

WRITTEN QUESTION E-3047/09
by David Hammerstein (Verts/ALE)
to the Commission

Subject: Use and management plan for the South-East Regional Park

The Ministry of Environment, Housing and Land Use of the Madrid Autonomous Community recently approved a use and management plan (PRUG) for the Regional Park of the Lower Courses of the Manzanares and Jarama rivers. This regulation contains certain provisions that will have an irreversible impact on this natural area, which has also been declared a Site of Community Interest (SCI) ("Water meadows, hills and high moorland of South-East Madrid", code ES3110006) and a Special Bird Protection Area (SBPA) ("Escarpments and cliffs of the Jarama and Manzanares rivers", code ES0000142).

It contains a number of articles that contravene the uses laid down by the law governing this area (*Ley 6/1994 de la Comunidad de Madrid*) and by the Natural Resource Development Plan (PORN). According to the schedule set out in Law 6/94, the PRUG should have entered into force in August 1999. Amongst other things, it permits the installation of sports facilities such as golf courses, the filling of gravel pits with contaminated earth and rubble, or hunting in areas where these activities were prohibited by the Regional Park Law and the PORN (category C areas, "degraded areas for regeneration").

The public was informed of the PRUG in May 2005. Over the long period of time that passed until it was finally approved by the Council of Ministers of the Madrid Autonomous Community (5 February 2009) and its publication and entry into force (10 March 2009), information was sought on a number of occasions from the authorities at the Ministry of Environment on what progress had been made, but no answer was given.

The plan has been approved in breach of Directive 2003/4/EC¹ on public access to environmental information.

Requests were also made in person at the offices of the Ministry, and in writing, for the full dossier on the procedure relating to the PRUG, but no answer was forthcoming. It is necessary to consult this dossier in order to know what grounds existed to justify these measures, and to know the content and meaning of the reports compiled by the regional administration's technical services.

Is the Commission aware of these facts? What measures does the Commission intend to take in view of the presumed violation of the Directive on public access to environmental information (Directive 2003/4/EC) and the possible infringement of the Habitats and Birds Directive (92/43/EEC)², as this affects both an SCI and an SBPA?

¹ OJ L 41, 14.2.2003, p. 26.

² OJ L 206, 22.7.1992, p. 7.