



European Investment Bank (EIB)

Luxembourg, 1 October 2021

## Environmental and Social Completion Sheet (ESCS)

### Overview

Project Name:	S7 EXPRESSWAY (GDANSK-WARSAW-KRAKOW)
Project Number:	20120672
Country:	Poland
Project Description:	Construction of 8 non-continuous sections of S7 expressway between Gdansk and Krakow (in total 162 km), together with 2 sections of connecting expressway (in total 22 km).

### Summary of Environmental and Social Assessment at Completion

The project involved the construction of approximately 184 km of dual carriageway expressway (mostly dual two with a small section of dual three lane) of which 162 km are TEN-T network. The project is generally on a new alignment, crossing a rural environment. The S7 runs from the Baltic Sea (Gdańsk) in the north of Poland, to Warsaw and to Kraków in the south of the country.

The project was divided into four components (one for each affected Polish region), as follows:

- I. Warmińsko-Mazurskie Region (north Poland): 70.3 km of 2 x 2 expressway between Miłomłyn and Napierki together with 13.3 km of adjoining 2 x 2 expressway (S51) between Olsztyn and Olsztynek.
- II. Mazovia Region (central Poland): 46.7 km of 2 x 2 expressway forming Radom bypass.
- III. Świętokrzyskie Region (south Poland): 49 km of 2 x 2 expressway between Chęciny and the Małopolskie/Swiętokrzyskie Voivod Border.
- IV. Małopolskie Region (south Poland): 4.5 km of 2 x 3 expressway outside Krakow.

### EIB notes the following Environmental and Social performance and key outcomes at Project Completion.

The works were performed on eight non-continuous sections of expressway,<sup>1</sup> all of which fall under Annex I of the Environmental Impact Assessment (EIA) Directive 2011/92/EU. All sections were therefore subject to a full EIA procedure, including mandatory disclosure and public consultation. The various procedures commenced in 2005 and resulted in 14 different Environmental Decisions (ED) being issued over the period 2008-2017 by the respective Competent Authorities in the four concerned regions.

<sup>1</sup> Component I contains Section 1 (S7/DK16 Miłomłyn – Olsztynek); Section 2 (S7 Nidzica – Napierki) and Section 3 (S51 Olsztyn and Olsztynek). Component II contains Section 4 (S7 Radom - border of Mazowieckie/Świętokrzyskie voivodeship). Component III contains Section 5 (S7 Border of Mazowieckie/Świętokrzyskie voivodeship - Skarżysko-Kamienna); Section 6 (S7 Chęciny – Jędrzejów) and Section 7 (S7 Jędrzejów - border of Świętokrzyskie/Małopolskie voivodeship). Component IV includes Section 8 (S7 i/c Christo Botewa - i/c Igołomska).



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The sections cross six Natura 2000 sites and are in the vicinity of two others; therefore, the provisions of the Habitats Directive (92/43/EEC) and Birds Directive (2009/147/EC) apply. The relevant EIA reports did not identify any significant negative effects on protected sites and species. A confirmation of these opinions (Form A/B) was obtained from the respective Competent Authorities for Nature Conservation prior to disbursement for each section.

At appraisal stage, the potential impacts on N2000 sites and the existence of multiple EIAs stretching back many years, were identified as environmental risks. Disbursement conditions were established as mitigants and all were met.

After the approval of the project, there were some updates in the permitting process of the following sections:

#### **Section 1. S7/DK16 Miłomłyn - Olsztynek**

This entails the construction of 38.9 km of 2 x 2 expressway, partly on a new alignment, as well as the construction of 8.7 km of 2 x 2 expressway on a new alignment as the southern bypass of Ostroda.

Supplementary EIAs for this section were performed between October 2010 and October 2014.

#### **Section 3. S51 Olsztyn and Olsztynek**

This entails the construction of 13.3 km of 2 x 2 expressway (S51), largely on the existing alignment but with the correction of two curves.

Two supplemental EIAs were carried out in November 2014 and July 2018 for this road section.

#### **Section 4. S7 Radom - border of Mazowieckie/ Świętokrzyskie voivodeship**

This entails the construction of 46.7 km of 2 x 2 expressway, largely on a new alignment, including the 24.8 km Radom bypass.

A final ED was issued in April 2017 in relation to local changes to the vertical alignment of the expressway and the construction of the Services Area (MOP) and the Road Maintenance Centre.

Supplemental EIAs were performed between April 2011 and May 2014. Form A was issued in October 2013.

In December 2017, a complaint was brought to the EIB Complaints Mechanism (EIB-CM) in relation to this project section. The complaint concerns a wildlife crossing for large animals that allegedly was not up to standards. On the basis of the environmental assessment performed, two different crossings (PZ-19 and PZ-20) were designed and constructed in the affected area. Measures were put in place to mitigate the possibility of collision of large animals and vehicles, such as reduced speed signage and bumps on the parallel service lane. The adequacy and effectiveness of both crossings have been monitored since completion of construction. The results show that the PZ-19 crossing has been properly designed and constructed and fulfils its functions. The PZ-20 crossing, despite the fact that it has been properly designed and constructed, does not fully fulfil its function due to the unexpected intensity of humans' presence and changes in the development of the surrounding area. The situation is currently being analysed by GDDKiA in order to find a solution that blocks human access while still allowing animals to freely pass. The promoter, GDDKiA, will report to the bank by the end of 2021 on this aspect.



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In June 2020, the EIB-CM closed the case with the recommendation that further monitoring is performed and reported to the Bank.<sup>2</sup>

### **Section 5. S7 Border of Mazowieckie/Świętokrzyskie voivodeship - Skarżysko-Kamienna**

This entails the construction of 7.6 km of 2 x 2 expressway, largely on a new alignment. The Competent Authority issued a new ED in January 2014.

The works in this section faced a number of complaints raised by the NGO "Stowarzyszenie Pracownia na rzecz Wszystkich Istot" ("Association for all beings"), starting in about 2008, aiming to challenge various regulatory decisions. Between 2014 and 2019, various regulatory and legal proceeding occurred. As a result, there was a change in technical design. The Skarżysko-North interchange was relocated to minimize its impact over the hosting vegetation to the concerned butterfly species. The interchange was also reshaped from a 'trumpet' to a 'diamond' layout. Finally, one previously planned passage for small animals was modified to allow the passage also of medium-size ones.

A number of species of host plants were successfully replanted onto suitable plots identified in the environmental assessment and as required in the final regulatory approvals. The Promotor reports that the continued presence of butterflies is observed in this area.

There was also an EU-pilot procedure opened in 2015 (EU-pilot no 8130/2015/ENV) that is now closed. The project section was accordingly included for EU grant financing, which was accorded in November 2019. The Bank's Services and DG ENV exchanged information on this section regularly during the period 2014-20.

Finally, in October 2015 one complaint was opened by the EIB Complaints Mechanism (EIB-CM) in relation to this project section. In December 2019, the case was closed, concluding that the allegations against the EIB were ungrounded and without making specific recommendations.<sup>3</sup>

The promoter provided evidence that the related condition to disbursement agreed in the finance contract for this specific section had been met.

### **Section 6. S7 Chęciny - Jędrzejów**

This entails the construction of 21.5 km of 2 x 2 expressway, largely on a new alignment.

The General Directorate for Environmental Protection (GDOŚ) in response to an appeal of NGO "Mieszkańcy Ziemi Świętokrzyskiej Na Rzecz Ekologii i Rolnictwa, EKOMASZ" partly changed the original ED from September 2010 with a new decision from October 2013. The Supreme Administrative Court SAC revoked this decision and ordered GDOŚ to reconsider the case, and in particular to supplement the justification. The new GDOŚ decision, upholding and partly changing environmental decision from October 2010, was issued in March 2015. A supplemental EIA was issued in January 2014.

<sup>2</sup> [S7 Expressway \(Voivodship border and the end of the Radom bypass\) \(eib.org\)](https://www.eib.org)

<sup>3</sup> [S7 Expressway \(eib.org\)](https://www.eib.org)



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Construction permit (ZRID) was approved in March 2014. However, there were three appeals. In December 2015, the Minister of Infrastructure and Construction issued a decision stating that the ZRID was final.

#### **Section 7. S7 Jędrzejów - border of Świętokrzyskie/Małopolskie voivodeship**

This entails the construction of 19.9 km of 2 x 2 expressway, largely by widening the existing alignment.

Two supplemental EIAs were issued in March 2012 and July 2014 for this road section. In October 2013, the Competent Authority for Nature Conservation confirmed its opinion that the project will not have a significant negative impact on these sites (Form A).

#### **Section 8. S7 i/c Christo Botewa - i/c Igołomska**

This entails the construction of 4.5 km of 2 x 3 expressway on a new alignment, including a new 700-metre bridge over the River Vistula, along with associated renovation of adjacent streets.

In October 2013, the Competent Authority for Nature Conservation confirmed its opinion that the project will not have a significant negative impact on these sites (Form A). Two supplemental EIAs were performed in April 2011 and April 2014.

Road safety audits at various stages of design, pre-commissioning, and after opening to traffic have been performed in accordance with Polish legislation. The audits were followed by recommendations that have been partially implemented. The promoter provided explanations when recommendations were not followed.

The project involved the expropriation of private and public land as well as the involuntary resettlement of 38 residential homes. Such expropriation was conducted in accordance with applicable national laws and regulations.

#### **EIB notes the following key Environmental and Social aspects to be monitored during operations:**

The promoter shall continue monitoring the adequacy and effectiveness of crossing PZ-20 in section 4 (S7 Radom - border of Mazowieckie/ Świętokrzyskie voivodeship), and consider taking the appropriate actions as necessary. The promoter will report to the Bank by December 2021.

#### **Summary opinion of Environmental and Social aspects at completion:**

Based on the promoter's reports, EIB supports the opinion that the project has been implemented in line with EIB Environmental and Social Standards, applicable at the time of appraisal.