Warsaw, 5 October 2011

REGIONAL DIRECTOR
FOR ENVIRONMENTAL
PROTECTION
in WARSAW

WOOŚ-II.4201.2.2011.DŚ

DECISION ON ENVIRONMENTAL CONDITIONS

Pursuant to Article 71, section 2, paragraph 1, Article 75, section 1, paragraph 1 a, indent 2, Article 82 and Article 85, sections 1 and 2 of the 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 (Journal of Laws no. 199, item 1227 as amended, hereinafter referred to as EPA), and § 2, section 1, paragraph 29 of the Ordinance of the Council of Ministers from 9 November 2010 on projects with significant potential environmental impact (Journal of Laws no. 213, item 1397), in connection with Article 104 of the Act of 14 June 1960, the Code of Administrative Procedure (Journal of Laws of 2000, no. 98, item 1071, as amended, hereinafter referred to as CAP), after considering the application of 14 February 2011 from PKP Polskie Linie Kolejowe S.A., represented by Mr Jaroslaw Bodulski and conducting proceedings related to environmental impact assessment

I hereby determine

environmental conditions for the project entitled: "Modernization of railway line E75 Rail Baltica Warsaw–Bialystok–border with Lithuania, stage I. The Warsaw Rembertów–Zielonka–Tłuszcz (Sadowne) section" according to the investment variant I, and simultaneously;

1. I define:

1.1. The type and place of the project

The project is based on the construction of two tracks on the existing section of the railway line Zielonka–Wołomin Słoneczne and on the modernization of the existing line with its accompanying infrastructure over the section Warsaw Rembertów–Zielonka–Tłuszcz Sadowne, with a length of 31.271 km.

The analyzed lines in the project "Modernization of railway line E75 Rail Baltica Warsaw–Bialystok–border with Lithuania, stage I. The Warsaw Rembertów–Zielonka–Tłuszcz (Sadowne) section" are located within the territory of the Masovian Voivodeship, in the region of the districts of the capital city of Warsaw – districts: Targówek and Rembertów, as well as the Wołomin district – urban communes Ząbki, Zielonka, Kobyłka, Wołomin.

A description of the investment project can be found in the characteristics of the undertaking, constituting an attachment to this decision.

In the natural aspect, the area of the investment is partially within the boundaries of the Warsaw Landscape Protection Area. Furthermore, it is at a distance of about 0.7 km from the Natura 2000 area of Strzebla Błotna in Zielonka PLH 140040, 1 km from the Natura 2000 area Białe Błota PLH 140038, and 1.4 km from the Natura 2000 area Rembertów Testing Ground PLH 140034. The modernized line

runs mainly through single family residential developments and woodland, meadows, and unused terrain.

1.2. Conditions for the use of the land during the implementation and operation stages of the undertaking, with particular consideration of the need to protect precious environmental values, natural resources and historic buildings and to reduce the impact on the neighbouring areas:

1.2.1. The construction back-up facilities (machine park, materials base, and waste storage area) should be organised outside the Warsaw Landscape Protection Area (with the exception of the modernization of line 449), protected plant species areas, animal migration routes, bird nesting areas, and at a distance of a minimum of 50 m from sensitive areas in the perspective of the water environment as listed in point 1.2.6. Furthermore, these back-up facilities should be located on man-made areas at a distance that is as great as possible from residential development, outside the river valley and waterlogged areas, as well as outside areas with poor insulation of the main useful aquifer of underground water. If there is a necessity to place these facilities in an area with a high or very high degree of risk, a barrier ensuring tight insulation of groundwater is to be designed and applied.

1.2.2. Work constituting acoustic nuisance, including construction work using heavy equipment, within the boundaries of areas constituting animal migration corridors and areas protected against noise are to be executed during the daytime (from 6 a.m. to 10 p.m.).

1.2.3. Clearing of trees and bushes colliding with the undertaking should be carried out only where it is necessary and not during the bird nesting season, lasting from 15 March to 30 August.

1.2.4. The possibility for animals to migrate is to be guaranteed during the stages of operation and implementation of the investment (observance of migration corridors). Where it is possible, work related to construction of passages is to be executed first. Passages are to be cleared and maintained regularly.

1.2.5. During construction work, protection of the trunks, crowns, and root systems of trees predicted for adaptation and care for these trees is to be ensured. No access roads to the construction site, construction back-up facilities, or construction material storage areas should be located in the range of tree crowns. In particular natural monuments in the area of the railway line should be protected.

1.2.6. The following points are to be observed in river valleys and on land that is sensitive from the perspective of the water environment (tributary of the underflow from Rembertów km 9+724 on line 21; Długa River km 14+896 on line 6; irrigation ditch km 18+950 on line 6; irrigation ditch km 20+085 on line 6; Czarna River km 24+198 on line 6; water reservoirs km 15+500 to 16+700 on line 6):

1.2.6.1. Liquidation of river bank plant life near the above water objects should be conducted outside the vegetation season, and earth work in the area of the bank should be executed during the autumn-winter period directly after inspection of the terrain, and in the case where animal evacuation is necessary – immediately after its conclusion.

1.2.6.2. Work related to the construction of bridges and culverts should be conducted so as to limit silting up or pollution of water in the underflows to the minimum required by the given technology.

1.2.7. Environmental supervision is to be ensured, with particular consideration of environmentally precious areas, such as: national and regional migration corridors, regional forms of environmental protection, priority habitats, underflows, woodland. In the case where protected animal species are identified in the area of the investment, they are to be evacuated from the construction site immediately. In the case where administrative decisions are issued in the scope of species protection, their execution is to be supervised. Environmental supervision is to include matters specified in the terms of this decision and inspection of the area for the presence of protected species before the realization of construction, especially the inspection of execution of work so as not to allow the liquidation of waterlogged land and the destruction of nests during justified clearing of trees.

1.2.8. All work is to be conducted with the use of technically operational equipment that is used and maintained correctly, with a low level of acoustic and fume emissions and without fuel or lubricant leaks.

1.2.9. The work plan should be elaborated and implemented so that devices emitting noise with a high

intensity do not operate simultaneously near areas of residential development and so that the use of construction equipment and means of transport is optimized (e.g. through the minimization of redundant journeys of vehicles).

1.2.10. The effects of secondary dusting should be limited during the execution of construction work by maintaining a high work culture, particularly: systematic cleaning of the construction site and sprinkling with water (as needed), limitation of the speed of vehicles in the construction area, careful loading of loose materials onto vehicles, covering of loading boxes of vehicles transporting loose materials with planks (also applies to earth from excavations).

1.2.11. The soil is to be used economically, in a way ensuring protection of the ground and water environment; no unfilled excavations should remain; earth from excavations, rubble, and waste should not be left on the route of surface water runoff. Removal of the upper layer of soil beneath the depth of the level of the subterranean main useful aquifer should be avoided, with the exception of tunnel and building construction;

1.2.12. All prohibitions and prescriptions established for intermediate protection areas in the area of water sources are to be observed.

1.2.13. The introduction of heavy equipment into underflow beds during the modernization and widening of bridges is to be avoided. The conducted work must not affect the natural character of the watercourses; these must be protected against pollution and becoming buried or narrowing of their beds.

1.2.14. Sanitary waste created during the implementation stage of the undertaking is to be accumulated in mobile tanks with no drainage and taken by appropriate vehicle to a dumping point leading to the sewage treatment plant or directly to the sewage treatment plant.

1.2.15. An efficient system for draining the railway subgrade, engineering structures, and buildings is to be used. During the operational stage, patency of drainage, wells, and other sewage devices, as well as of subgrade drainage ditches, is to be maintained; systematic inspections of devices ensuring the reliability of operation of the horizontal draining system and of ditches draining the subgrade are to be conducted; the settling tanks of cumulating wells and settling tanks for general suspensions are to be systematically emptied of the sediments accumulated therein.

1.2.16. The construction site and construction back-up facilities are to be equipped with agents for neutralizing petroleum derived substances. In the case of emergency pollution of the ground with the above substances, it is to be collected immediately and given for utilization to an entity possessing appropriate authorization in this scope. Petroleum derived substances from polluted hardened surfaces are to be collected using the appropriate sorbents and given for utilization as above.

1.2.17. The execution of construction work should be organised so that waste created on the construction site is sorted in an ongoing manner and protected. Worn out wooden railway sleepers considered to be hazardous waste should be transferred for utilization to an authorized company.

1.2.18. Construction sites and technical and social back-up facilities are to be equipped with containers ensuring selective accumulation of waste depending on its type and the possibilities for further management or processing.

1.2.19. Non-hazardous waste in the form of construction rubble and soil should be used (e.g. for ground levelling) or transferred to authorized recipients. Waste created during earthwork is to be managed only when it is not polluted with hazardous substances.

1.2.20. Hazardous waste is to be accumulated in closed, tight, and marked containers – resistant to the effects of the constituents of the waste placed within them – located in a designated, fenced, and covered place with a hardened surface and protected against the effects of atmospheric conditions. Waste is to be transferred to authorized recipients, and the storage area for hazardous waste is to be marked and protected against unauthorized access and animals.

1.2.21. Waste plant mass – green parts, bark, branches, and roots – are to be shredded and directed to composting if possible.

1.2.22. Work related to the temporary removal of a soil layer and the execution of embankments or excavations is to be executed in stages.

1.2.23. The soil layer removed from the work strip must be properly deposited and re-used for land reclamation after the completion of work.

1.2.24. After work is concluded, the land of the investment is to be brought into order and restored to a state of natural functionality, cleaned, appropriately formed, and recultivated.

1.2.25. An inventory of buildings and objects predicted for demolition due to the presence of asbestos is to be taken. If asbestos is present, demolition work is to be entrusted to an authorized company.

1.2.26. The construction area is to be fenced, supervised, and marked with signs containing information

on the hazards present in its vicinity.

1.2.27. The areas designated for the base stations of the GSM-R radio communication system are to be fenced and protected against unauthorized access.

1.3. Environmental protection requirements to be included in the documents required for the issuing of the decision referred to in art. 72, section 1 of the EIA Act:

1.3.1. Acoustic protection is to be designed as non-transparent, and if necessary, it may have a transparent construction with 2 cm wide vertical strips glued every 10 cm, with a colour contrasting with the surroundings. A non-transparent beam with a height of 10 cm is to be placed at the upper edge of the screen.

1.3.2. Draining devices, especially ditches alongside the railway, are to be designed so that they are not traps for animals (grassy drainage ditches with the use of protection in the form of Gara or Slovakian troughs, and with tight drainage systems).

1.3.3. The following is to be performed in the scope of passages for animals:

1.3.3.1. The bridge over the Długa River, km 14 + 896 of line No. 6, is to be adapted to the parameters for a passage for small animals by means of equipping the bridge with a dry shelf of a minimum width of 0.5 m.

1.3.3.2. A passage for medium-sized animals is to be designed on the grounds of the Warsaw Landscape Protection Area, between km 16+200 and km 17+000 of line No. 6, with the following minimum parameters: width 5 m, height 2.5 m.

1.3.3.3. The culvert at km 18+950 is to be adapted to the parameters for a passage for small animals, with the minimum dimensions: width 1,5 m, height 1.5 m, with a dry shelf of a minimum of 0.5 m on one side.

1.3.3.4. The culvert at km 20+085 is to be adapted to the parameters for a passage for small animals, with the minimum dimensions: width 3 m, height 1.5 m, with a dry shelf of a minimum of 0.5 m on one side.

1.3.3.5. Dry shelves are to be used where it is possible to shape them using the natural banks of the riverbed, but where this is impossible, the installation of concrete shelves is allowed.

1.3.4. In areas with a high or very high level of risk to underground water, strengthened ditches (Gara or Slovakian ditches) or tight drainage systems are to be designed in order to safeguard the main useful aquifer against pollutants during exploitation and to safeguard the water quality of reservoir GZWP 222, which has poor insulation from the ground surface.

1.3.5. Tight drainage leading to a drainage system or petroleum derivate separators is to be designed on reinforced concrete bridge structures using open channels near the tracks so as to protect underflows against direct permeation of petroleum derivative substances, including the railway bridge at km 14+896, with a reinforced concrete structure.

1.3.6. An acoustic screen is to be predicted for realization, with its location and parameters found in the table below. It is to be made from elements characterized by a high surface density so as to minimize the phenomenon of the creation of a secondary acoustic wave as a result of the passage of a train, with that the possibility for lowering the screen has been provided for under the condition of making an awning of so-called octagons, installed on the upper edge of the screen. Additionally, in locations where railway crossings are to be liquidated, connections between the acoustic screen described in this decision and screens realized within the framework of other undertakings on the given railway line are to be designed.

Table: Location and parameters of the acoustic screen – line No. 6

Screen	Line No.	from km	to km	length L_b [m]	height H_b [m]	Side of the line	Type of development
E6/1	6	19+150	19+450	300	5.0	right	two-storey, compact

1.3.7. For the purpose of protecting underground and surface water, the possibility for permeation of pollutants is to be limited. The use of the appropriate safeguards, e.g. in the form of tight walls limiting the inflow of groundwater to the above objects and excavations, is to be predicted during the construction or modernization of engineering objects and especially during work related to deep excavations.

2. **Waiver of the requirement to carry out the environmental impact assessment as part of the procedure on the issuing of the decision referred to in Art. 72, section 1 of the EIA Act.**

3. **I hereby impose the obligation of executing a post-realization analysis in the form of control measurements in the scope of noise level by a deadline of 12 months from the day of commissioning of the objects for exploitation and presentation of its results to the appropriate organ by a deadline of 18 months from the day of commissioning of the objects for exploitation, for the purpose of assessing the effectiveness of the applied solutions for environmental protection.**

   Measurements are to be taken according to valid regulations in the vicinity of the objective line segment, at the points indicated in the table below:

Point number (numbering according to the numbering of points on the acoustic isoline map for Variant 1 – RDEP –	Line number	Kilometre	Page
A1	6	20 + 450	Right, at the level of the single family residential development area with services
A2	6	19 + 300	Right, at the level of the single family residential development
A3	449	21 + 000	Right, at the level of the single family residential development
A4	6	18 + 100	Right, at the level of the single family residential development
A5	6	18 + 400	Left, at the level of the multi-storey residential development area

JUSTIFICATION

On 9 March 2011, the Regional Director for Environmental Protection in Warsaw received the application of the PKP Polskie Linie Kolejowe S.A. enterprise, represented by its attorney – Mr Jaroslaw Rodulski, dated 14 February 2011, for the issuance of a decision on environmental conditions for the undertaking named: "Modernization of railway line E75 Rail Baltica Warsaw–Bialystok–border with Lithuania, stage I. The Warsaw Rembertów–Zielonka–Tłuszcz (Sadowne) section".

Pursuant to Article 75, section 1 pt. 1 letter a indent 2 of the EIA Act, the organ with jurisdiction for issuance of a decision on environmental conditions is the Regional Director for Environmental Protection in Warsaw. Pursuant to Article 78, section 1 a, indent two of the EIA Act, the opining organ is the National Voivodeship Sanitary Inspector in Warsaw. The Regional Director applied for the above opinion with the letter from 31 March 2011, ref.: WOOŚ – II.4201.2.2011 l.DŚ. The Voivodeship Sanitary Inspector in Warsaw, in the letter from 4 May 2011, ref.: ZNS.7123-554-1/11.DB, gave a positive opinion on the conditions for the realization of Variant No. 1 of the above undertaking, with reservations considered in the wording of this decision in points 1.2.26. and 1.2.27., as well as in points 1.2.2, 1.2.8., 1.2.14., 1.2.16., 3., in which the conditions of the Voivodeship Sanitary Inspector are compliant with the conditions of the Regional Director for Environmental Protection in Warsaw.

The type, technical parameters and the range of the potential environmental impact of the undertaking being the object of this decision demand that the project is classified in the group of undertakings referred to in § 2, section 1, paragraph 29 of the Ordinance of the Council of Ministers from 9 November 2010 on projects with significant potential environmental impact (Journal of Laws no. 213, item 1397).

The Regional Director for Environmental Protection in Warsaw has considered all the material evidence collected in relation to this matter during the proceedings aimed towards the issuance of this decision, including:

1)the application for the issuing of the decision on the environmental conditions with attachments;
2)the power of attorney dated 27 January 2011, No. lRRK25/2b-0814-TEN-T-2a/2011/12, for Mr Jaroslaw Bodulski;
3)copies from the land register including the areas on which the undertaking will be realized and those including the area affected by the undertaking (with a list of plots);
4)copies of reference maps for the area within which the project will be implemented and the area on which it will have impact;
5)environmental impact report for the project named: "Modernization of railway line E75 Rail Baltica Warsaw–Bialystok–border with Lithuania, stage I. The Warsaw Rembertów–Zielonka–Tłuszcz (Sadowne) section," with supplements elaborated by the Scott Wilson Sp. z o.o. Company;
6)a sanitary opinion of the Voivodeship Sanitary Inspector in Warsaw from 4 May 2011, signature: ZNS.7123-554-1/11.DB;
7)applications of the sides of the proceedings and the general public pertaining to the investment being the subject of this decision.

The report includes an analysis of the effects of abandonment of the undertaking and two variants for locations of its realization: Variant I – based on the construction of two additional tracks on the northern side of the existing tracks, and Variant II on the southern side of the existing tracks.

The route of the line generally runs from the southwest to the northeast on the section Warsaw Rembertów–Tłuszcz Sadowne. The investment runs in parallel to the existing railway line, in its direct vicinity, through the areas of districts of the capital city of Warsaw – Targówek and Rembertów, and the communes: Ząbki, Zielonka, Kobyłka, and Wołomin.

After an exhaustive analysis of the course of individual variants and the assessment of environmental, social, and economic conditions, Variant I was selected for realization – construction of additional tracks on the northern side of the existing tracks, due to the smaller land occupancy as compared to Variant II, and as a result, a smaller area to be cleared of trees, a smaller amount of buildings to be demolished, and a smaller amount of waste and air pollution, a shorter time of realization of the investment, and a smaller number of social conflicts.

The solution based on abandonment of the undertaking was rejected because it does not ensure the necessary improvement of traffic capacity of the line and quality of railway connections; neither does it improve the fluidity and safety of traffic. Abandonment of the realization of the investment will cause an increase in the share of road transportation in the area of Warsaw, which will result in an increase in environmental impact due to the use of a more environmentally burdensome form of transport, which is car transport.

In order to minimize the impact of the undertaking on the environment, a series of conditions for its realization have been indicated in the wording of this decision, pertaining to the use of the land during the implementation and operational phase of the undertaking, as well as to requirements necessary for consideration in the construction design. If these conditions are observed, the planned undertaking should not significantly impact the environment in a negative way.

For the purpose of protecting underground water against pollution and in order to exclude the possibility of negative impact on the natural environment, the condition described in point 1.2.1. of this

decision was introduced.

For the purpose of limiting acoustic nuisance in areas of amphibian, reptile, bird, and mammal breeding and habitation and for excluding the possibility of startling animals and to make it possible for animals to migrate by means of ecological corridors, the condition described in point 1.2.2. of this decision was introduced.

The condition described in point 1.2.3. of the decision has the purpose of protecting birds' nests, eggs, and clutches.

In order to maintain animal migration in the diagnosed corridors during the implementation stage of the undertaking, the necessity of building passages for animals first has been indicated in point 1.2.4. of the decision. For the purpose of the correct functioning of the passages, conditions pertaining to their maintenance were specified.

The condition described in point 1.2.5. of the decision was introduced in order to limit the impact of the investment on the existing forest stand during the stage of its implementation, and conditions pertaining to work in the area of trees assigned for replanting or remaining.

For the purpose of protecting biotic elements present at the place of execution of work during the stage of implementation of the undertaking, including ensuring the ability for animals to escape from the area of the investment and protection of the habitat environment of water organisms, the conditions of point 1.2.6. of the decision were introduced.

The condition described in point 1.2.7. of the decision was introduced for the purpose of protecting animals and their habitats during the implementation stage of work. The necessity for realizing work under environmental supervision was indicated, which, if necessary, will ensure that terrain diagnosis will be conducted from the angle of the possible necessity for moving individuals. Environmental inspection will limit animal fatalities and minimize losses in habitats and protected plant species. The prohibition of liquidating waterlogged land has the purpose of protecting environmentally precious habitats.

In order to limit possible collisions of birds with the structures of acoustic screens, point 1.3.1. of the decision specifies the admissible form and type of screens.

In order to protect animal life, point 1.3.2. of the decision orders the realization of road drainage devices so that they are not traps for animals.

To maintain the animal population and genetic exchange, it is necessary to maintain animal migration in diagnosed corridors. In relation to the above, point 1.3.3. of the decision proposes modernization of existing objects and the construction of a new object enabling animal migration. The construction of a new passage is necessary due to the fact that the forest complex on the northern side of the designed railway line, between Glinianki and the development of the village of Kobyłka, is used as an animal migration route. This is the last undeveloped place connecting two large forest complexes on the northern and southern side of the railway line. In order to maintain local migration of medium-sized animals such as deer and wild boar, the parameters of the passages were specified.

For protection against noise and air pollution from the combustion engines of operating machines and devices as well as means of transport, and for protection against secondary dusting and ground vibrations caused by exploitation of roads by heavy vehicles during the construction of the investment, conditions as described in points 1.2.8., 1.2.9., 1.2.10. of the decision were imposed.

For the purpose of protecting areas susceptible to pollution of surface water and shallowly located underground water, and for the purpose of protecting water sources, conditions were imposed as described in points: 1.2.11., 1.2.12., 1.2.14. and 1.2.15. of the decision and requirements were specified as described in points: 1.3.4., 1.3.5. and 1.3.7. of the decision were imposed. The prohibition of leaving

unfilled excavations after work has the purpose of avoiding the creation of temporary retentive reservoirs of water from precipitation and melting, directly infiltrating to underground water.

In order to protect underflows against pollution and unfavourable morphological changes of their beds, the condition described in point 1.2.13. of the decision was established.

In order to protect the ground and underground water against pollution from ground level, related to the possibility of substances susceptible to water migration to escape from the construction site (including petroleum derivative substances), conditions as described in point 1.2.16. of the decision were imposed.

In order to maintain the correct sanitary quality of the environment within the area of the investment, protect the construction site and its vicinity against litter and pollution of the ground and water environment with waste, including hazardous waste, and also for the purpose of protection against asbestos dust, which can appear in the case of building demolition, the conditions described in the following points were imposed: 1.2.17., 1.2.18., 1.2.19. 1.2.20., 1.2.21. and 1.2.25. of the decision.

In order to make it possible to reuse the soil, conditions as described in points 1.2.22. and 1.2.23. of the decision were imposed.

Cleaning and restoring the area of the investment to a state of natural functionality after the conclusion of work will protect the nature and landscape of the area.

In order to protect humans against possible hazards related to the construction of the undertaking and against the possible effects of staying in an area with increased electromagnetic field values near GSM connectivity devices, the conditions of points 1.26. and 1.27. of the decision were imposed.

In order to ensure the observance of admissible noise intensity values during the exploitation of the undertaking in acoustically protected areas, the Investor has been obligated to execute an acoustic screen (point 1.3.6. of the decision). Simultaneously, in relation to the lack of practical possibilities to measure the noise generated by the working line, in order to confirm or specify the results of forecasts pertaining to the acoustic environment and to verify the actual acoustic impact of the planned undertaking and assess the effectiveness of the applied screens – the Investor has been charged with the obligation to execute a post-realization analysis (point 3 of the decision), the results of which will enable possible correction of the location and parameters of the above screens and their connection with each other so as to ensure the best possible protection of areas neighbouring the railway line.

The data on the matter of the undertaking available as of the issuance of this decision, including data on its type and nature, relations to other undertakings – the accumulation of acoustic influences from railway line No. 6 and Niepodległości Avenue in the territory of Wołomin, as well as the possibilities of impact on areas requiring special protection due to the presence of plant and animal species or their habitats, including Natura 2000 areas and other forms of environmental protection, makes it possible to sufficiently assess the impact of the undertaking being the object of this decision on the environment. In relation to the above, the imposition of the responsibility of assessment of the impact of the undertaking on the environment during the stage of obtaining a decision for the realization of the investment is withdrawn (point 2 of the decision).

Pursuant to Article 10 § 1 of CAP, the authority conducting the proceedings has ensured the Parties' active participation in every stage of the proceedings and, prior to the issuing of the decision, allowed them to express their opinions on the collected evidence, materials and claims. Pursuant to Article 49 of the CAP and Article 74, section 3 of the EIA Act, the Parties were advised of the decisions and other actions undertaken by the authority conducting the proceedings through appropriate announcements. Announcements were placed on the bulletin board of the Regional Directorate for Environmental Protection in Warsaw and in the offices of districts of the capital city of Warsaw: Targówek and Rembertów, as well as the offices of communes: Ząbki, Zielonka, Kobyłka, and Wołomin, as well as in the Public Information Bulletin of the Regional Directorate for Environmental Protection in Warsaw.

The body conducting the proceedings provided the possibility of the public's participation in the proceedings as part of which the report concerning the environmental impact of the undertaking was made. Pursuant to Article 33, section 1, paragraph 1–4 of the EIA Act, the body conducting proceedings on the assessment of the environmental impact of the investment made public information on the commencing of proceedings and assessment of the impact of the above undertaking on the environment, the subject of the decision to be issued, the body with jurisdiction for issuing the above decision, and the body appropriate for issuing the decision. The application for issuance of a decision on environmental conditions and the report on the impact of the undertaking on the environment was placed in a list of data on documents containing information on the environment and its protection that was accessible to the public. Pursuant to Article 33, section 1, paragraph 5–8 of the EIA Act, the body conducting proceedings made public information on the possibility of becoming acquainted with the necessary documentation on the matter and of submitting comments and applications by the **deadline "21 days for the public": that is, from 20 June 2011 to 11 July 2011**, as well as information on the place for submitting applications and the body responsible for their consideration. Announcements on the matter in question were placed on the bulletin board of the Regional Directorate for Environmental Protection in Warsaw and in the offices of districts of the capital city of Warsaw: Targówek and Rembertów, as well as the offices of communes: Ząbki, Zielonka, Kobyłka, and Wołomin, as well as on the website and in the Public Information Bulletin of the Regional Directorate for Environmental Protection in Warsaw.

Comments and applications regarding the realization of the undertaking were submitted within the deadline established by the body by the Lepszy Rembertów Association. They have been presented in the table below:

Method of using the submitted comments and claims:

No.	CONCLUSIONS AND	POSITION OF THE AUTHORITY
1.	**Lepszy Rembertów Association – letter from 11 July 2011 (date of receipt 11 July 2011)**	
	Application for specification in the decision on environmental conditions for the investment of platform locations of Mokry Ług station on a longer section than in the given point location at km 17+200 – allowance of the station from about km 16+750 to km 17+400.	The application was not taken into account. The application does not pertain to proceedings on the matter of issuing a decision on environmental conditions. As results from the information possessed by the organ – the system of platforms at Mokry Lug station has been proposed so as to best connect new platforms with the bus loop. Pedestrian traffic between platforms will take place through a category B crossing (half barriers with light signalling). Moving of the platforms would be related to the lengthening of traffic routes between platforms or the necessity of constructing an underground passage for pedestrians.

Considering the conducted assessment of the environmental impact of the undertaking, including impact on Natura 2000 areas and the conditions minimizing the impact of the undertaking on the environment presented in the decision, it can be stated that the planned investment will neither negatively impact the environment, including the aims and entities of Natura 2000 protected areas and their integrity nor the cohesion of the entire network.

In view of the above, it was resolved as set forth in the decision.

Instruction

This decision is subject to appeal, through the Regional Directorate for Environmental Protection in

Warsaw, to the General Director for Environmental Protection, within 14 days from the date on which this decision is delivered.

Annex:

1. Project Description

Cc:

1. Proxy – Mr Jarosław Bodulski,
   Scott Wilson Sp. z o.o. 17 Rejtana
   Street 02-516 Warsaw,
2. Parties to the proceedings – as per Article 49 of CAP,
3. to file

Warsaw, 5 October 2011

REGIONAL DIRECTOR
FOR ENVIRONMENTAL
PROTECTION
in WARSAW

WOOŚ-II.4201.2.2011.DŚ

Attachment to the decision on environmental conditions.

Description of the project according to Article 82, section (3) of the Act on Providing Access to Information concerning the Environment and Environmental Protection, Participation of the Public in Environmental Protection and on Environmental Impact Assessments (Journal of Laws No. 199, item 1227, as amended).

The planned undertaking, based on the modernization of railway line E75, is included in actions resulting from the realization of the second main priority *National Development Strategy 2007–2015,* by improving the state of technical infrastructure by optimizing and raising the quality of the national system of transportation with consideration to the costs of external transport activity sustained by the public and the economy. Considering the broad matter of the influence of transport on the environment, the exploitation of the modernized line will have a positive impact on the state of the environment – rail transport is significantly more environmentally-friendly than car transport.

1. Project location

The analyzed lines entering into the project "Modernization of railway line E75 Rail Baltica Warsaw–Bialystok–border with Lithuania, stage I. The Warsaw Rembertów–Zielonka–Tłuszcz (Sadowne) section" are located within the territory of the Masovian Voivodeship. Table 1 presents the location of land through which the analyzed lines run in the administrative aspect.

Table 1. List of districts as well as quarters and communes in which the analyzed investment is located

Line No.	District	Quarter/Commune
21	the Capital City of Warsaw	Warsaw – Targówek quarter
	Wołomin	urban commune Ząbki urban commune Zielonka
449	the Capital City of Warsaw	Warsaw – Rembertów quarter
	Wołomin	urban commune Zielonka
6	Wołomin	urban commune Zielonka urban commune Kobyłka urban commune Wołomin

2.Technical solutions

Modernisation and construction work based mainly on the construction of an additional two tracks on the northern side of the existing tracks on the section Zielonka–Wołomin Słoneczne (line No. 6) and additional accompanying elements will be realized within the framework of the analyzed undertaking.

Work will be based mainly on:

- the construction of an additional two tracks on the northern side of the existing tracks on the section Zielonka–Wołomin Słoneczne (line No. 6) for the purpose of improving the traffic capacity of the above section;
- regulation of tracks arriving at Zielonka station on line No. 21;
- modernization of track systems, including replacement of the pavement, correction of geometric systems, redevelopment of turnout heads on line No. 449 at the place of arrival of the line to the station at Zielonka;
- redevelopment of junctions at the rail level on the section Zielonka–Wołomin Słoneczne to multi-level junctions, improving safety on the railway line.

The analyzed project applies to lines No.: 6, 21 and 449.

Lines in the following branches will be modernized and developed within the framework of the planned undertaking:

Track systems

In the case of lines No. 6, 3 and 4 tracks will be constructed on the northern side on the Zielonka–Wołomin Słoneczne section. The new tracks will run on the northern side of the existing railway line, and their length will amount to about 9.3 km.

In the case of line No. 449, the track system at the place of the line's arrival at the station in Zielonka and turnouts at the run to Warszawa Rembertów station will be modernized (eastern station head – construction of three turnouts).

In the same transport corridor, parallel to the analyzed newly constructed section of line No. 6, the E75 railway line has been led (line No. 449 also enters into this line). A decision on environmental conditions from 6 October 2009 has been issued for this line by the Regional Director for Environmental Protection in Warsaw, so the scope of work in this attachment for lines No. 6 and 449 predicts only such elements that do not enter into the above decision.

Replacement of pavement, correction of geometric systems, and changing of the track grade line is not predicted for line No. 21 in relation to the modernization of railway line No. 21, made in the years 2007–2009. Only regulation of tracks on arrival at the station in Zielonka is predicted.

Subgrade

A two-layer protective layer will be applied:

- 15 cm layer of key aggregate with modulus Ek = 250 MPa, directly under the broken stone bed, mechanically stabilized;
- 20–30 cm layer of stone mix with modulus En = 150 MPa, directly under the broken stone, mechanically stabilized (in the case where the assumed deformation modulus is not achieved – stabilization with cement 8–10 kg/m^2).

At certain locations, geotextiles and geomeshes will be additionally applied.

Engineering facilities

The following elements will be made in the scope of engineering facilities:

- passages under tracks with exits adapted for persons with limited capability of movement,
- widening of the reinforced concrete railway bridge,
- demolition of existing culverts and construction of new culverts in the place of existing culverts,
- lengthening of existing culverts.

Buildings

The following activity will be realized in the scope of buildings:

Line no. 6:

- Zielonka station km 14+700 – demolition of the existing platform – construction of 1 single-edge platform and one double-edged platform, both with a height of 0.76 m and length 200 m;
- Kobyłka Ossów station km 17+673 – demolition of the existing platform, and in its place, construction of 1 double-edged platform with a height of 0.76 m and length 200 m in the new location;
- Kobyłka station km 19+562 – demolition of the existing platform, and in its place, construction of 1 double-edged platform with a height of 0.76 m and length 200 m in the new location;
- Wołomin station km 21+474 – demolition of the existing platform – construction of one single-edged platform and one double-edged platform, both with a height of 0.76 m and length 200 m;
- Wołomin Słoneczne station km 22+910 – demolition of the existing platform, and in its place, construction of one doubled-edged platform with a height of 0.76 m and length 200 m;
- construction of a new building for an automatic control room (with the capability of emergency control of railway traffic) at Zielonka and Wołomin stations.

Line no. 449:

- construction of a new passenger station for Mokry Ług km 17+200, two single-edged platforms with a length of 200 m and height 0.76 m

Line no. 21:

- construction of a new passenger station for Warszawa Stalowa km 1+425 (integrating junction), scope: construction of 2 new platforms with the length of 200 m and height 0.76 m; providing elements of platform equipment (awnings over exits, umbrella roofs, benches); facilities for persons of limited movement capability (touch paths, access ramps, information screens, road signs, etc.);
- construction of a new passenger station for Warszawa Zacisze km 3+760, two single-edged platforms with a length of 200 m and height 0.76 m provided with umbrella roofs, benches and facilities for persons of limited movement capability (touch paths, access ramps, information screens, road signs, etc.);
- modernization of the platform of Ząbki station 6+642 (demolition of the existing platform and construction of a new platform with a length of 200 m and height 0.76 m);

Network power supply and the contact line

The full scope of modernisation of the energy line for non-contact line needs is predicted for line No. 6 from km 14+254 to km 23+825 as well as the electrification of the newly constructed 3 and 4 tracks on the section Zielonka–Wołomin Słoneczne. Modernisation is also being planned in the framework of non-contact line electricity up to 1 kV – these are mainly turnout heating systems (Zielonka and Wołomin stations) – EOR boxes (stations: Zielonka and Wołomin) – lighting of Zielonka and Wołomin stations.

Control of Railway Traffic (SRK)

On the route of line No. 6 Zielonka–Tłuszcz, due to the low evaluation of the technical state of the exploited devices, a series of line devices for the control of railway traffic will be modernized. During modernization, the existing surface development of devices in the railway area and additionally, the land predicted for the development of the third and fourth track on the section Zielonka–Wołomin Słoneczne, will be used.

In stations of the modernized line section, the modernization of SRK devices will be carried out within the framework of new structures (new control stations will be built).

Telecommunications

The construction of a GSM-R radio communication system will be realized on all lines included in the scope of the project
(lines No. 6, 21, 449). Base stations (BTS) of the railway radio communication will be located
at appropriate intervals in order to ensure GSM signal coverage at the appropriate level over the entire modernized
section.

Road systems

In the scope of roads, the following activities will be undertaken (line No. 6):

- liquidation of the intersection and construction of a road tunnel at km 14+379 (Zielonka) with retaining walls on access routes in the course of Kolejowa Street;
- liquidation of the intersection at km 17+566 (Kobyłka Ossów) and construction of a road overpass at km 17+243 in the course of Projektowana and Poniatowskiego Streets with access roads; construction of new streets: Światowida and Projektowana Streets – with a total of about 500 m; construction of access routes to road overpasses. All roads will have parameters as appropriate for class G roads;
- liquidation of the intersection at km 19+471 (Kobyłka) and construction of a road tunnel at km 19+158 in the course of Orszagha Street with access roads (in total, about 500 m of new streets, construction of an access road to the tunnel limited by retaining walls, roads will have parameters appropriate for class Z roads);
- liquidation of the intersection and construction of a road tunnel at km 20+952 (Wołomin) in the course of Przejazd Street;
- liquidation of the intersection and construction of a road tunnel at km 23+072 (Wołomin) in the course of Niepodległości Avenue.

Parking, access roads, and roads in urban areas and other roads with a street cross-section will be drained by means of street sewer wells, with rainwater being led off to the designed sewer system located in the road lane. The sewage system will be built from plastic pipes.

Street sewer wells with settling tanks will be constructed for draining rainwater from the roads.