



30.1.2015

NOTICE TO MEMBERS

Subject: Petition 2539/2013 by Landa Iker Aramendia (Spanish), on compliance in Navarra (Spain) with Directive 2007/60/EC on the assessment and management of flood risks

1. Summary of petition

The petitioner maintains that work to increase the capacity of the water basin in Yesa, Navarra (from 470 Hm³ to 1521 Hm³), which began in 2001, may lead to a serious risk of flooding in surrounding areas.

Despite a number of protests and reports by local citizens and independent experts, the extension plan has continued. The petitioner also maintains that there have been a number of flood alerts and emergencies in recent years and therefore calls for strict compliance with Directive 2007/60/EC.

2. Admissibility

Declared admissible on 24 October 2014. Information requested from Commission under Rule 216(6).

3. Commission reply, received on 30 January 2015

Prior to receiving this petition, the Commission received two related Questions from the Parliament, namely:

- Question E-000003/2014 by MEP Iñaki Irazabalbeitia Fernández with subject: Yesa reservoir and landslides and

- Question E-007354/2014 by MEP Iosu Juaristi Abaunz with subject: Compliance of the expansion of Yesa reservoir with EU directives on water and floods.

The Commission enquired with the Spanish authorities in February 2014 to ensure that the non-characterisation of the Yesa dam as an Area of Potential Significant Flood Risk under the Floods Directive¹ is not an oversight.

The Commission received a reply from the Spanish authorities in April 2014 stating that the non-designation of the area around the Yesa reservoir as an area of potential flood risk is due to the fact that the objective circumstances that would make this appropriate do not exist, as also shown by the public consultation regarding the definition of such areas. Furthermore, Spain informed the Commission that it is implementing relevant special additional measures to ensure that the work to increase the capacity of the Yesa reservoir is carried out with the necessary safety guarantees.

Conclusions

The Commission notes the situation described by the petitioner. However, it is for the Spanish authorities to continuously assess whether the situation described in the Petition gives rise to flood risks. Under the Floods Directive, measures regarding the management of flood risks should be determined by Member States based on local and regional circumstances. Hence, as it is not apparent from the Petition that the relevant national level authorities have been addressed by the Petitioner, the Petitioner is kindly invited to address the Spanish Ministry of Agriculture, Food and Environment.

The Commission also observes that the Petition is dated November 2013, i.e. it predates the reply the Commission received from the Spanish authorities on the same subject. It follows that the reply can be regarded as still relevant.

On the basis of the aforementioned, the Commission does not consider taking further action at this stage.

¹ Directive 2007/60/EC, OJ L 288, 6.11.2007.