

(English version)

**Question for written answer E-000780/25  
to the Commission  
Diana Riba i Giner (Verts/ALE)  
(20 February 2025)**

**Subject:** Commission opinion on the amendment of Law 5/2018 on the Horta of Valencia in the Valencian Country

The Valencian Government intends to amend Law 5/2018 on the Horta of Valencia to reclassify protected areas and allow construction in zones affected by the catastrophe produced by the DANA storm. The Horta of València is a historic agricultural system recognised by the FAO and plays a key role in food production, environmental sustainability and Valencian cultural heritage. The EU's Natura 2000 network protects some parts of this area, which is covered by Habitats Directive (92/43/EEC) and the Birds Directive (2009/147/EC), requiring impact assessments to prevent habitat degradation. Additional laws, such as the Environmental Impact Assessment Directive (2011/92/EU), ensure compliance. Any land reclassification affecting these sites should align with EU environmental regulations.

Given the EU's commitment to environmental protection, we would like clarification on the following:

1. Does the Commission think that this land reclassification aligns with EU directives on conserving traditional landscapes and ensuring climate resilience in vulnerable areas?
2. What will the Commission do to protect the Natura 2000 sites and peri-urban green spaces in the Valencian Country?
3. Can the Commission also specify the mechanisms in place to monitor this situation and act if EU environmental legislation is at risk of being infringed?

Submitted: 20.2.2025

**Answer given by Ms Roswall on behalf of the European Commission  
(24 April 2025)**

There is no EU legislation on the conservation of traditional landscapes or requiring climate resilience in vulnerable areas. However, the 'Horta de Valencia' is partially included in the Natura 2000 network <sup>(1)</sup>, protected under the Habitats <sup>(2)</sup> and the Birds <sup>(3)</sup> Directives.

Natura 2000 sites or parts of them can only be de-designated under very strict conditions <sup>(4)</sup>, and are protected under the regime set out in Article 6 of the Habitats Directive. The Commission has issued guidance documents to support Member States in the management of Natura 2000 sites <sup>(5)</sup>.

Furthermore, the Nature Restoration Regulation <sup>(6)</sup> sets out a number of country-wide binding restoration targets for specific habitats and species including in urban and agricultural ecosystems. Member States must submit National Restoration Plans to the Commission by mid-2026, showing how they deliver on the targets.

In addition to the above-mentioned provisions of EU law on nature protection and restoration, any project, plan or programme likely to have significant effects on the environment will have to comply with the relevant requirements of the Environmental Impact Assessment <sup>(7)</sup> or the Strategic Environmental Assessment <sup>(8)</sup> Directives.

In any case, it should be borne in mind that Member States are primarily responsible for ensuring compliance with EU law. In line with its strategic approach on enforcement action <sup>(9)</sup>, which focuses on cases of systemic non-compliance, the Commission considers that the means of redress available under national legislation would be the most appropriate mechanism to address individual cases of possible non-compliance.

<sup>(1)</sup> L'Albufera (SiteCode: ES0000023), l'Albufera (ZEPA) (SiteCode: ES0000471).

<sup>(2)</sup> 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.

<sup>(3)</sup> 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.

<sup>(4)</sup> <https://circabc.europa.eu/ui/group/fcb355ee-7434-4448-a53d-5dc5d1dac678/library/8555aa28-9fb6-411f-8228-f8c99b296564/details>

<sup>(5)</sup> <https://op.europa.eu/en/publication-detail/-/publication/9a406f60-be3c-11e9-9d01-01aa75ed71a1>

<sup>(6)</sup> 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 (Text with EEA relevance) — OJ L, 2024/1991, 29.7.2024.

<sup>(7)</sup> 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.

<sup>(8)</sup> Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, OJ L 197, 21.7.2001, p. 30-37.

<sup>(9)</sup> 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.

However, in its role as guardian of the Treaties, the Commission will continue monitoring the situation and may decide to take appropriate action.

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