Protection by the Calp Urban Plan. This wetland is a Special Bird Protection Area protected by the Bird Directive (79/409/EEC (1)) as well as by the Habitat Directive (92/43/EEC (2)), and is proposed for inclusion in the Natura 2000 network by the Valencian Regional Government.

The municipality of Calp has recently approved the global project for the implementation of the plan, the so-called 'Plan de Actuación Integral Saladar'. This urban instrument includes 497 000 square metres of land to be built on in and around the protected area, affecting the preservation of this wetland. In fact, with the approval of this plan by the local council the invasion of the wetland (140 000 square metres) is finally permitted with a high building density (no building height limits have been set up) allowed within less than 45 metres of the wetland.

Does the Commission consider that the above-mentioned EU directives have been infringed?

What measures does the Commission consider taking to ensure compliance with European law?

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**Answer given by Mrs Wallström on behalf of the Commission**

(17 December 2002)

The Spanish authorities have not communicated any information to the Commission regarding the classification of the wetland known as 'Las Salinas de Calpe' as a Special Bird Protection Area. Neither have they submitted any proposal of this area as a Site of Community Interest for inclusion in the Natura 2000 network. Furthermore, this wetland is not included in the inventory of Important Bird Areas of Spain compiled by the ornithology organisation SEO/BirdLife. Consequently, the Commission considers that Council Directives 79/409/EEC of 2 April 1979 on the conservation of wild birds and 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora have not been infringed in relation to this wetland.

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(2003/C 155 E/144) **WRITTEN QUESTION E-3295/02**

by Miquel Mayol i Raynal (Verts/ALE) to the Commission

(21 November 2002)

Subject: Promotion of the Barcelona-Puigcerdà-La Tour de Carol-Toulouse rail line and its inclusion on the Essen list

The White Paper on transport policy in the EU rightly highlights the need to develop trans-Pyrenean rail capacity as freight traffic is set to double over the next 20 years, the roads are already saturated and it is necessary to reduce greenhouse gas emissions.

In view of this, the Commission asked for the trans-European transport network to be supplemented by a trans-Pyrenean rail link, leaving the route up to the Member States concerned. The latter decided to upgrade the line between Saragossa and Pau via Canfranc.

Although the upgrading of this line is undoubtedly highly desirable, it will not have a significant impact on freight traffic.

Does the Commission not consider that it would do more to relieve traffic congestion on Mediterranean roads if it included on the list of projects eligible for Community funding (Essen list), the modernisation of the Barcelona-Puigcerdà-La Tour de Carol-Toulouse rail line, and in particular the building of a tunnel under the Collada de Toses?
Answer given by Ms de Palacio on behalf of the Commission

(23 December 2002)

The new specific projects proposed in the White Paper on European transport policy for 2010 (1) and the proposal to amend the guidelines for the development of the trans-European transport network which was adopted in October 2001 (2) include a new high-capacity rail link across the Pyrenees.

The Commission would stress that the existing rail link between Barcelona, Puigcerda, La Tour de Carol and Toulouse is not on the trans-European network maps contained in Annex I to Decision 1692/96/EC of Parliament and of the Council of 23 July 1996 on Community guidelines for the development of the trans-European transport network (3). Moreover, simply modernising this single mountain track, which runs up and down steep slopes and passes over ridges at high altitude, is unlikely to provide sufficient capacity to attract a large volume of freight traffic, unlike the TGV South already on the Essen list and a new high-capacity rail link across the Pyrenees proposed by the Commission.

Within the framework of a more substantial amendment of the Community guidelines for the development of the trans-European transport network (TEN-T), the Commission has set up a high-level group. The group brings together representatives from the Member States and observers from the candidate countries.

The mandate of this group, which is independent from the Commission, is to examine potential specific project proposals transmitted by the Member States. In particular it will look at how each project fits in with the objectives of European transport policy, its Community added value and the sustainability of its financing from now to 2020. The group is expected to send the Commission its recommendations in 2003.


WRITTEN QUESTION E-3300/02
by José Mendiluce Pereiro (PSE) to the Commission

(21 November 2002)

Subject: Dumping of class II waste and composting plant in La Esplug de Francoli (Tarragona, Spain)

A project is proposed for the Spanish municipality of La Esplug de Francoli (Tarragona province) for the construction of a class II waste dump and composting plant. This scheme is promoted by a public authority, the Consell Comarcal (district council) of La Conca de Berberà. The budget for the proposed installations is estimated at EUR 3 726 045.

This project (involving excessively large installations in all cases) has provoked fierce opposition in the local community, thanks to the enormous environmental impact that it would have at local level and to the failure to provide information to those affected, while no action has been taken on any of the complaints lodged.

The technical study is incomplete and contains none of the requisite environmental information. There have not been any studies of the geological, hydrogeological or local meteorological aspects, or of the risks of dispersal of pollutants. As far as leaching is concerned, the proposed treatment system, based on evaporation, is out of date. Neither existence of housing only 500 m away from the installations nor of a significant local wine industry has been taken into account.

One of the promoters' main arguments in favour of the project is that the installations will be built at zero cost, as they will be 100 % subsidised by various official entities, including the EU.