

Based on public information, the plant would be expected to serve, among others, the agglomeration of Alhaurín el Grande. This is one of the agglomerations which were subject to an infringement case¹ under the Urban Wastewater Treatment (UWWT) Directive².

1. Large³ wastewater treatment plants must be subject to an assessment⁴ of their significant effects, including on biodiversity, water, landscape and their vulnerability to risks of major accidents and/or disasters. Normal local climatic conditions as well as seasonal variations of the load must be considered when designing and constructing treatment plants⁵. Their vulnerability to extreme events also needs to be assessed⁶. Flood risk management plans⁷ should consider relevant aspects such as spatial planning and land use.

2. The Common Agricultural Policy Strategic plan and Rural Development Programmes⁸ provide the general framework and EU funding for the implementation of measures, including in the field of organic farming. The Commission notes positively that Andalusia reached 27.4% of organic area in 2022.

3. Under the Nature Restoration Regulation⁹, Member States must determine how to achieve the targets and where they will put in place measures, considering obligations for habitats, the need to enhance urban green space, tree canopy cover and biodiversity in agricultural ecosystems. Only additional trees¹⁰ count towards the objective of 3 billion trees.

While the Commission attaches high importance to ensuring the effective application of EU

¹ INFR (2004) 2031. More information available on the public register:
https://ec.europa.eu/atwork/applying-eu-law/infringements-proceedings/infringement_decisions/?lang_code=en&langCode=EN&version=v1&typeOfSearch=byCase&page=14&size=10&order=ascending&sortColumns=memberState&infringementType=BAD&activeCase=true;
Judgment of 14.04.2011 of the Court of Justice of the European Union (CJEU Case) C-343/10: <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:62010CJ0343> and judgment of 25.07.2018 of the CJEU- Case C-205/17: <https://curia.europa.eu/juris/liste.jsf?language=en&num=C-205/17&td=ALL>

² Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment, OJ L 135, 30.5.1991, p. 40–52.

³ With a capacity exceeding 150 000 population equivalent.

⁴ 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 the European Parliament and of the Council of 16 April 2014, OJ L 124, 25.4.2014, p. 1–18.

⁵ Article 10 of the UWWT Directive.

⁶ Article 13 of the revised UWWT Directive: Directive (EU) 2024/3019 of the European Parliament and of the Council of 27 November 2024 concerning urban wastewater treatment (recast), OJ L, 2024/3019, 12.12.2024.

⁷ Articles 4, 8, 11 of Directive 2007/60/EC of 23 October 2007 on the assessment and management of flood risks, OJ L 288, 6.11.2007.

⁸ https://agriculture.ec.europa.eu/common-agricultural-policy/rural-development_en

⁹ Regulation (EU) 2024/1991 of the European Parliament and of the Council of 24 June 2024 on nature restoration and amending Regulation (EU) 2022/869, OJ L, 2024/1991, 29.7.2024.

¹⁰ Article 13 of Regulation (EU) 2024/1991 of 24 June 2024 on nature restoration and amending Regulation (EU) 2022/869, OJ L, 2024/1991, 29.7.2024; ‘The 3 Billion Tree Planting Pledge For 2030’, SWD (2021) 651 final.

law, it lacks enough information to determine the project's compliance. National courts play a key role in enforcing EU law in individual cases¹¹. The Commission welcomes more information on the project and legal proceedings.

¹¹ Communication from the Commission 'EU Law: Better Results through Better Application' - C (2016) 8600 final.