

Environmental and Social Data Sheet

Overview

Project Name: POST DISASTER RECONSTRUCT & PREVENTION VALENCIA
Project Number: 2020-0244
Country: Spain
Project Description: Reconstruction and disaster risk prevention and adaptation measures in the Autonomous Community of Valencia in response to the flood disasters resulting from catastrophic weather events that occurred between September 2019 and January 2020 in the Mediterranean coast of Spain, as well as similar events that might take place in the near future in Valencia.

EIA required: no

The project is a multi-sector Framework Loan, some individual investments may require an EIA.

Project included in Carbon Footprint Exercise¹: no

Environmental and Social Assessment

Environmental Assessment

The proposed Framework Loan supports the Spanish Autonomous Community of Valencia with the reconstruction of damaged social infrastructure (including water and wastewater infrastructure, roads and public buildings) and economic assets (i.e. irrigation and tourism infrastructure) following disasters that took place in Valencia in September 2019. These investments are expected to bring socio-economic benefits by restoring the livelihoods of the affected population and the quality of the services provided, and also by preventing further environmental and health impacts. The Project will also support investments to strengthen storm surge and flood protection measures to increase resilience against future climate related events in the lower river basin of the Segura and Jucar Rivers, to reduce the vulnerability of the affected population and its economic assets, generating social, economic and environmental benefits for the Autonomous Community of Valencia. Some negative environmental impacts associated with construction activities may arise but these will be temporary and reversible in nature.

All relevant key documents for the Project will be published in line with the EIB's Disclosure Policy. Some of the schemes may eventually fall under Annex I or Annex II of the EIA

¹ Only projects that meet the scope of the Carbon Footprint Exercise, as defined in the EIB Carbon Footprint Methodologies, are included, provided estimated emissions exceed the methodology thresholds: 20,000 tonnes CO₂e/year absolute (gross) or 20,000 tonnes CO₂e/year relative (net) – both increases and savings.

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Directive. All schemes must be implemented in compliance with the EU environmental legislation. Where an action may affect a Natura 2000 site, as designated according to the Habitats Directive 92/43/EEC and the Birds Directive 2009/147/EC, the Bank requires the Promoter to follow the Directives's procedures as applicable.

Some schemes will include the rehabilitation or construction of water supply infrastructure and the reconstruction or improvement of affected wastewater collection and treatment infrastructure, which is expected to improve the quality of the recipient water bodies, as required by the River Basin Management Plans (required by the Water Framework Directive 2000/60/EC).

It is possible that certain repair and rehabilitation works will be exceptionally exempt from assessment procedures due to the emergency situation in compliance with applicable Spanish national environmental legislation and as provided for by the EIA Directives.

Compliance with applicable Environmental Legislation

The Spanish legislation has fully transposed the relevant EU Directives, including the SEA Directive 2001/42/EC, EIA Directive 2011/92/EU, Habitats Directive 92/43/EEC and Birds Directive 2009/147/EC. The latest amendment of the national act on EIA procedures (Law 21/2013) entered into force on 9th December 2013. Under this law, the Ministry of Agriculture and the Environment (Ministerio de Agricultura y Medio Ambiente, MAGRAMA) is the competent authority for EIA approvals. SEA Directive has been transposed into the Spanish Law 9/2006, dated 28th April 2006.

One major project component will support flood prevention investments. Spain has transposed Flood Directive 2007/60/EC and has adopted and reported its first Flood Risk Management Plans in line with the framework established by the EU Floods Directive. The Autonomous Community of Valencia and the relevant River Basin Authorities² have also developed flood prevention and adaptation strategies in line with the EU Flood Directive 2007/60/EC, including sectorial spatial management plans for flood prevention for the region.³

Environmental Impacts

To the extent that the interventions will comprise the reconstruction of damaged basic infrastructure, negative impacts will be balanced by the benefits that the restoration of basic services will bring to the affected population.

Environmental impacts of new flood protection and other disaster risk prevention measures will be assessed for individual schemes as required.

Promoter's capability

The Autonomous Community of Valencia is considered to have the required experience for the implementation of the schemes according to the environmental requirements and to be

² Main authorities responsible for flood prevention and management plans for the river basins of the Segura River (Confederación Hidrográfica del Segura) and the Júcar River (Confederación Hidrográfica del Júcar) are public authorities that depend from the national Ministry for Ecological Transition and Demographic Challenges (MITECO).

³ Plan de Acción Territorial de carácter sectorial sobre prevención del Riesgo de Inundación en la Comunitat Valenciana (PATRICOVA).

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able to monitor the proper implementation of the environmental mitigation measures, approved by the environmental competent authority.

Social Assessment

No land acquisition has been identified at this stage and it is not expected to be required for the reconstruction of existing infrastructure, damaged by the catastrophic events. If land acquisition is required for new flood prevention schemes under the sub-projects, it is to be executed in accordance with the Spanish Act on Mandatory Expropriation, which provides for adequate mechanisms to ensure compliance with the Bank's standards.

No major social issues have been identified at this stage. All social aspects will be reviewed in depth for individual sub-projects.

Labour standards and Health and Safety matters will comply with the Spanish national law and are not expected to pose an issue for the investments under this Framework Loan.

Public Consultation and Stakeholder Engagement

Public consultation processes, according to the Spanish Law, will be carried out as part of the EIA process and also as part of the land acquisition procedure, if required for individual sub-projects.

Conclusions and Recommendations

The following undertakings will be required for this Project:

- The Promoter will be required to act according to the provisions of the relevant EU Directives, including SEA (2001/42/EC), EIA (2014/52/EU) amending 2011/92/EU, the Water Framework Directive 2000/60/EC and Habitats (92/43/EEC) and Birds (2009/147/EC) Directives, as applicable.
- The Promoter shall not commit any EIB funds against schemes that require an EIA or biodiversity assessment according to the EU acquis without, prior to commitment, receiving consent from the competent authority, and having the EIA process successfully completed, including information to and consultation with the public, if and when required by applicable EU legislation.
- When an EIA is required for schemes financed in the Project, the Promoter shall submit a copy of the Non-Technical Summary to the Bank. The Promoter shall also store and maintain updated the relevant documents (including the EIA report, environmental studies related to the EIA, the Non-Technical Summaries of the EIAs, and Nature/Biodiversity Assessments or equivalent documents supporting the compliance with the EU Habitats and Birds Directives – Form A/B or equivalents) to be provided to the Bank upon request.
- For medium and large schemes, the Promoter shall submit to the Bank the full EIA and Non-Technical Summary of the EIA for publication on the Bank's website. The Promoter shall also submit Nature/Biodiversity Assessments or equivalent documents



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supporting the compliance with the EU Habitats and Birds Directives – Form A/B or equivalents.

- In case the EIB requires such documentation, the Promoter shall provide all documents requested promptly. The Promoter shall verify the compliance of the schemes with the relevant and applicable rules of the European Union legislation, in particular in the field of environment.

Taking into account the contractual undertakings associated with the Project, as well as the capacity of the Promoter and the systems in place to manage environmental and social impacts and issues, the Project is acceptable for the Bank's financing in environmental and social terms.