

WRITTEN QUESTION E-1005/04  
by Alexander de Roo (Verts/ALE)  
to the Commission

Subject: Plan for building a conduit from the Cerro Blanco dam (river Grande) to the 'El Atabal' drinking water treatment station

In the Spanish Government Official Journal of 22 January 2004, the public was informed of the building of a 38 km long conduit, involving strips of up to 25 metres wide running parallel to the rivers Grande, Guadalhorce and Campanillas. This conduit would intersect with these rivers at least five times, and would siphon off water from the river Grande to a volume as high as 70% of its water flow in a normal hydrological year. Some 75% of this scheme would be funded from the European Structural Funds. The company which has been awarded the contract is Agua de la Cuenca Sur S.A. The environmental impact would include the destruction of the vegetation along the riverbanks, and a barrier effect on the river beds. Furthermore, the siphoning-off of the water would make it impossible properly to conserve the river and the associated eco-systems. Further effects would be the alteration of the natural flood plain and its absorption capacity. All of this would affect the designated Guadalhorce-Pereilas-Fahala SCI. The average contribution made by the river Grande is some 86 hm<sup>3</sup>/year, and its minimum average ecological flow has to be over 61hm<sup>3</sup>, which means that only some 25 hm<sup>3</sup>/year are available for siphoning-off. At present, some 14 hm<sup>3</sup> are legally taken out of the river, and double that illegally. To take more water out of this river is incompatible with maintaining the water and the river ecosystem in an ecologically acceptable condition. For that reason, the projects proposed contravene the Water Framework Directive. The official announcement refers to the 'Cerro Blanco dam' (a non-existent construction which has not yet been submitted to an environmental impact assessment, any more than the proposed conduit has), taking it for granted that both these schemes have already been approved, this constitutes a gross attempt to mislead public opinion as to the environmental impact of the dam. The award-winning company is a 'public law body', which means that according to Directive 95/50/EC<sup>1</sup>, the public contract should have been put out to tender in the EU Official Journal, which it was not.

Can the Commission investigate whether Water Framework Directive 2000/60/EC<sup>2</sup> and Habitats Directive 92/43/EEC<sup>3</sup> have been complied with in respect of this proposed water conduit?

How will the Commission guarantee that the 'no deterioration' clause is applied to the rivers Grande, Guadalhorce and Campanillas, and that their ecological flows are maintained?

Can the Commission investigate whether Directive 95/50/EC has been complied with with regard to awarding the contract for the construction work?

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<sup>1</sup> OJ L 249, 17.10.1995, p. 35.

<sup>2</sup> OJ L 327, 22.12.2000, p. 1.

<sup>3</sup> OJ L 206, 22.7.1992, p. 7.