

EN

E-000768/2025

Answer given by Ms Roswall
on behalf of the European Commission
(4.4.2025)

As the Commission stated in its reply to written question E-001598/2024, it appears from the information provided by the Honourable Member that the environmental impact assessment (EIA) procedure – pursuant to the EIA Directive¹ – concerning the project at issue is currently underway and that the project has not received development consent at this point. Consequently, it is not possible to verify compliance with the applicable EU law provisions at this stage.

The Commission expects the responsible regional authorities to conduct a robust environmental impact assessment, taking account of all relevant environment objectives and, if needed, with adequate mitigation measures to ensure that the project complies with applicable legislation, particularly the Nature Directives² and the Water Framework Directive³.

However, the deadlines and some other aspects of the procedure are regulated by Spanish legislation and the Commission is unable to intervene in that respect.

Finally, it should be recalled that Member States are primarily responsible to ensure compliance with EU law. In line with its strategic approach on enforcement action⁴, which focuses on cases of systemic non-compliance, the Commission considers that the means of redress available under national legislation are the most appropriate mechanism to address individual cases of possible non-compliance, such as the issue raised by the Honourable Member. However, in its role as guardian of the Treaties, the Commission will continue monitoring the situation and may decide to take appropriate action when needed.

¹ 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.

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

³ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, OJ L 327, 22.12.2000, p. 1-73.

⁴ 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.