

## **IMA-Europe position on the open public consultation for Renewable energy - guidance on designating renewables acceleration areas FINAL**

Industrial Minerals Association Europe (IMA-Europe) representing the interest of Industrial minerals producers in Europe, acknowledges, the call for evidence on the **Accele-RES** where the European Commission will issue guidance on designating renewable acceleration areas.

Following the multiple policy initiatives such as:

1. Repower EU (COM(2022) 108 final) :
2. Revised Renewable Energy Directive (2023/2413):
  - Defines Renewable projects as of overriding public interest;
  - Member States are free to decide for which renewable energy technologies they designate renewable acceleration areas and the size of those areas. Requires Member States to designate renewables acceleration areas for one or more types of renewable energy sources by 21 February 2026.
  - The combined size of those areas should be significant and contribute to achieving the renewable energy objectives set out in the Directive.
  - Speeding up the transposition and implementation of this new requirement in the Directive requires rapidly providing Member States with practical advice on the initial steps, existing good practices and digital and mapping tools that can help identify and designate renewables acceleration areas for wind and solar energy.

While we understand the need to move forward with this initiative, as minerals sector, we have some concerns to share with the Commission for reflection and consideration before the final content of the initiative is developed.

### **1. IMA supports the deployment of renewables and the acceleration of permitting speed.**

- However, the renewable energy projects, unlike the extractive industry where minerals can only be worked where they are found, are not limited to a specific location, especially the photovoltaic development.
- The objectives of the 2030 Agenda, such as the Roadmap for the sustainable management of raw materials (IEA, 2022) and the Critical Raw Materials Act indicate the need to promote the sustainable self-sufficiency of raw materials within the European Union.
- The location of renewable energy projects on existing or prospective mining sites is going in the opposite direction. In some cases, these are minerals considered strategic/essential for the development and uptake of renewable energy production.

**2. New areas for renewables should not be overlapping with already permitted areas or potential/identified deposit or potential future permitted areas for other deposits of mineral resources are present.**

- It is imperative that the permitting authorities consider the longer-term mineral provision, not just those which currently have consent. Sterilising resources may result in longer distances to transport minerals. Even some of the more readily available deposits may result in increased carbon environmental impact.
- This reduces the EU capacities to deliver raw materials for society and creates legal uncertainty and conflicts.
- Not only are these resources essential for meeting society needs and contributing to Europe strategic autonomy in terms of raw material supply, but they generally represent around 0.4% of the union territory.

**3. Non-environmental aspects relevant for the designation, such as broader spatial planning considerations, land use regulations, stakeholder engagement and public participation should not result in lengthier permitting but strive to streamline and coordinate the process.**

- The use of digital and mapping tools should be used to ensure that the areas that are granted/planned to be granted for extractive activities are not granted for renewable energy projects.
- The granting of these areas should be done in close consultation with the authorities (at national/regional/local level) and the relevant stakeholders (industry, agriculture, infrastructure, national geological surveys, etc) to ensure an alignment of the decision making and to avoid double permitting and conflicts and unnecessary mineral resource sterilisation.

**4. IMA member companies in alignment with permitting authorities are willing to provide access to the land they own for the deployment of renewables provided that:**

- It is done after the extraction of raw materials or would not sterilise mineral reserves or resources.
- The installation of renewables is compatible with the legislation(s) in place.
- After assessing it would not negatively impact the biodiversity restored by extractive sector operators.

**5. Infrastructure accessibility:**

- The designated renewable acceleration areas should also take in to consideration the grid infrastructure required to ensure the renewable acceleration areas can contribute through viable grid connections.
- In our experience, many of the proposals by the minerals industry to install renewable facilities, have been frustrated by the lack of a sustainable access to the electricity grid.

**6. Last but not least: Compensation**

- As renewable projects are considered of overriding public interest, and in case they are given precedence over other economic activities (e.g. extraction), the new renewable project should consider compensating the mining rights in place for that specific location.
- It is important to note that with respect to the economic compensation to which the company is entitled on land not yet being exploited in relation to the mining reserves, case law (example in Spain) establishes an economic compensation that, depending on the factors of the specific case, can go up to 30% of the net profits derived from the effective exploitation of the mine in question.
- Ignoring this fact could lead to the undesirable consequence that a priori profitable renewable energy projects end up being economically unviable given the compensation to be paid for the pre-existing mining rights to the mining developer.
- This reasoning applies also for sites whose mining rights are not recognized yet but in the process.



**IMA-Europe is an umbrella organisation which brings together several European associations specific to individual minerals such as:**

**Andalusite, Attapulgit, Calcium Carbonate, Bentonite, Borates, Diatomite, Dolomite, Feldspar, Kaolin, Lime, Mica, Plastic Clays, Sepiolite, Silica, Magnesite and Talc.**

**Together, IMA-Europe's associations represent over 250 companies in 28 countries and produce raw materials essential for our modern life.**