

Environmental and Social Data Sheet

Overview

Project Name: FOMENTO ROAD RENEWAL & REHABILITATION
 Project Number: 20150080
 Country: Spain
 Project Description: The project concerns a multi-scheme operation on the state-owned road network in Spain to support the 2015-2016 investment programme of the Ministry of Public Works and Transport.

EIA required: Yes. Some of the framework loan sub-schemes may require an environmental impact assessment (EIA).

Project included in Carbon Footprint Exercise¹: To be assessed when applicable at allocation stage.

(details for projects included are provided in section: "EIB Carbon Footprint Exercise")

Summary of Environmental and Social Assessment, including key issues and overall conclusion and recommendation

The project concerns a multi-scheme operation on the high capacity road network in Spain to support the 2015-2016 investment programme of the Ministry of Public Works and Transport (*Ministerio de Fomento*, MdF). It comprises a series of investments to enhance intermodal connectivity, alleviate congestion in urban areas, remove critical bottlenecks, bridge missing links and improve road safety conditions.

The programme is part of the national strategic plan PITVI (*Plan de Infraestructuras, Transporte y Vivienda* - Infrastructure, Transport and Housing Plan) for which a strategic environmental assessment (SEA) was carried out in accordance with Directive 2001/42/EC. The Competent Authority provided the environmental consent in December 2014 and the plan was subsequently approved by the MdF in May 2015. The corresponding Non-Technical Summary (NTS) has been disclosed on the Bank's website.

Since the project consists of a number of sub-schemes, it is likely to include road projects that will be subject to environmental impact assessment (EIA) falling under Annex I or Annex II of Directive 2011/92/EU. The Spanish act governing EIA procedures (Law 21/2013) ensures compliance with the Directive. For medium and large schemes the Bank will undertake further review at allocation stage. Provision of the NTS for any project scheme requiring an EIA will be required as a precondition for the allocation of the Bank's funds. For schemes with potential impacts on a Site of Community Importance (SCI), as defined by the Habitats (92/43/EEC) and Birds Directives (2009/147/EC), the Promoter shall provide to the Bank Form A / Form B or equivalent signed by the Competent Authority for Nature Conservation proving that the requirements of the Directives have been met.

Subject to the fulfilment of the conditions referred to above, the project is satisfactory to the Bank in environmental and social terms.

¹ Only projects that meet the scope of the Pilot Exercise, as defined in the EIB draft Carbon Footprint Methodologies, are included, provided estimated emissions exceed the methodology thresholds: above 100,000 tons CO₂e/year absolute (gross) or 20,000 tons CO₂e/year relative (net) – both increases and savings.

Environmental and Social Assessment

Environmental Assessment

Compliance with applicable Environmental Legislation

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 such 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 on 28th April 2006.

New construction and upgrading road schemes included under this multi-component operation will be thus subject to EIA as and when required by the provisions of the Directive 2011/92/EU. All rehabilitation schemes included in the project are outside the scope of the EIA Directive and therefore EIAs are not required.

Compliance with the Habitats and Birds Directives will be reviewed at allocation stage on a case-by-case basis. In particular, the implementation of the assessment procedures required under Art. 6(3) and Art. 6(4) of the Habitats Directive will be verified.

A first allocation under the framework loan is envisaged at this stage for the major scheme Port of Barcelona Access and a number of minor rehabilitation schemes. The former project involves the construction of a new motorway linking the port to the main road network and falls under Annex I of EIA Directive 2011/92/EU, requiring a full EIA procedure. The project has been subject to one main procedure resulting in a positive Environmental Decision in September 2007, whose validity was extended by the Competent Environmental Authority in July 2013. The Environmental and Social Data Sheet (ESDS) for this project has also been disclosed on the Bank's website².

Environmental Impacts

The road investment programme supported by the project is part of the national plan PITVI. The plan is informed by the principle of environmental sustainability and sets sustainable mobility as a strategic objective. A SEA was undertaken for the PITVI in accordance with the SEA Directive. The SEA considered the state of land use, expected cumulative and synergic environmental impacts with emphasis on protected areas and health of population. The assessment also addressed compliance with other strategic studies at the level of cross-border, regional and national level.

In common with other road infrastructure projects, the impacts at construction stage for the schemes included in this operation should be short-lived and reversible, at a level which is deemed acceptable.

The main residual negative impacts of the project include conversion and permanent loss of land; additional noise, vibration and visual intrusion; severance and involuntary resettlement. Compliance of the national EIA procedure with the Directive 2011/92/EU ensures that adequate measures are put in place to reduce, mitigate or manage negative impacts. Notwithstanding, the Bank's Services, as part of the allocation procedure, will receive and review the relevant documentation submitted by the Promoter for each scheme.

² Port of Barcelona Access ESDS GED link: <https://ged.beilux.eib.org/ged/ged.dll/open/59104621>

EIB Carbon Footprint Exercise

Annual emissions shall be estimated for each project allocation and reported on the corresponding Environmental and Social Data Sheet if applicable.

Social Assessment

Land acquisition required for the project is to be done 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 at allocation stage.

Public Consultation and Stakeholder Engagement

As part of the approval process, both the PITVI and the associated environmental impact study were subject to public consultation in the first half of 2014, including with representatives of the national government, ministries and agencies, regional and local governments, non-governmental organisations and civil associations and individuals. As part of the trans-boundary consultation required by the SEA directive, the embassies of France, Portugal and Andorra were notified.

Depending on the level of environmental assessment, individual schemes may undergo public and stakeholder consultation, in conformity with the relevant EU Directives and Spanish Legislation.

Other Environmental and Social Aspects

At this stage, six schemes which are part of the TEN-T have been identified and will be subject to the EU Road Safety Directive 2008/96/EC. The requirements of the EU Road Safety Directive will be part of the allocation assessments provided for by the standard framework loan procedures. Road Safety Audits in line with the Directive will be required for all sub-schemes lying on the TEN-T or whose main objective is to improve road safety.