

Recommendations on the EIA Directive

Review of the Annexes of the Directive on the assessment of the effects of certain public and private projects on the environment (EIA)

1. The background: EIA and shale gas

The European Commission published the proposal on the review of the Directive on the assessment of the effects of certain public and private projects on the environment (EIA Directive) in October 2012. The revision could have served as an opportunity to close loopholes on the environmental legislation at European level when assessing the impacts that shale gas exploration and extraction activities have on the environment.

EUREAU regrets that the European Commission's proposal did not include any amendment of Annex I nor Annex II of the EIA Directive. Under the current Directive the exploration for and extraction of unconventional gas would not be included as projects requiring a mandatory environmental impact assessment. Member States may anyway wish to make this a requirement at national level.

EUREAU believes that **water resources are not sufficiently protected by the current legislation**. As outlined in **EUREAU's position paper on shale gas**, EUREAU considers that a mandatory impact assessment of these projects should be established at a European level and involve public participation as a mandatory measure for the environmental impact assessment procedure, in order to ensure safe drinking water supply sources.

To that end EUREAU favours the amendment of the Annexes of the EIA Directive to ensure that exploration for and extraction of unconventional hydrocarbons (oil and gas) are subject to an environmental impact assessment in accordance with the precautionary principle.

2. Current state of play

EUREAU welcomes the outcome of the plenary vote of the European Parliament on the negotiating mandate on the review of the EIA Directive (Zanoni's report) on 9 October 2013. The vote reiterates the European Parliament's concerns reflected already in its own non-legislative resolution on "the environmental impacts of shale gas and shale oil extraction activities", adopted on 21 November 2012, which called for the insertion of projects including hydraulic fracturing in Annex I of the Environmental Impact Assessment Directive.

3. Recommendations

EUREAU strongly recommends to the Council of the EU and the European Commission to take the European Parliament's position into account in the trilogues, when negotiating the review of the Annexes of the EIA Directive. It is essential that any risks associated with the activities of exploration and extraction are subject to a mandatory environmental impact assessment in order to ensure the correct application of the precautionary principle and the protection of drinking water resources.

EUREAU is the voice of Europe's drinking water and waste water service operators. Collectively, they provide water services to more than 400 Million people and reflect the full diversity of the European private as well as public water service industry across Europe.