

Environmental and Social Data Sheet

Overview

Project Name:	S7 EXPRESSWAY (GDANSK-WARSAW-KRAKOW)
Project Number:	20120672
Country:	Poland
Project Description:	The project consists of four components, all consisting of the construction of expressway, very largely on a new alignment, as follows: (i) 70 km of 2 x 2 expressway between Milomlyn and Napierki together with 13 km of adjoining 2 x 2 expressway (S51) between Olsztyn and Olsztynek; (ii) 54 km of 2 x 2 expressway between Radom and Skarzysko Kamienna; (iii) 42 km of 2 x 2 expressway between Checiny and the Malopolskie/Swietokrzyskie Voivod Border; and (iv) 5 km of 2 x 3 expressway between interchanges Igolomska and Christo Botewa outside Krakow.
EIA required:	Yes
Project in Carbon Footprint Exercise ¹ :	Yes

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

The project involves a mixture of road improvement and road construction in a largely rural environment. The works are to be performed on eight non continuous sections of expressway, 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 2008-2012 by the respective Competent Authorities in the four concerned regions. One of these EDs has subsequently been declared invalid and will need to be reissued prior to disbursement of EIB funds for the relevant works.

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 do not identify any significant negative effects on protected sites and species. A confirmation of these opinions (Form A/B) has or will be obtained from the respective Competent Authorities for Nature Conservation prior to disbursement for each section.

The main residual negative impacts of the project are: conversion and permanent loss of about 1,930 hectares of largely agricultural and forest land; additional noise, vibration and visual intrusion for certain properties; habitat and community severance; and the involuntary resettlement of about 205 households. The EDs specify a large number of mitigating measures including: restrictions during construction; installation of acoustic barriers; construction of small, medium and large animal crossings; drainage and wastewater treatment systems; re-plantation of greenery; construction of pedestrian facilities and access roads for local residents; as well as ex-post impact assessment. Furthermore, by redirecting long distance traffic away from villages and towns, many local communities will see an improvement in their local environment in terms of noise, vibration, severance and safety.

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.

Subject to the conditions outlined above, the project is acceptable from an environmental and social perspective.

Environmental and Social Assessment (supplementary information)

The project sections were previously included in the National Road Construction Program 2008-2012 and the Operational Program Infrastructure and Environment, 2007-2013, both of which were subject to a Strategic Environmental Assessment.

1. **Christo Botewa to Igolomska outside Krakow.** 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. The section was originally assessed as part of a bigger investment between Biezanow junction on the A4 motorway and Igolomska in which various alignment and junction options were explored. An EIA was prepared in 2005 resulting in a positive Environmental Decision (ED) in May 2007. The 2.5 km from Biezanow to Christo Botewa was subsequently constructed. A supplemental EIA was performed on the remaining section in 2012². A revised ED was issued in September 2012. There was an appeal by affected local and third parties against the issuance of the construction permit for the Vistula Bridge in relation to its impact on birdlife. However, the relevant authority upheld the earlier decision. The section is in the vicinity of two Natura (N2000) sites, Site of Community Important (SCI) Laki Nowohuckie PLH120069 and, further afield, Special Protection Area (SPA) Puszcza Niepolomicka (PLB120002). In July 2013, the Competent Authority for Nature Conservation confirmed his opinion that the project will not have a significant negative impact on these sites. The project also impacts two protected cultural properties for which the promoter has obtained the relevant authorizations.

2. **Voivod Border near Podchojny to Jdrzejow.** This entails the construction of 19.9 km of 2 x 2 expressway, largely by widening the existing alignment. An EIA was undertaken in 2007 examining various investment options. The disclosure and public consultation included a public hearing in May 2008 as a result of concerns being expressed by local residents. Further analyses were then performed and an initial positive ED issued by the Competent Authority in September 2008. As a result of changes in legislation at the end of 2008, this ED was revisited and a new positive decision issued by the new Competent Authority in March 2009. The 2009 ED specifies a large number of mitigants including access roads; drainage and wastewater treatment; acoustic screens; as well as two fauna overpasses and four fauna underpasses, both of medium size, to maintain ecological corridors of local significance. As a result of recent regulatory changes in permitted noise levels, further analysis of noise impacts is expected to result in a reduction in the quantum and height of acoustic screens specified in the 2009 ED. The Competent Authority for Nature Conservation has given his opinion, in the 2009 ED, that the impact of this section on protected sites (including N2000 sites SCI Ostoja Nidzianska PLH260003 and SCI Wzgorza Checinsko-Kieleckie PLH140019, both at least 8km from the road) is not significant. This opinion is to be reconfirmed prior to disbursement of EIB funds (Form A/B).

3. **Jdrzejow to Checiny.** This entails the construction of 21.5 km of 2 x 2 expressway, largely on a new alignment. An EIA commenced in 2006 with various alignment options being explored. All alignment options cross N2000 sites (SPA Dolina Nidy PLB260001, SAC Wzgorz Checinsko-Kielckie and SCI Ostoja Sobkowsko-Korytnicka), which cannot feasibly all be avoided. After assessment, most of the alignment options were determined to have significant impacts on N2000 sites and were therefore abandoned. Only the "no investment" scenario and the selected new alignment were therefore retained as options for deeper analysis. During the public consultation procedures, a public hearing was undertaken in June 2010 responding to several, often contradictory, concerns expressed by various parties in relation to local access as well as potential noise and disturbance impacts on local housing, nature conservation and cultural heritage sites. The Competent Authority determined that there was an overriding public interest in improving the road to expressway standard and that

² In accordance with Section 88 of Act of 3 October 2008 on providing access to information concerning the environment and environmental protection, participation of the public in environmental protection and on environmental impact assessments, the Competent Authority or promoter may require that a further supplemental EIA procedure be undertaken during the construction permit stage.

only the selected alignment would be compliant with the Habitats Directive. A positive ED was accordingly issued in September 2010 stipulating a large number of mitigating measures as well as requiring the promoter to perform a Supplemental EIA at the construction permit stage. A local NGO immediately appealed against the decision; however, in August 2013, the higher authorities (General Directorate of Environment (GDOS)) upheld the earlier positive ED.

4. Skarzysko-Kamienna to Voivod Border. This entails the construction of 7.6 km of 2 x 2 expressway, largely on a new alignment. An EIA was performed resulting in a positive ED in October 2008. In 2009, a new N2000 site, SCI Lasy Skarzynskie (PLH260011) was proposed and in 2011 was confirmed. This site lies close to the project alignment. The 2008 ED had not fully accounted for the impacts on the subsequently promulgated N2000 site and the earlier decision was recently declared invalid by the Regional Court. In the meantime, the promoter performed a new EIA fully accounting for the N2000 site (the alignment does not cross the site) and a new application for an ED has been submitted to the Competent Authority. A positive decision is expected later in 2013. The issuance of the new ED will be a condition of disbursement of EIB loan funds for this section.

5. Voivod Border to Radom Polnoc. 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. This section was initially subject to two separate EIA procedures, one for the Radom bypass and one for the balance. For the Radom bypass, several alignment options were considered, all of which had to cross the valleys of the rivers Radomka, Mleczna and Tymanka, which are ecologically sensitive and some of which are nationally protected. Public consultation during the procedure included a public hearing. The Competent Authority issued a positive ED for the bypass in January 2008. For the section end of Radom bypass to the Voivod Border, various alignment options were considered in 2005-2006. The selected alignment had the least impact on local communities although it does cross a number of important fauna migration routes. Public consultation during the procedure again included a public hearing. A positive ED was issued in May 2008 requiring several mitigating measures including three large animal under-passages. To reduce noise, the road was also to be built in a 6 metre deep trench for about 1.5 km in the vicinity of Sydlowiec. It subsequently became necessary to undertake a second EIA procedure on a 4.6 km part in the middle of whole section (Mlodocin-Mniejszy-Krogulcza-Sucha-Oronsko), roughly 2.3 km in the Radom bypass and 2.3 km in the balance section, with a further positive ED issued in February 2011. Almost throughout the whole section, supplemental EIAs have already been performed. Due to recent changes of noise regulation, supplemental EIAs are planned to be repeated to verify the scope of measures reducing noise.

6. Napierki to Nidzica. This entails the construction of 22.7 km of 2 x 2 expressway, very largely on a new alignment. During the EIA, the promoter considered three different alignment options plus the “do nothing” option. In early 2008, during the assessment itself, public meetings were held in affected communities, which identified important improvements to the finally selected alignment. In July 2009, a positive ED was issued by the Competent Authority, specifying, inter alia, a large number of mitigants including animal passages; measures to protect the locally sensitive aquifer; and measures to protect nationally protected local ecosystems. The decision was appealed by a local association but, in December 2009, the appeal was rejected by the relevant higher authority (General Directorate of Environment (GDOS)). At the request of the Competent Authority, a Supplemental EIA to refine the mitigation measure designs was carried out at the construction permit stage. In August 2013, the Competent Authority for Nature Conservation confirmed his opinion that the project will not have a significant negative impact on protected sites (Form A).

7. Olsztyn to 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. The EIA considered three options: an on line improvement and a new alignment, as well as the “do nothing” case. All options potentially impact two N2000 sites - SPA Dolina Pasleki (PLB280002) and SCI Rzeka Pasleka (PLH280006) – which due to their size/location cannot feasibly both be avoided (the River Pasleka runs perpendicular to the road alignment). The section is also close to a third N2000 site, SPA Puszcza Napiwodzko-Ramucka (PLB280007). An appropriate assessment was performed during the EIA which concluded that the on line improvement would not have a significant impact on protected areas and species. In addition,

during public consultation, local communities raised their strong objection to the new alignment option. In June 2009, the Competent Authority therefore gave his positive ED to the existing alignment option, requiring a large number of mitigants including construction restrictions, animal passages and wastewater management. At the request of the Competent Authority, a Supplemental EIA to refine the detailed design of mitigation measures is to be carried out at the construction permit stage. In August 2013, the Competent Authority for Nature Conservation confirmed his opinion that the project will not have a significant negative impact on protected sites (Form A).

8. Olsztynek to Milomlyn. This entails the construction of 38.9 km of 2 x 2 expressway, partly on a new alignment. Various alignment options were considered during the EIA. Two public hearings were performed in April-May 2008 as part of the formal public consultation in which further sub-variants were added at the request of various local parties. The existing road crosses the N2000 site SCI Dolina Drdwecy (PLH280001) and it is impractical to determine a new alignment which does not cross the site at least once without a large detour. In October 2009, a positive ED was issued by the Competent Authority adopting an alignment that minimised the impact on this N2000 site plus other environmentally sensitive locations as well as addressed local concerns on community severance, noise and cultural properties. The alignment still crosses the Drdwecy valley in three places; but these have been determined to have the least impact. In addition, the ED specifies a number of design and implementation controls to reduce impacts on the site. The current road, in an existing culvert, also hosts a hibernation site for the Barbastelle Bat, a species protected under Annex II of the Habitats Directive; special measures have been prescribed to mitigate impacts on this site. The Competent Authority, in his 2009 ED, stated his opinion that the project will not have a significant impact on protected areas. In August 2013, he confirmed his opinion that the project will not have a significant negative impact on these sites (Form A). Supplemental EIAs are to be carried out at the construction permit stage.

9. Ostroda Southern Bypass (DK16). This entails the construction of 8.7 km of 2 x 2 expressway on a new alignment as the southern bypass of Ostroda. The EIA was performed as part of a longer proposed investment totalling 13km stretching about 4km east to Stare Jablonki beyond the now planned investment. By shortening the scope of the project, the more environmentally sensitive area, entailing crossing the N2000 site SCI Dolina Drdwecy (PLH280001), is avoided. The retained section is close to, but avoids crossing, the N2000 site. During the EIA, four alignment options were considered along with the “no project” option. A public hearing was conducted as part of the EIA procedure in which local residents raised their concerns about potential impacts on severance, noise and community assets. To the extent deemed feasible, the Competent Authority took account of the comments in finalising the prescriptions in his ED dated November 2009. A Supplemental EIA is to be carried out at the construction permit stage. In August 2013, the Competent Authority for Nature Conservation confirmed his opinion that the project will not have a significant negative impact on protected sites (Form A).

All sections are expected to improve road safety through the separation of carriageways and grade separation of junctions. Road safety audits at various stages of design and pre-commissioning have been or will be performed in accordance with Polish legislation³.

All EDs provide for subsequent expansion of the sections from dual two lane to dual three lane carriageway cross section.

The project sections are not at any particular risk from climate change.

EIB Carbon Footprint Exercise

The project is included on the following basis:

- Estimated annual third party greenhouse emissions (vehicular use, from existing and generated demand) from the use of the project in a standard year of operation:
 - Forecast absolute (gross) emissions are 445 000 tonnes of CO₂ equivalent per year; and

³ 13 April 2012 Amendment to the Act on Public Roads and Certain Other Acts and Ordinance No. 42 of GDDKiA of September 3, 2009 on assessment of impact of road infrastructure projects on road safety and road safety audits.

- Forecast emissions increase is 34 000 tonnes of CO₂ equivalent per year. The project boundaries are:
 - Existing network comprising (i) DK75 and DK79 between Szarow junction on the A4 to the future Igolomska junction via Clo, 22 km, as well as Christo Botewa junction to future Igolomska junction via Tadeusza Sliwiaka and Zaglowa, 7 km; (ii) DK7 between Checincy and the Voivod border; Skarzysko-Kamienna to the Void Border; Voivod Border to north of Radom (Jedlinski), Olsztynek to Milomlyn, 157.5 km in all (iii) DK51 between Olsztynek and Olsztyn, 14 km (iii) DK16 and DK15 from the junction with DK7 to the future junction DK16/DK 15 west of Ornowo, 9 km in all.
 - In the “with project” case, the additional network comprising the 184 km as defined in paras 1-9 above, plus for the section Christo Botewa to Igolomska, 18.7km of access via A4 and S7 between junction Szarow and Christo Botewa.
- The baseline is the forecast third party emissions, in the absence of the project, from the existing network only within the project boundary defined above. The forecasts reflect the Services’ assumptions on traffic, traffic growth, speed flow, infrastructure capacity and fuel consumption. The absolute emissions forecast includes both the existing and additional network.
- 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

The project involves the expropriation of private and public land as well as the involuntary resettlement of 38 residential homes. Such expropriation is conducted in accordance with applicable national laws and regulations. Land acquisition is complete for the widening section and largely complete for the new section.

Other

The Bank’s Services propose to include the following loan conditions in the finance contract:

- For the first disbursement for which funds are to be applied in part to each section, an opinion of the Competent Authority for Nature Conservation on the expected impact of the section on protected areas and species (Form A/B).
- For the first disbursement for which funds are to be applied in part to each section, a copy of the approval of the Supplemental EIA performed at the time of the construction permit or evidence that no such Supplemental EIA is required.
- For the first disbursement for which funds are to be applied in part to the section Voivod Border to Skarzysko Kamienna, a copy of the Environmental Decision, expected later in 2013.