



Luxembourg, 10 December 2021

Public

Environmental and Social Data Sheet

Overview

Project Name:	S14 EXPRESSWAY LODZ WESTERN BYPASS
Project Number:	2021-0419
Country:	Poland
Project Description:	The project concerns construction of the S14 Expressway Lodz Western Bypass.
EIA required:	yes
Project included in Carbon Footprint Exercise ¹ :	yes

Environmental and Social Assessment

Environmental Assessment

The Project addresses gaps in the efficiency of road network alignment and is expected to eliminate traffic bottlenecks and improve the traffic safety situation in the Lodz area. It indirectly contributes to the an improved efficiency of the TEN-T road network in Poland by providing an efficient and shorter link between the A2 motorway and the S8 expressway west of Lodz.

The entire S14 expressway follows a new alignment connecting the Emilia interchange on A2 with the Roza interchange on S8. The section between the Lublinek and the Roza interchanges is completed and is open to traffic since 2016. The current project section is located between the Emilia hub on A2 motorway and the Lodz Lublinek interchange. The project concerns the construction of a new 26 km 2x2 lane S14 expressway section and a 1.1 km 2x2 lane connection to the Emilia hub.

The project is included in the National Road Construction Program 2014-2023, which was subject to a Strategic Environmental Assessment in 2015. The project falls under Annex I of EIA Directive 2011/92/EU, as amended, requiring a full EIA.

The EIA report for the project "Construction of the S14 expressway from the National road No 1 in Slowik to the junction Lublinek" was elaborated in 2009. On 23 March 2011, the competent authority, i.e. Regional Director for Environmental Protection (RDOS) in Lodz issued an Environmental Decision (ED) (ref.: WOOS-II.4200.8.2011.MG). On 29 April 2015 (ref.: WOOS-I.4200.4.2015.PG3) the RDOS issued a decision by which it agreed that the implementation of the project may be carried out in two sections at the same time confirming that the conditions set in the 2011 ED remain unchanged.

Following the completion of the design documents and in line with the requirements for applying for the Development permits (ZRID), the promoter completed the second stage EIA assessment and applied for the Supplemental Environmental Impact Assessment (SEIA) decisions for the two sections in 2015.

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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Section I: Lodz Lublinek interchange - Lodz Teofilow interchange

On 23 September 2015, the RDOS issued a SEIA Decision (ref.: WOOS-I.4242.137.2015.MG.4) on implementation conditions for the project section between Lodz Lublinek and Lodz Teofilow interchanges. Based on the SEIA decision on 8 October 2015 the competent authority (Vojevoda of Lodz voivodeship) issued a Development (construction) permit (ZRID) (ref.: The IA-II.7820.8.2015.PG) for the construction of the section.

Several appeals against the decision were lodged with the Ministry of Infrastructure and Development. In 2016 and after having examined the appeals, the Ministry of Infrastructure issued a decision (ref.: DLI.III.6621.175.2015.AK.27, NK 137873/16) by which it partially annulled the contested decision and ruled on the substance, while upholding the rest of the ZRID decision.

During the detailing of the design documentation, the promoter drafted an additional SEIA report. On 17 July 2020, RDOS issued a SEIA decision (ref.: WOOS.4222.12.2019.MGr.8). Following this, on 28 July 2020, the competent authority by its decision No 146/20, (ref.: IA-II.7820.8.2015.IK/MM/MN) amended the ZRID decision from 8 October 2015 and approved a modified design.

Section II: Lodz Teofilow (without interchange) – National road 91 (DK 1) in Slowik

On 16 November 2015, the RDOS issued a SEIA decision (ref.: WOOS-I.4242.163.2015.MG.4) for Section II. On 18 November 2015, the competent authority (Vojevoda of Lodz voivodeship) issued a Development (construction) permit (ZRID) (ref.: IA-II.7820.10.2015.LR) for the construction of the section. By a decision from 11 December 2015, (ref.: WOOS-I.4242.163.2015.MG.6) the RDOS corrected a clerical error in the decision of 16 November 2015 and following this, the competent authority made a corresponding correction to the ZRID decision by issuing an Order No 18/16 (ref.:IA.II.7820.10.2015.LR/MM) from 15 January 2016.

During the implementation, the promoter and the Contractor agreed on further modifications to the design details and prepared additional SEIA reports. Following the review of these new SEIA reports, RDOS issued new SEIA decisions on 19 April and 4 May 2021 and the ZRID was amended accordingly.

At a time of appraisal, it was not yet clear if further minor amendments to the SEIA decisions will be required to reflect the latest agreed changes in the design of the connection road to the Emilia hub. Several complaints on the ZRID were under review by the Minister. Therefore, before the disbursement of the loan, the Bank will request the Borrower to provide a copy of the modified Development Permits (ZRID) or a statement that no change was made to the disputed ZRID decisions.

The project does not cross or border any Natura 2000 areas. The nearest are Natura 2000 sites of Dąbrowa Grotnicka PLH100001 and Grądy nad Linda PLH100022 – ca. 2.0 and 1.4 km away from the road alignment respectively. Several protected areas of national importance are also located nearby the project alignment. There is no direct border between the road and any of these sites. In its decision issued on 2 February 2021, the competent authority (RDOS) has stated that, taking into account both the distance and the likely impact of the investment, there is no likelihood of significant negative impact on the habitats for which the sites have been designated. The implementation of the project does not disrupt the integrity and conservation objectives of the individual Natura 2000 sites or the Natura 2000 sites as a whole.



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Overall, the EIA procedures and public consultations, assessment of impacts along with mitigating measures and environmental monitoring needs have been examined and carried out in accordance with the EU EIA Directive requirements.

Despite the mitigating measures, a number of negative impacts associated with the new development might be expected. These impacts are varied and include sub-urban, agriculture and forest land conversion, noise and vibration, visual intrusion and severance of communities and habitats. The Environmental Decision specifies a range of mitigating measures. The measures include construction of overpasses and underpasses, pedestrian bridges and bicycle paths for inhabitants. It also provides for installation of acoustic screens (more than for 9 km in length), animal passes, drainage and wastewater treatment systems, re-planting of greenery, fencing, installing of antiglare screens, various restrictions on working hours and practices as well as requirements for regular monitoring of noise levels, drainage performance and animal migration for five years following the opening of the road.

The promoter has incorporated the findings and recommendations from the EIA into the project design requirements by applying best practice and relevant design standards. The design is adapted to the foreseeable climate change impacts.

The Bank's services assessed climate change risks as part of the due diligence tasks. The assessment identified that the most significant risks with higher probability and impact are related to flooding and snow loading. All other relevant climate change related project risks, e.g. temperature increase, precipitation increase and strong winds are rated as low or medium.

The project has been assessed by the Bank's services for Paris Alignment in accordance with the policies set out in the Climate Bank Roadmap (CBR). The project is considered to be aligned with the low carbon goal as it consists of large new road capacity infrastructure construction meeting the EIB eligibility criteria for Transport, including passing the adapted economic test introduced under the CBR and is consistent with national and EU level infrastructure planning. Poland's alternative fuel infrastructure national policy framework has been assessed to have shortcomings in the EU latest assessment*, but the distance requirement of one recharging point at least every 60 km of the TEN-T is deemed to be met and therefore the requirement for the Core Network is expected to largely be fulfilled. The climate risk of the project is assessed as low and the project is therefore considered to be aligned with the resilience goal.

* [Register of Commission Documents - SWD\(2019\)29 \(europa.eu\)](https://ec.europa.eu/europeaid/press_corner/news/2019/191209_en.htm)

EIB Carbon Footprint Exercise

The project is included in the Carbon Footprint exercise on the following basis:

- Estimated annual emissions of project in a standard year of operation:
 - Forecast absolute (gross) emissions are 49 000 tonnes of CO₂ equivalent per year;
 - Forecast emission savings are 1 700 tonnes of CO₂ equivalent per year.
- The project boundaries are:
 - In the base case: the existing route along the national roads DK91, DK71 and DK72 connecting the village of Emilia and the towns of Zgierz, Aleksandrow Lodzki, Konstantynow Lodzki and Pabianice, as well as the western part of the inner ring of Lodz (DK91, DK72 and DK14);
 - In the "with project" case: the new S14 Lodz bypass section and connection to the Emilia hub in addition to the existing national roads sections accounted for the base case.



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The baseline is the forecast third party emission, in the absence of the project, from the existing network, only within the boundary defined above. The forecasts reflect the Services' assumptions on traffic, traffic growth, speed/flow, infrastructure capacity and fuel consumption.

For the annual accounting purposes of the EIB Carbon Footprint, the project emissions will be prorated according to the EIB lending amount signed in that year, as a proportion of project cost.

Social Assessment, where applicable

As the project is a "greenfield" investment, it requires new land-take along the entire alignment. The resettlement process started following the issuing of the ZRID decisions in 2015. It is estimated that approximately 1 592 land plots with a total area of 396 ha are necessary for the project implementation. It is foreseen that 377 objects are to be demolished, including 68 residential houses. At a time of appraisal all land plots were in a possession of the contractors. At the same time there is a number of appeals filed (124 plots or 7.8% of the total number) regarding the compensation level, which are currently under the administrative proceedings at the Ministry of Development, Labour and Technology. These proceedings do not affect the construction works and are being resolved on a case-by-case basis according to the law.

Inhabitants and drivers will benefit from improvements in traffic safety conditions. For people living alongside the currently heavily used National roads and streets crossing the communities, the project will provide for improvement in living conditions. This will be possible due to the diversion of transit traffic from the congested roads and its distribution between the existing inner bypass and the new expressway and increasing road infrastructure capacity and service levels. The project will improve the traffic safety situation due to the closing of open access to the expressway, constructing grade separated interchanges and providing emergency lanes. Road safety audits were elaborated at a design stage and will be carried out in accordance with the requirements of the EU and Polish legislation at pre-commissioning stage and after the first year of operation.

Public Consultation and Stakeholder Engagement

Extensive public consultation and stakeholder engagement during the different SEA, EIA and SEIA phases of the project permitting process has been organized in compliance with the requirements of the applicable legal framework. Prior to the public consultation meetings, information was made available through publication in local media and posting on information boards and webpages of the municipalities impacted by the development. The proposals and recommendations received during the consultations were properly dealt with before issuing the environmental decisions and development permits and in defining the technical requirements and solutions for the design. Although certain decisions have been appealed, the promoter does not foresee particular risk of delays because of the potential public dissatisfaction.

However, it cannot be excluded that new appeals will be raised during the remaining SEIA procedure. There are proper legal instruments foreseen in the legislation on how this process is managed in Poland. Prior to disbursement, the Bank will review the situation regarding the SEIA decisions and issuing of the construction permit(s) and, should this be the case, request the Borrower to provide a copy of the modified Development Permits (ZRID) or a statement that no change was made to the disputed ZRID decisions prior to the disbursement of the loan.



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Conclusions and Recommendations

The project is included in the National Road Construction Program 2014-2023, which was subject to a Strategic Environmental Assessment in 2015. The project falls under Annex I of EIA Directive 2011/92/EU, as amended, requiring a full EIA. Both stages of EIA procedures, including the issuing of Environmental Decisions and development permits (ZRIDs) are completed.

As further minor amendments to the SEIA decisions might be required and a number of complaints on the already issued ZRID were under review by the Minister at a time of appraisal, the Bank will request the Borrower to provide a copy of the modified Development Permits (ZRID) or a statement that no change was made to the disputed ZRID decisions prior to the disbursement of the loan.

The experience of the promoter in implementing similar projects and applying of risk management practices provide assurance on good governance. So far, the project procedures comply with the applicable EU and Polish legislation and are acceptable to the Bank.