

EN

E-001050/2023

Answer given by Ms Simson
on behalf of the European Commission
(5.6.2023)

Spain submitted to the Commission an application for a derogation for Spain's non-mainland territories pursuant to Article 66 of Directive (EU) 2019/944¹ and Article 64 of Regulation (EU) 2019/943² on the internal market for electricity. The application included a request for a derogation from Article 54 of Directive (EU) 2019/944 and referred specifically to the Chira-Soria pumped-storage facility in Gran Canaria, and to future pumped-storage facilities owned by the system operator. The Commission is currently assessing all relevant facts and aims to issue a decision as soon as possible.

The regional authorities have issued a positive Environmental Impact Statement for the project Chira Soria³ that includes the assessment of the implications of the project on Natura 2000 sites⁴. From the information available in the statement, it is not possible to conclude whether the need to install the infrastructure in the 'priority area for conservation' of the site 'Macizo de Tauro II' has been duly justified in line with the site's management plan and the Habitats⁵ and Birds⁶ Directives requirements.

Following a Parliamentary petition⁷ on this project, the Commission asked the Canary Islands authorities for information on the implementation of the appropriate assessment of this project⁸. The Commission is currently assessing the information received from the authorities.

¹ Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity.

² Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity.

³ <http://www.gobiernodecanarias.org/boc/2021/167/004.html>

⁴ 'Macizo de Tauro II', 'El Nublo II', 'Tauro', and 'Franja Marina de Mogán' designated under the Habitats Directive. The Special Protection Areas for Birds 'Tauro' and 'Ayagaures y Pílancones' classified under the Birds Directive.

⁵ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, DO L 206 de 22.7.1992, p. 7/50.

⁶ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, DO L 20 de 26.1.2010, p. 7/25.

⁷ Petition0192/2021 (linked to Petition 0256/2021).

⁸ In the framework of the bilateral dialogue held with the Spanish nature authorities on 2 and 3 February 2023 to assess its compliance with the Habitats Directive.