFF) activities in the Environmental Impact Assessment (EIA) Directive which is currently being reviewed by the European Parliament.

On Thursday 11th July, the Environment, Public Health and Food Safety Committee of the European Parliament will vote on the **draft report by MEP Andrea Zanoni**. The Rapporteur has made a number of useful proposals aiming to adapt the EIA Directive to a number of new realities, which notably include the potential development of UFF activities in Europe, known for their serious environmental, health and climate impacts.

We respectfully ask you to **support the Amendments 50, 462, 463 and 464**:

Amendment 50 is adding the production (exploration and exploitation) of unconventional fossil fuels (shale gas, tight gas, shale oil, coal bed methane) in Annex I of the Directive:

“(12b) In Annex I, the following points (14a) and (14b) are inserted:

“14a. Exploration, evaluation and extraction of crude oil and/or natural gas trapped in gas-bearing strata of shale or in other sedimentary rock formations of equal or lesser permeability and porosity, regardless of the amount extracted.

14b. Exploration and extraction of natural gas from coal beds, regardless of the amount extracted.”

Amendments 462, 463 and 464 add activities requiring the use of hydraulic fracturing in Annex I.

These amendments follow strong and clear recommendations, which received broad political support in the vote on last year's European Parliament resolutions on shale gas:

- In MEP Sonik's own-initiative report on the [“Environmental impacts of shale gas and shale gas oil extraction activities”](#), the European Parliament called *“for the inclusion of projects including hydraulic fracturing in Annex I of the Environmental Impact Assessment Directive”* (§24).
- In MEP Tzavela's own-initiative report on the [“Industrial, energy and other aspects of shale gas and oil”](#), the European Parliament recommended *“mandatory environmental impact assessments”* in the licensing and authorisation process (§31) which is the *“best way of ensuring the meaningful and timely engagement of local communities”* (§34).

These amendments are crucial as it would close an important regulatory gap identified by several legal studies, including those commissioned by [DG ENVI](#) and [DG Energy](#). The current version of the legislation does not indeed guarantee such systematic and mandatory EIA before new UFF projects:

- Because they have a maximum daily production rate of between 115,000 and 250,000 m³, they will never meet the 500,000m³/day threshold mentioned in the existing legislation. As a consequence, no mandatory and systematic EIA for UFF projects can currently be guaranteed.



- Because deep drilling and hydraulic fracturing techniques are used all along the process, including during the exploration phase, several important environmental damages can already occur during the exploration phase. This is why not only the extraction operations should be targeted in Annex I, but also the exploration activities.

The poor environmental record of the development of this industry in the United States has taught us that:

- It is essential to engage in a systematic gathering of baseline data – with samples of air, water and soil quality – in order to prove the causal link between UFF operations and air and/or water contamination around drilling sites and the impact on community health.
- Such industrial developments cannot take place without properly consulting the communities living around potential drilling sites.

If large-scale UFF operations are allowed to go ahead in an unregulated way, this industry will repeat the same mistakes as in the United States, with the same dramatic impacts for the climate, environment and public health. We believe it is fundamental that this recommendation receives strong support, and we look to you to represent our views in this matter.

Yours sincerely,

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Geert de Cock – Food & Water Europe

Anne Stauffer – Health and Environmental Alliance

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