

(English version)

**Question for written answer E-001771/24
to the Commission
Estrella Galán (The Left)
(20 September 2024)**

Subject: Los Carriles natural area in Alcobendas under threat

The Los Carriles natural area in Alcobendas contains exceptional biodiversity, is in a key location for conservation of neighbouring areas in the Natura 2000 network and helps dampen the impact of the city, for example by absorbing CO₂.

The 'Let's Save Los Carriles' campaign has warned that the area is at risk of being wiped out by the Valgrande urban development project. The impact of the project would breach a number of directives, including Directive 92/43/EEC on Special Protection Areas and Directive 2008/50/EC.

In addition to a wealth of biodiversity in fauna and flora, including endangered birds of prey and various pollinators, the area under threat is also home to important seasonal aquatic ecosystems in need of protection.

The project clearly goes against the EU's established principles and targets for addressing the ongoing biodiversity crisis. It may fall into the paradoxical situation of destroying a wild natural area containing five habitats of Community interest and priority conservation under the new Nature Restoration Law to then have to fund the restoration of another similar area.

1. Does the Commission believe projects such as this one are in line with the biodiversity strategy and the action needed to address the biodiversity crisis?
2. Does the Commission intend to investigate the Valgrande urban development project in light of the possible breaches of EU directives?

Submitted: 20.9.2024

**Answer given by Executive Vice-President Šefčovič on behalf of the European Commission
(18 November 2024)**

The Biodiversity Strategy 2030 ⁽¹⁾ and EU environmental legislation do not preclude urban development projects as long as applicable legal requirements are fully respected.

Under the Habitats Directive ⁽²⁾, any project likely to have a significant effect on a Natura 2000 site ⁽³⁾ must be subject to an appropriate assessment of its implications for the site in view of its conservation objectives.

The authorities can agree to the project only after having ascertained that it will not adversely affect the integrity of the site(s) concerned, with limited exemptions from this rule ⁽⁴⁾. Member States must ensure that the species protection regime under the Habitats and Birds ⁽⁵⁾ Directives is respected, inside and outside Natura 2000.

The Environmental Impact Assessment (EIA) Directive ⁽⁶⁾ requires that, before consent is given, urban development projects ⁽⁷⁾ that are likely to have significant effects on the environment be subject to an impact assessment.

For projects listed in Annex II ⁽⁸⁾, such assessment must be carried out only when the competent authorities so determine, having regard to the selection criteria listed in Annex III.

The EIA Directive provides for specific review procedures that allow the public concerned to challenge the legality of decisions, acts or omissions subject to its provisions on public participation.

As regards EU rules on air quality ⁽⁹⁾, according to the latest data ⁽¹⁰⁾, no exceedances of the NO₂ limit values have been registered in Alcobendas ⁽¹¹⁾.

⁽¹⁾ https://environment.ec.europa.eu/strategy/biodiversity-strategy-2030_en

⁽²⁾ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, OJ L 206, 22.7.1992, p. 7-50.

⁽³⁾ The urban development referred to by the Honourable Member is located near the Special Area of Conservation 'Cuenca del río Manzanares' (Site code: ES3110004) and the Special Protection Area 'Monte de El Pardo' (Site code: ES0000011).

⁽⁴⁾ Article 6(4) of the Habitats Directive.

⁽⁵⁾ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, OJ L 20, 26.1.2010, p. 7-25.

⁽⁶⁾ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment, OJ L 26, 28.1.2012, p. 1-21, as amended by Directive 2014/52/EU of 16 April 2014, OJ L 124, 25.4.2014, p. 1-18.

⁽⁷⁾ The concerned project categories are defined in Annexes I and II to the EIA Directive. In particular, urban development projects are referred to in Annex II, 10 b).

⁽⁸⁾ Urban development projects are referred to in Pñoint 10, b) of Annex II to the EIA Directive.

⁽⁹⁾ In particular, Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe, OJ L 152 11.6.2008, p. 1.

⁽¹⁰⁾ Made available by the European Environment Agency in September 2024.

⁽¹¹⁾ Air Quality Zone ES1308 Corredor del Henares.

In line with the Commission's strategic approach on enforcement action, the use of the means of redress available at national level is the most effective way to address individual cases of possible non-compliance ⁽¹²⁾.

Data available under the following link: <https://aqportal.discomap.eea.europa.eu/>

⁽¹²⁾ As set out in the communication of 19 January 2017 (EU law: Better results through better application — C/2016/8600, OJ C 18, 19.1.2017, p. 10-20) and in the communication of 13 October 2022 COM(2022) 518 final — Enforcing EU law for a Europe that delivers.