

WRITTEN QUESTION E-3182/09
by David Hammerstein (Verts/ALE)
to the Commission

Subject: New question on the A-48

The Commission did not fully answer the question in its reply E-6621/08, as it made no mention of the section of the planned trunk road built so far between Cádiz and Vejer de la Frontera (west-east), which affects six SCIs.

On 19 February 2009, approval for the rerouting of the Algeciras-San Roque-Cádiz section of the A-7 Mediterranean trunk road plan was published in the Spanish Official Gazette. This will be a new (east-west) San Roque-Algeciras-Cádiz section of the trunk road.

In the consultation study, the conclusion to the main reasons for choosing this particular route explains that this will:

'Enable the A-48 route (continuation of the A-7) to continue as far as Vejer de la Frontera without needing to use the A-381 Jerez-Los Barrios trunk road (functional criterion)'.

The Kingdom of Spain has approved a new environmental impact statement allowing the A-48 trunk road to be extended. In so doing, it has only assessed the impact this particular road extension will have and has not taken into account the fact that the overall plan has already been partially implemented, impacting six SCIs (planned, assessed and established through two different projects) in the process, and that it will impact on a further seven SCIs (planned and assessed under a further six separate projects). The overall impact of this plan on the Natura 2000 network (13 SCIs impacted under different plans and separate assessments for the same highway) has been ignored.

Does the Commission not feel that in approving, assessing and implementing a plan by splitting up the environmental assessment of said plan and failing to take into account the effects through synergy of the overall plan on the Natura 2000 network (ref: infringement 2006/4340 – increasing the number of lanes on the 501 route in Madrid), the Kingdom of Spain is not fulfilling correctly the obligations incumbent on it by virtue of the following Council Directives: Directive 79/409/EEC¹ of 2 April 1979 on the conservation of wild birds; Directive 92/43/EEC² of 21 May 1992 on the conservation of natural habitats and wild fauna and flora and Directive 85/337/EEC³ of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment, amended by Directive 97/11/EC⁴ of 3 March 1997?

¹ OJ L 103, 25.4.1979, p. 1.

² OJ L 206, 22.7.1992, p. 7.

³ OJ L 175, 5.7.1985, p. 40.

⁴ OJ L 73, 14.3.1997, p. 5.