

(English version)

**Question for written answer E-002131/26
to the Commission
Isabel Serra Sánchez (The Left)
(26 May 2026)**

Subject: Destruction of the Lagunas de Ambroz due to the reopening of a sepiolite mine in Madrid

Despite strong public opposition, the Community of Madrid has authorised the Tolsa company to reopen a sepiolite mine in the Lagunas de Ambroz. This will destroy a peri-urban ecosystem that has re-wilded itself.

Emptying the large lagoon and clearing its banks goes against the EU's Nature Restoration Legislation, which requires natural ecosystems and peri-urban green spaces to be protected, conserved and restored.

The permits are based on an outdated and deficient environmental impact statement that ignores the presence of new protected species that have recently made the site their home, such as a large colony of sand martins.

1. Does the Commission consider the authorisation of this operation to comply with the objectives and obligations of Regulation (EU) 2024/1991?
2. Does the Commission consider an environmental impact statement that does not incorporate recent ecological developments in the area or the presence of new protected species to comply with EU environmental assessment and biodiversity protection requirements?
3. Will the Commission request information from the Spanish authorities on this authorisation and on the measures to preserve the Lagunas de Ambroz and the protected species found at the site?

Submitted: 26.5.2026

**Answer given by Ms Roswall on behalf of the European Commission
(17 July 2026)**

The Nature Restoration Regulation ⁽¹⁾ sets targets at national level to maintain and then increase the total levels of urban green and tree cover. It does not address specific individual planning cases.

Lagunas de Ambroz is not in Natura 2000, however, the sand martin is protected under the Birds Directive ⁽²⁾. Therefore, under Article 5, deliberate destruction or damage of nests and eggs, or deliberate disturbance, especially during breeding and rearing, is prohibited where it affects the species' conservation.

Without prejudice to the Commission's role as guardian of the Treaties, Member States are primarily responsible to ensure compliance with EU law.

To support them, the Commission has issued guidance on Article 5 ⁽³⁾, ⁽⁴⁾, including on extractive activities, related risks and preventive measures. Risks must be assessed case by case, with ongoing monitoring and appropriate site-specific action.

The Commission considers that the available national remedies constitute the most appropriate mechanism for the public concerned to exercise their rights and, where appropriate, seek compensation for any damages caused.

This avenue is furthermore consistent with the Commission strategic approach to its enforcement policy, focused on systemic issues of non-compliance ⁽⁵⁾.

⁽¹⁾ 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.

⁽²⁾ 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.

⁽³⁾ Guidance document on the general system of protection of bird species — Article 5 and Article 9 of the Birds Directive, https://environment.ec.europa.eu/publications/guidance-document-general-system-protection-bird-species-article-5-and-article-9-birds-directive_en.

⁽⁴⁾ Guidance on undertaking non-energy extractive activities in accordance with Natura 2000 requirements, <https://op.europa.eu/en/publication-detail/-/publication/69b6d6c1-bfc1-4fe5-9252-08af20a95cfe/language-en> and Guidance document on non-energy mineral extraction and Natura 2000: a summary, <https://op.europa.eu/en/publication-detail/-/publication/1ad3394e-de79-11e9-9c4e-01aa75ed71a1/language-en>.

⁽⁵⁾ 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.