

8 June 2018

EU Nature Action Plan Update of European Commission Guidance

BACKGROUND

UEPG, the European Aggregates Association represents the largest non-energy extractive industry in Europe, with members in 26 countries. Aggregates are sand, gravel and crushed rocks to build Europe's essential infrastructure including homes, roads, railways, schools and hospitals.

The European Aggregates Industry covers a demand of 2.7 billion tonnes of aggregates, produced every year on 26.000 sites by 15.000 companies (mostly SMEs), employing 200.000 people across Europe.

After water and air, aggregates are the most used materials. Therefore, one of the key priorities of the European Aggregates Industry is to ensure sustainable access to primary local resources, while also aiming for the recognition of land-use for extraction to be an activity of public interest.

As one of the few sectors represented among major actors on the EU Biodiversity Policy, the European Aggregates Industry is now widely recognised as a trusted partner for nature conservation by EU institutions and a growing number of NGOs and academic researchers. UEPG members are convinced that responsible aggregates extraction is not only compatible with a favourable conservation status of habitat types and species; it has the potential to create it. Throughout the life of aggregates extraction sites (quarries, sand and gravel extraction sites) a large diversity of high biological value habitats is generated. These habitats are protected from external disturbances and pollution. In that respect, active and restored aggregates extraction sites form an integral part of nature conservation areas and Natura 2000 sites. In fact, a number of Natura 2000 areas have been designated on former and active extraction sites, demonstrating the compatibility of aggregates extraction with biodiversity and nature conservation.

KEY MESSAGES

UEPG welcomed the EU Action Plan for Nature, People and the Economy aiming for the better coherence between nature conservation and broader socio-economic objectives. The proposition to opt for a smarter implementation of the EU Birds and Habitats Directives to avoid unnecessary costs and burdens for both economic activities and for national, regional and local authorities was fully supported by UEPG and its members.

In the framework of the action proposing the review and update of the Guidance on the Implementation of Article 6(3) and 6(4) of the Habitats Directive and the Guidance of Strict Protection of Animal Species of Community Interest under the Habitats Directive, please see below some key messages and recommendations we would like to address:

- ▶ UEPG supports the objectives set-out in the EU Action Plan, including increased cooperation with stakeholders, updating guidance and improving its communication at Member State and Regional level. The provisions in the EU Nature Directives are implemented differently not only from one member state to another, but also from one region to another within the same country. It is therefore encouraged to harmonise the implementation and the interpretations of the provisions through the Guidance documents and to better communicate it at local and regional level. In that respect, it is essential to outline the flexibilities the EU Nature Directives provide, particularly on the interpretation of *adverse effect* and *mitigation measures*.
- ▶ The strict protection regime set out in the EU Nature Directives for threatened species listed in the Annex IV, has a wider territorial scope since it is applied not only inside but also outside defined protected areas under EU or national law. It is focused on the protection of individual specimens rather than on the preservation of the wider population of respective species, as it is in the context of a protected Natura 2000 site. This might lead to even further scrutiny for new project developments. The increasingly stringent interpretation of the protection schemes contained in the EU Nature Directives resulted in outdated and dogmatic approaches towards nature conservation. This situation makes it ever more difficult to initiate the needed shift towards more nature restoration and recovery efforts on private lands. This reconciliation would be possible with a more dynamic, population based approach towards species conservation with the preventive approach laid-out by the EU Nature Directives.
- ▶ Biodiversity conservation can benefit from a more dynamic management. Although aggregates extraction sites, by their very specificities, can be natural biodiversity heavens, a Biodiversity Management Plan helps creating new habitats and attracting pioneer species. By allowing a temporary activity such as extraction, companies will gradually restore the area and implement plans enabling the development of high biodiversity value. New concepts such as the Dutch Green Deal for “Temporary Nature” or the Belgian EU funded project [LIFE in Quarries](#) promote a “Dynamic management of biodiversity” and offer innovative instruments with a population-based approach towards species protection. While some competent authorities may focus solely on the protection of individual species, it is essential to focus on the objective of preserving the integrity of the population.
- ▶ In light of these new innovative approaches, the European Aggregates Industry believes firmly that it is possible to bridge the gap between the strict protection duties tied to nature conservation areas and economic activities such as aggregates extraction, which can even offer the possibility of extending the Natura 2000 network within the framework of site restoration. Over 150 case studies are available on the [UEPG website](#), demonstrating the compatibility of aggregates extraction with nature conservation objectives. The vast network of the European Aggregates Industry can contribute to make a difference, provided that flexibilities available in the EU Nature Directives are outlined in the Guidance documents and better communicated locally and regionally.