

Members of the European Parliament

Plenary vote on the Environmental Impact Assessment (EIA) Directive (2011/92/EU) –Amendments on shale gas and other unconventional hydrocarbons –Vote on Tuesday, 8 October 2013

Dear

I respectfully ask you herewith to vote for the legal clarification, that an EIA is mandatory for the exploration and extraction of so-called unconventional fossil fuels.

1. Vote / Recommendation of ENVI (Environment, Public Health and Food Safety Committee)

On July 11, the Parliament's Environment, Public Health and Food Safety Committee voted overwhelmingly (49-13) in favour of a [report by MEP Zanoni](#)¹ on the European Commission's proposals for a review of the Environmental Impact Assessment (EIA) Directive.

These amendments follow strong and clear recommendations, which received broad political support in the vote² on last year's (21st November 2012) European Parliament resolutions on shale gas:

2. Amendment 79³

The EIA,-Directive Annex I, Article 14 shall be amended as follows:

“(e) 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.”

3. Legal clarification

This is necessary to provide a legal clarification. [According to the European commission](#)⁴, unconventional hydrocarbon projects are now already subject to an EIA because it cannot be excluded, on the basis of objective information, that the project will have significant environmental effects. But since not every member state or administration / public authority is willing to take this into account, an EU-wide mandatory EIA for unconventional fossil fuel activities is vital.

The legal clarification is crucial, because the current version of the legislation fails to guarantee a systematic and mandatory EIA before new unconventional hydrocarbon projects start up:

•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.

1 <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A7-2013-0277+0+DOC+XML+V0//EN>

2 <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+20121121+SIT+DOC+PDF+V0//EN&language=EN>

3 <http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&mode=XML&reference=A7-2013-277&language=EN>

4 <http://ec.europa.eu/environment/eia/pdf/Annexe%202.pdf.pdf>

As a consequence, no mandatory and systematic EIA for UFF projects can currently be guaranteed.

- Because deep drilling and hydraulic fracturing techniques are systematically used throughout 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 phase should be included in Annex I, but also the exploration activities.

4. Deception packages (amendments 88, 90⁵, 112⁶, 115⁷)

Since they maintain the former mentioned daily threshold of 500,000 m³ the amendments 88, 90, 112 and 115 are a clear attempt to torpedo the necessary legal clarification.

5. Mandatory EIA = Consideration and implementation of the precautionary and preventive principles (Article 191 TFEU⁸)

The current situation is a **permanent violation of the environmental policy objectives and principles of the European Union** (article 191 TFEU). This cannot be tolerated any longer.

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

- It is essential to engage such projects in a systematic mandatory environmental impact assessment.
- Such industrial developments cannot take place without the public participation of the communities living around potential drilling sites.

It is therefore absolutely vital that this recommendation receives strong support, and I look to you to represent my views in this matter for the good of our constituency and for the rest of Europe.

Please let me know how you intend to vote.

Yours sincerely,

Korbach Resolution

5 <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2f%2fEP%2f%2fNONSGML%2bAMD%2bA7-2013-0277%2b084-092%2bDOC%2bPDF%2bV0%2f%2fEN>

6 <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2f%2fEP%2f%2fNONSGML%2bAMD%2bA7-2013-0277%2b109-113%2bDOC%2bPDF%2bV0%2f%2fEN>

7 <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2f%2fEP%2f%2fNONSGML%2bAMD%2bA7-2013-0277%2b114-125%2bDOC%2bPDF%2bV0%2f%2fEN>

8 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:115:0047:0199:en:PDF>

On the 4th and 5th of May 2013 the German anti-fracking-initiatives listed below met in Korbach to promote a stronger network and an exchange of experiences.

We address the following demands to the German federal government, the German federal states and the European Union:

- An immediate ban without any exemptions of all types of fracking with regard to the research, exploration and exploitation of fossil energy sources. This ban should apply whether or not the fracturing occurs with or without chemicals, hydraulically or in other ways.
- A general import- and trade-ban on “fracked” fossil energy sources.
- A general ban on the injection of the flowback or the underground disposal of fluids and waste water.
- A revision of the mining law. The revision must focus on ensuring the highest environmental standards and the participation rights of the public.
- A consistent implementation of the political decision in favour of the “Energiewende”, i.e. a move away from fossil energy sources, a development of renewable energies and an improvement of energy efficiency

Korbach, May 5, 2013

KORBACH RESOLUTION

Please read and sign if you agree

<http://www.resolution-korbach.org/unterstuetzer/unterst-aus-en.php>

Fracking Free Ireland and more groups from Ireland did sign the Korbach Resolution