Euromines Position on EU Biodiversity Strategy for 2030, December 2020

Biodiversity and mining

Raw-material supply makes use of geological anomalies that cannot be moved from where they are found. Deposits may be situated in remote (and relatively pristine) areas. On a European scale mining relatively occupies a very small fraction of land coverage (coverage of less than 0,016% of EU's surfaces, EEA Report No 10/2017 Landscapes in transition - An account of 25 years of land cover change in Europe 2017).

Europe's long history of mining has taught us that if it is not responsibly and sustainably managed, its potential environmental impacts could include a loss of biodiversity, the formation of sinkholes, erosion, or the contamination of groundwater, surface water and soil. Today, by promoting or adopting sustainable land management practices, supporting the conservation of biodiversity and reducing environmental harm, the mining sector and environmental conservation co-exist in Europe.

Metals and minerals from the mining and recycling industrial ecosystem are crucial drivers for transition to a sustainable low carbon economy. Safeguarding supply of critical metals/minerals is essential for strategic autonomy of the EU economy (which does not fully depend on providers outside Europe).

Looking ahead, considering increasing pressures on land use in and around cities, protection of and support for biodiversity is to become increasingly important for all sectors, particularly including the mining industry.

What the mining sector is already doing for biodiversity conservation

Our member companies support implementation of the UN sustainable development goal number 15 to protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss.

Through international platforms (such as the EU Business & Biodiversity Platform, International Council on Mining & Metals, Cross Sector Biodiversity Initiative (CSBI), and Convention on Biological Biodiversity (CBD)) Euromines members share good practises on biodiversity management in the mining sector with its stakeholders to contribute to the EU's strategy goals. As well on a national level several biodiversity conservation initiatives are being applied (such as biodiversity protocols within the Finnish version of "Towards Sustainable Mining" and the Swedish "Mining with Nature" initiative.

Our member companies routinely assess and address risks and impacts to biodiversity and ecosystem services by implementing the 'mitigation hierarchy': an internationally recognised approach designed to help limit, as

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far as possible, the adverse impacts of development projects on biodiversity and ecosystem services. The mitigation hierarchy comprises a sequence of four key actions:

- avoid – anticipation and prevention of adverse impacts on biodiversity before actions or decisions are taken
- minimise – reduction in the duration, intensity, significance and/or extent of impacts that cannot be realistically avoided
- restore – measures taken to repair degradation or damage to specific biodiversity features and ecosystems
- offset – conservation outcomes applied to areas not impacted by a project to compensate for significant and adverse impacts of a mining project that cannot be avoided or restored.

Through the implementation of these commitments and approaches, significant improvements in biodiversity management have been achieved in recent decades.

As biodiversity is not as measurable and tangible as for instance water or soil quality, the selection of applicable metrics is challenging. There are an increasing number of initiatives developing biodiversity metrics for the private sector. This helps companies to decide how best to measure their impact and dependencies on biodiversity and drive the achievement of company performance expectations. These key biodiversity conservation actions should be applied during the full mining cycle from exploration to closure and post-closure phases of every new project. During the first phases, a biodiversity baseline is quantified via a dashboard of relevant metrics and methods for the site. The same metrics are monitored during the subsequent mining phases.

In addition to existing commitments under the ICMM Mining Principles, ICMM company members commit to:
1. Respect legally designated protected areas and ensure that any new operations or changes to existing operations are not incompatible with the value for which they were designated.
2. Not explore or mine in World Heritage properties. All possible steps will be taken to ensure that existing operations in World Heritage properties as well as existing and future operations adjacent to World Heritage properties are not incompatible with the outstanding universal value for which these properties are listed and do not put the integrity of these properties at risk.
3. To ensure that potential adverse impacts on biodiversity from new operations or changes to existing operations are adequately addressed throughout the project cycle and that the mitigation hierarchy is applied.
4. Through ICMM, work with IUCN, governments, intergovernmental organisations, development and conservation NGOs and others to develop transparent, inclusive, informed and equitable decision-making processes and assessment tools that better integrate biodiversity conservation, protected areas and mining into land use planning and management strategies, including 'No-go' areas.
5. Through ICMM, work with IUCN and others in developing best practice guidance to enhance industry's contribution to biodiversity conservation.

Site-specific reclamation planning with involvement of stakeholders needs to be the standard for post-mining landscapes, both from the ecological and from the land use point of view. Early planning of post-mining land use alternatives provides a good chance for a target-oriented reclamation and minimizes the risk of unrealistic expectations on biodiversity. Generally, mining companies are already required to conserve and restore habitats close to pre-mining conditions. According to the 2019 TRACER report about 25% of the post-mining area is now reserved for nature conservation purposes. There may also be opportunities to preserve and further develop habitats. Post-mining landscapes also provide opportunity to compensate for habitat lost in agricultural lands (TRACER, 2019, Best practice report on environmental protection and post-mining land reclamation).

EU Biodiversity strategy for 2030

According to the Commission's communication paper of 20 May 2020 ((COM (2020) 380 final) the Commission is requesting MS to ensure no deterioration in conservation trends and status of all protected habitats and species by 2030.

The strategy includes an update of the EU Soil Thematic Strategy in 2021 and provides technical support to Member States on their measures by 2023 on complying with the Water Framework Directive. Besides, a new EU Chemicals Strategy for Sustainability will be put forward along with a Zero Pollution Action Plan for Air, Water and Soil.

Through its existing platforms, the Commission plans to help building a European Business for Biodiversity movement. The Commission will also establish in 2020 a new Knowledge Centre for Biodiversity in close cooperation with the European Environment Agency. The Centre will: (i) track and assess progress by the EU and its partners including in relation to implementation of biodiversity related international instruments; (ii) foster cooperation and partnership, including between climate and biodiversity scientists; and (iii) underpin policy development. Moreover, the Commission will increase its support to the Intergovernmental science-policy Platform on Biodiversity and Ecosystem Services.

In international negotiations, the EU is planning to advocate that marine minerals in the international seabed area cannot be exploited before the effects of deep-sea mining on the marine environment, biodiversity and human activities have been sufficiently researched.

Biodiversity targets as proposed in the EU Green Deal are:

- 30% of EU land and 30% of marine areas will be protected

- Preparing nature restoration targets in 2021
- Restore 25000 km free flowing rivers
- Planting 3 billion trees by 2030
- Review water abstraction permits to preserve ecological flow.

What we support in the Biodiversity Strategy

Euromines supports the preparation of EU nature restoration targets in 2021. We invite the Commission to consider our participation as stakeholder during this process. The European mineral raw materials industry can contribute with best practises of biodiversity conservation at mining sites.

We support the target of planting 3 billion trees by 2030. In the mining sector reforestation is part of our activities along the mining timeline. We would encourage the Commission to invite us to participate in reforestation projects near EU mining regions.

The Commission initiatives to create a European Business for Biodiversity movement and a new Knowledge Centre for Biodiversity are as well supported by Euromines. Again, we are willing to exchange experience and best practises from the perspective of the European mineral raw materials industry.

Euromines further agrees that before exploiting any deep-sea mineral reserves the potential effects on the marine environment, biodiversity and human activities must be assessed sufficiently. Environmental impacts should be studied at deep-sea deposits in a similar way to what is conventional for onshore mineral sites.

What we do not fully support in the Biodiversity Strategy and what we propose instead

According to the EU Strategy target 30% of EU land areas will be protected and implemented on a binding basis. This represents an increase of at least 4% of protected land and 19% of protected sea areas compared to today. We cannot fully agree with simply applying an arbitrary target of 30% coverage for this purpose. In environmentally and economically feasible mineral deposits that are located *outside world heritage sites* first a well-balanced consideration between environmental and economic aspects should be made before labelling mineral-rich lands as non-extractable territory. One of the prevailing methods to determine environmental impacts is an EIA, whose implementation is already common practise for a new mining project. Besides, appropriate assessment under Natura 2000 will take place as explained in the EU Commission Guidance for

the Non-Energy European mineral raw materials industry (EC Guidance: Undertaking non-energy extractive activities in accordance with Natura 2000 requirements, July 2010). Even if the objectives of some of the key instruments, such as the Natura 2000 Directives, have not yet been fully achieved, it is considered more effective to first continue to monitor the impact and scope of the instruments that are under implementation. This also applies to a possible extension of the protected territory. Strengthening existing fields of action is much more likely to contribute to the achievement of objectives in the periods presented than changing the legal framework.

In general, we would be supportive to the target of restoring 25000 km free flowing rivers in Europe. However, in some (mountainous) regions free flowing conditions might create critical high or low flow rates. Ensuring safe up- and downstream conditions in those regions that interfere with mining areas by controlling the water flow is crucial to prevent flooding of (potential) mine sites. A constant river water flow is also needed for constant generation of hydro power and as condition for reliable water abstraction for many productive sectors. Therefore, before any decision-making hydrological assessment and modelling on (sub)catchment scale is needed to predict effects on existing industrial activities.

The target of reviewing water abstraction permits (with the goal of lowering the permitted abstraction flows) to preserve ecological flow is only feasible if alternatives like water reuse, use of drainage mine water or groundwater are co-existing. Often other sources cannot comply with the quality or quantity requirements. Independent technical and economical assessment of alternative water sources is needed prior to any review of permitted water abstraction flows.

Way forward

Conservation of Europe's biodiversity is needed, and the extractive sector welcomes and in general supports EU Biodiversity Strategy as part of the Green Deal. Europe needs new raw material for the shift towards a sustainable economy. The EU Raw Materials Initiative aims to improve access to raw material in the EU by, among other aspects, securing sustainable supply of raw materials from EU sources (Raw Materials Scoreboard 2018). Metal and mineral recycled supply alone cannot meet the predicted growing demand in the coming years. Extraction of the raw material resources therefore remains needed on a global scale, as well as on an EU scale. EU has deposits of raw materials of strategical importance within its boundaries and therefore existing and new deposits should be made exploitable where biodiversity, environment in general, and human rights can be conserved.

The different policies like the Biodiversity Strategy 2030 and the Zero Pollution Action Plan, but also other related policies like the Industrial Strategy and the list of Critical Raw Materials, must be coherent. Besides, the

Commission must consider the social and economic implications from implementing legally binding instruments, especially if they can be assumed to be interpreted and applied differently in different Member States. A proactive dialog between our sector and EU decision makers is key to let our sector interact as source for EU businesses within the unique EU framework of nature protection.

The mining sector is almost predestined to promote “temporary nature”. Typical temporary nature features on extraction sites are, for instance, new ponds (benefiting amphibians and dragonflies), open ground, sand and gravel areas (attracting insects and birds), pioneer grasslands (attracting insects and birds), loose cliffs (benefiting birds and solitary bees), and the creation of areas providing shelter (for reptiles, amphibians and insects). Although according to the Habitat Directive “temporary nature” can positively influence the conservation status of species, it has not been seen yet as an instrument of the EU-Biodiversity Strategy. Temporary natural areas should be promoted as a voluntary measure to improve biodiversity to eventually contribute to the maintenance or restoration of favourable conservation status of a given species or habitat.

Beside reforestation and nature development, closed mines and quarries are being redeveloped for other purposes such as energy generation, recreation and agriculture which create added value to society. Our sector is offering a dialogue with stakeholders and decision makers involved in different types of end-use.

Local authorities often may lack data and knowledge to implement biodiversity policy. As today biodiversity metrics are still not maturely developed, our sector wishes to interact with biodiversity metric developers and share data and best practises to support the creation of metric dashboards that can be aggregated on different site and management levels.

Conclusion/summary

Euromines supports the UN sustainable development goal number 15 and ICMM's Mining Principles. Additionally, at national level several sector initiatives for biodiversity conservation at mine sites are being rolled out.

We support in EU’s Biodiversity Strategy for 2030 the preparation of EU nature restoration targets in 2021, the target of planting 3 billion trees by 2030, and the creation of a European Business for Biodiversity movement and a new Knowledge Centre for Biodiversity. We agree that before exploiting any deep-sea mineral reserves the potential effects on the marine environment, biodiversity and human activities must be assessed sufficiently.

We do not fully agree with simply applying an arbitrary target of 30% coverage of protected land. .It is considered more effective to first continue to monitor the impact and scope of the instruments, such as

Natura 2000, that are under implementation. We can only be supportive to the target of restoring 25000 km free flowing rivers in Europe if this does not create critical high or low flow rates. The target of reviewing water abstraction permits to lower permitted abstraction flows to preserve ecological flow is only feasible if alternative water sources like water reuse, use of drainage mine water or groundwater do co-exist.

The different policies like the Biodiversity Strategy 2030 and the Zero Pollution Action Plan, but also other related policies like the Industrial Strategy and the list of Critical Raw Materials, must be coherent. Finally, a proactive dialog between our sector and EU decision makers is key to let our sector interact as source for EU businesses within the unique EU framework of nature protection.

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