

Environmental and Social Data Sheet

Overview

Project Name: ACCESSIBILITY PORTS INFRASTRUCTURE
Project Number: 20150115
Country: Spain
Project Description: Financing of a Special Purpose Vehicle dedicated to accelerate investments needed to improve terrestrial access to Spanish State-owned Ports.

EIA required: Yes. The project is a multi-scheme operation. Some of the schemes may require an environmental impact assessment (EIA).

Project included in Carbon Footprint Exercise¹: To be assessed 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 the financing of the Special Purpose Entity for Port Land Accessibility (*Fondo Financiero de Accesibilidad Terrestre Portuaria*, FFATP), set up under the Spanish Law to support investments in land access to the main national ports from the state-owned Port Authorities. The Bank's Framework Loan (FL) will support the implementation of the FFATP's investment programme for the period 2015-2020. This programme comprises a number of road and rail access schemes to ports to enhance intermodal connectivity, alleviate congestion and remove bottlenecks in the supply chain.

The planning framework for such investment programme is laid out in the national strategic plan PITVI (*Plan de Infraestructuras, Transporte y Vivienda* - Infrastructure, Transport and Housing Plan). A strategic environmental assessment (SEA) was carried out in accordance with Directive 2001/42/EC. The corresponding Non-Technical Summary (NTS) has been disclosed on the Bank's website.

Since the project concerns a multi-scheme operation, it is likely to include components falling under Annex I or Annex II of Directive 2011/92/EU, subject to environmental impact assessment (EIA). Compliance with the Directive should be ensured through the Spanish act governing EIA procedures (Law 21/2013), which transposes the former into national legislation. All schemes will be subject to the Bank's FL rules and further appraised in E&S terms at allocation stage. Provision of the NTS for any project scheme requiring an EIA and proof of compliance with by the Habitats (92/43/EEC) and Birds Directives (2009/147/EC) will be required as precondition for the allocation of the Bank's funds.

Given that the project predominantly targets railway components it will support sustainable transport by increasing the modal share of rail in freight transport from/to ports. In addition, the project is expected to have some contribution to climate change mitigation by reducing CO₂ emissions due to such modal shift.

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 transposed the relevant EU Directives including 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 for the PITVI was carried out in accordance with the Directive 2001/42/EC, transposed into the Spanish Law 9/2006, dated on 28th April 2006. The Competent Authority provided the environmental consent in December 2014 and the plan was subsequently approved by the MdF in May 2015.

As per the provisions of the Spanish State Ports and Merchant Shipping Act (RDL 2/2011, *texto refundido de la Ley de Puertos del Estado y de la Marina Mercante*), the Master Plan (*Plan Director de Infraestructuras*, PDI) of each Port Authority (Final Beneficiaries of the FL) should include all necessary environmental studies. In addition, the national act on SEA requires the PDI itself to be subject to SEA procedures.

The legal framework described above should ensure that new construction and upgrading road and rail schemes included in the project will be subject to EIA as and when required by the provisions of the Directive 2011/92/EU.

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.

Environmental Impacts

By improving land access to the main ports in Spain, the project will enhance efficiency of their supply chain, making the national port system more competitive and attractive to the market. Moreover, the investment programme in port accessibility supported by the Bank's financing is remarkably biased in favour of rail investments, thus incentivizing modal shift from road to rail transport. Both factors will contribute to a more sustainable transport system in the country.

In line with other linear infrastructure projects, the main residual negative impacts of the project include conversion and permanent loss of land; additional noise, vibration and visual; severance and involuntary resettlement. The impacts of the project at construction stage should be short-lived and reversible, at a level which is deemed acceptable. 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.

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

No social issues have been identified at this stage. All social aspects will be reviewed at allocation stage.

Public Consultation and Stakeholder Engagement

As part of the approval process, both the PITVI and the associated environmental impact studies 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. For its part, the PDI of each Port Authority has to go through a public consultation process. Additionally, annual business plans of the Port Authorities are accompanied by a sustainability report which is publicly available.

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

Other Environmental and Social Aspects

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.