

WRITTEN QUESTION E-1171/04
by Reinhold Messner (Verts/ALE)
to the Commission

Subject: Mularroya dam and River Jalón transfer in Aragon

The project for the Mularroya dam and River Jalón transfer (Province of Zaragoza) affects two natural areas of great importance: Mularroya and the 'Hoces del río Jalón' SCI, which are home to *Centaurea pinnata* (a listed plant). Mularroya forms part of a valley facing N.W.-S.E., through which the River Grío runs just before joining the Jalón. The eastern edge of the valley, which is steeper than the western side, has a series of ravines, foremost among which is Mularroya. It is an area of great geological interest, with a vast range of outcrops and formations that are the result of intense tectonic activity. Moreover, the dolomites and limestones of Sima del arbolito make this a Site of Community Interest under Habitats Directive 92/43/EEC¹. The ravines are also home to chiroptera such as the greater horseshoe bat (*Rhinolophus ferrumequinum*) and the bent-winged bat (*Miniopterus schreibersi*) and birds such as the short-toed eagle (*Circus gallicus*), Bonelli's eagle (*Hieraetus fasciatus*), the golden eagle (*Aquila chrysaetos*) and the Griffon vulture (*Gyps fulvus*).

The final stretch of the River Grío, which is where the Mularroya dam is to be constructed, is located inside the borders of the 'Hoces del Jalón' IBA No 93, a status which in the settled case-law of the European Court of Justice serves as a reference for the establishing of Special Protection Areas (SPAs) for birds. Nevertheless, the area was excluded from the territorial scope of SPA No ES0000299 established by virtue of the Aragon regional government's Decision of 24 July 2001. Besides this, there are major shortcomings and omissions in the environmental impact statement (EIS) for the project, adopted by virtue of the Resolution of 25 November 2003, since no ecological flow rate is fixed for the River Jalón within the area covered by the SPA. Neither is there any precise assessment of the overall effect of the project on the SPA, especially as regards the areas irrigable from the Mularroya reservoir or the infrastructure needed to effect that irrigation, which will inevitably trigger fundamental change in the habitat protected by the SPA and the SCI. Nor is any reference made to the impact that the alteration in the course of the Rota-Zaragoza oil pipeline will have on the area protected by the Birds and Habitats Directives.

Furthermore, the manifest insufficiency of the remedial measures set out in the said EIS is particularly worrying, as many of these are not even defined in terms of minimum requirements, thereby creating de facto a situation in which there is a patent lack of environmental protection.

Can the Commission investigate whether the Mularroya dam project complies with Community Directives 79/409², 92/43, 97/11³ and 2000/60⁴?

¹ OJ L 206, 22.7.1992, p. 7

² OJ L 103, 25.4.1979, p. 1

³ OJ L 73, 14.3.1997, p. 5.

⁴ OJ L 327, 22.12.2000, p.1.