

**Question for written answer E-003685/2022
to the Commission**

Rule 138

Idoia Villanueva Ruiz (The Left)

Subject: Legislation applicable to the environmental impact statements for the work at El Puertito de Adeje

On 5 May 2022, work began on the contentious large-scale development project at El Puertito de Adeje, sparking major controversy over the massive risks that this project poses to the environment, society and heritage.

Spanish Law 21/2013 on environmental assessment transposes Directive 2001/42/EC and Directive 2011/92/EU into national law. Furthermore, Law 21/2013 contained a clause which, within a year of that law's entry into force, repealed Spanish Law 9/2006 on the assessment of the effects of certain plans and programmes on the environment. Law 21/2013 applies to all plans, programmes and projects where work on the strategic environmental assessment or environmental impact assessment started on the day the law entered into force or thereafter.

In view of the above:

How should the Spanish authorities and courts interpret the legislation applicable to environmental impact statements published before the entry into force of Law 21/2013, as well as the direct effect of Directive 2001/42/EC and Directive 2011/92/EU?

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