



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25.5.2007
COM(2007) 294 final

2006/0005 (COD)

OPINION OF THE COMMISSION

**pursuant to Article 251 (2), third subparagraph, point (c) of the EC Treaty,
on the European Parliament's amendments
to the Council's common position regarding the
proposal for a**

**DIRECTIVE OF THE EUROPEAN PARLIAMENT
AND OF THE COUNCIL**

on the assessment and management of floods

**AMENDING THE PROPOSAL OF THE COMMISSION
pursuant to Article 250 (2) of the EC Treaty**

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(Text with EEA relevance)

1. BACKGROUND

Procedure

- On 18 January 2006 the Commission submitted a proposal for a Directive of the European Parliament and of the Council¹ on the assessment and management of floods for adoption by co-decision procedure as laid down in Article 251 of the EC Treaty.
- The European Economic and Social Committee delivered its Opinion on 17 May 2006.
- The European Parliament adopted its position on first reading on 13 June 2006.
- The Council adopted its Common Position on 23 November 2006.
- The European Parliament adopted its position on second reading on 25 April 2007.

Objective of the Commission proposal

The aim of the proposal is to establish a framework for the assessment and management of flood risks, aiming at the reduction of the adverse consequences for human health, the environment, cultural heritage and economic activity associated with floods in the Community.

2. COMMISSION COMMENTS

2.1. General

On 25 April 2007, the European Parliament adopted 26 amendments, out of the 69 amendments that were tabled.

¹ COM(2006)15 final (2006/0005 (COD))

The 26 amendments adopted by the Parliament were part of a compromise package agreed with the Council. The Commission can accept all these 26 amendments in full.

2.2. Detailed comments

The Commission can accept the amendments **43 to 52** concerning recitals as they further clarify provisions in the Directive as regards links to the Water Framework Directive (2000/60/EC) and the role of climate change, flood plain management, environmental pollution, solidarity in shared river basins and the use of best available technologies.

With regard to the substantive provisions, the Commission accepts amendments **53 to 69** as they improve the Common Position by strengthening:

- the consideration of future floods, including consideration of climate change, existing flood defences and flood plains in the preliminary flood risk assessment, as well as the setting of 2011 as the date for this assessment (Amendments 53-58, 66);
- the mapping requirements for other significant sources of pollution (Amendment 59);
- the flood risk management plans as regards flood plain management and sustainable land use practices, solidarity and prioritisation (Amendments 60-61, 68, 69);
- the coordination with Water Framework Directive (2000/60/EC) (Amendments 62-63);
- the Comitology procedure (Amendments 64-65), and;
- the consideration of potential effects of climate change in the Commission report on implementation (Amendments 67).

2.3. Amended proposal

Pursuant to Article 250(2) of the EC Treaty, the Commission amends its proposal as set out above.