

MAŁOPOLSKIE VOIVODE

SR.III.SZy.6665-1-24-06

Cracow, 25 May 2007

DECISION**ON ENVIRONMENTAL CONSIDERATIONS OF THE CONSENT TO
IMPLEMENT THE PROJECT**

Based on 46a(7)(1)(a), Article 56 the Environmental Protection Law Act of 27 April 2001 (Journal of Laws, No. 62 item 627 as amended), in connection with § 2(1)(29) of the Ordinance of the Council of Ministers on determining the kinds of project that may have a considerable impact on the environment and on the detailed conditions related to qualifying a project for an environmental impact report of 9 November 2004 (Journal of Laws No. 257, item 2573 as amended), and Article 104, Article 107 and Article 108 of the Act on the Administrative Procedure Code of 14 June 1960 (Journal of Laws of 2000, No. 98, item 1071 as amended),

u p o n c o n s i d e r a t i o n o f

the application of 27 February 2006, reference: Mosty 2006/02/00853, submitted by Mosty Katowice Sp. z o.o., 40-555 Katowice, 12 Rolna Street, operating on behalf of the Investors (based on the power of attorney no. 142/2005 of 18 November 2005), i.e. the Cracow Urban Commune – represented by the Mayor of Cracow (based on the power of attorney no. 486/2005 of 25 November 2005) – and the General Directorate for National Roads and Motorways, Cracow Branch, for a decision on environmental considerations for the project under the name: *Construction of the S7 expressway in the City of Cracow from the Bieżanów junction to the Igołomska–Ptaszyckiego junction (known as the Nowohucka Route)*,

I h e r e b y s t a t e t h a t

- 1. No local spatial development plan has been established for the area specified in the application.**
- 2. I agree that the Cracow Urban Commune – represented by the Mayor of Cracow – and the Cracow Branch of the General Directorate for National Roads and Motorways may implement the project *Construction of the S7 expressway in the City of Cracow from the Bieżanów junction to the Igołomska–Ptaszyckiego junction (known as the Nowohucka Route)*, and I hereby determine:**

2.1 The type and place of the project implementation:

The project Construction of the S7 expressway in the City of Cracow from the Bieżanów junction to the Igołomska–Ptaszyckiego junction (known as the Nowohucka Route) and the planned environmental impact range covers the following plots:

- **powiat: the City of Cracow; cadastral unit: 126103_9, Nowa Huta; section no. 0020, 20: 1/36, 1/52,**

1/53, 1/129, 1/130, 1/175, 1/176, 1/177, 1/228, 1/342, 1/343, 1/347, 1/349, 1/368, 1/369, 1/370, 1/371, 1/372, 1/373, 1/374, 1/375, 1/376, 1/377, 1/378, 1/379, 1/380, 1/381, 1/382, 1/383, 1/384, 1/385, 1/386, 1/387, 1/388, 1/389, 1/390, 1/391, 1/392, 1/393, 1/394, 1/395, 1/396, 1/397, 1/398, 1/399, 1/400, 1/401, 1/402, 1/403, 1/404, 1/405, 1/406, 1/407, 1/408, 1/409, 1/410, 1/411, 1/412, 1/413, 1/414, 1/415, 1/416, 1/417, 1/418, 1/419, 1/420, 1/421, 1/422, 1/423, 1/424, 1/425, 1/426, 1/427, 1/428, 1/429, 1/430, 1/431, 1/432, 1/433, 1/434, 1/435, 1/436, 1/437, 1/438, 1/439, 1/440, 1/441, 1/442, 1/443, 1/444, 1/445, 1/446, 1/447, 1/448, 1/449, 1/450, 1/451, 1/452, 1/453, 1/454, 1/455, 1/456, 1/457, 1/458, 1/459, 1/460, 1/461, 1/462, 1/463, 1/464, 1/465, 1/466, 1/467, 1/468, 1/469, 1/470, 1/471, 1/472, 1/473, 1/474, 1/475, 1/476, 1/477, 1/478, 1/479, 1/480, 1/481, 1/482, 1/483, 1/484, 1/485, 1/486, 1/487, 1/488, 1/489, 1/490, 1/491, 1/492, 1/493, 1/494, 1/495, 1/496, 1/497, 1/498, 1/499, 1/500, 1/501, 1/502, 1/503, 1/504, 1/505, 1/506, 1/507, 1/508, 1/509, 1/510, 1/511, 1/512, 1/513, 1/514, 1/515, 1/516, 1/517, 1/518, 1/519, 1/520, 1/521, 1/522, 1/523, 1/524, 1/525, 1/526, 1/527, 1/528, 1/529, 1/530, 1/531, 1/532, 1/532, 1/533, 1/534, 1/535, 1/536, 34, 35/2, 36, 37, 38, 39/1, 39/2, 40, 41, 42, 43, 44, 45/1, 45/2, 46, 47, 48, 49, 50, 51/1, 51/2, 53 and 54;

- **poviat: the City of Cracow; cadastral unit: 126104_9, Podgórze; section no. 0105, 105:** 459, 460, 461, 462; 9/5, 9/6, , 30, 31, 32, 33, 34, 35, 67, 68, 69, 70, 71/1, 71/2, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, , 82/5, 82/6, 83/5, 83/6, 84/1, 84/6, 84/7, 84/8, 85/7, 85/8, 85/9, 85/10, 85/11, 85/18, 85/19, 85/20, 85/21, 85/22, 85/23, 86/1, 86/2, 86/4, 86/7, 86/9, 86/10, 86/11, 86/12, 87/1, 87/2, 88, 294/4, 294/5, 295/1, 295/3, 295/4, 296/1, 296/3, 296/4, 297/1, 297/3, 297/4, 297/5, 298/1, 298/3, 298/4, 298/5, 299/1, 299/3, 299/4, 299/5, 300/5, 300/6, 300/7, 300/8, 301, 302, 303, 304, 305/1, 306/1, 307, 309/2, 310/1, 310/2, 311/1, 311/2, 312/1, 312/2, 313/1, 313/2, 314/1, 314/2, 315/1, 315/2, 316/1, 316/2, 317, 318, 319/7, 319/8, 319/9, 319/10, 320/8, 320/9, 323/9, 323/10, 323/11, 323/12, 324/3, 324/4, 325/4, 326/4, 327/1, 327/2, 328, 329/5, 329/6, 331, 332, 335, 400, 406, 407/1, 407/2, 407/4, 407/5, 408/3, 408/6, 408/7, 408/9, 408/10, 417, 420/13, 421/11, 421/12, 421/14, 422/15, 422/16, 422/17, 422/18, 422/22, 422/23, 422/24, 423, 427/1, 427/3, 427/5, 427/6, 427/9, 427/11, 427/12, 427/13, 427/14, 429/1, 429/2, 429/3, 430/3, 430/10, 431/3, 10/1, 10/2, 10/3, 13, 14, 1572, 15/3, 15/4, 15/5, 16/1, 16/2, 16/3, 17, 18/1, 18/2, 19, 20/1, 20/2, 21/3, 21/4, 21/5, 21/6, 21/8, 21/11, 21/13, 21/14, 22/3, 22/5, 22/6, 22/7, 22/9, 22/11, 22/12, 23/3, 23/5, 23/7, 23/8, 23/9, 23/10, 24, 25, 26, 27, 28/1, 28/2, 29/1, 29/2, 115/1, 115/2, 115/3, 116/1, 116/3, 116/4, 117, 118/1, 118/2, 119, 120, 121/1, 121/2, 122, 123, 124, 125, 126, 127/1, 127/2, 128, 129, 130, 131/1, 131/2, 132, 133, 134, 135/1, 135/2, 136/1, 136/2, 137, 138/3, 138/4, 138/5, 150/13, 150/15, 150/18, 164/1, 164/2, 175, 176, 177, 180/1, 180/2, 181/1, 181/2, 182/9, 222, 223/8, 223/9, 223/11, 251/3, 251/4, 252/3, 252/4, 253/1, 253/2, 254/1, 254/2, 255/3, 255/4, 256/3, 256/4, 257/1, 257/2, 258/1, 258/2, 259/3, 259/4, 260/1, 260/2, 261/1, 261/2, 262/3, 262/4, 262/5, 263/2, 263/4, 264, 265, 266/1, 266/2, 267, 268, 269/1, 269/2, 270/1, 270/2, 270/3, 271/1, 271/3, 272/1, 272/2, 273/1, 273/2, 274, 275/1, 275/2, 276/1, 276/2, 277/3, 277/4, 277/5, 278/3, 278/4, 278/5, 279, 280, 281/1, 281/2, 282/3, 282/4, 282/5, 286/4, 286/6, 286/7, 287/1, 287/2, 288/1, 288/2, 289/1, 289/2, 290/1, 290/3, 290/4, 290/5, 291/1, 291/10, 291/11, 291/12, 292/7, 292/8, 293/5, 293/6, 294/1 and 294/3;
- **poviat: the City of Cracow; cadastral unit: 126103_9, Nowa Huta; section no. 0043, 43:** 1/6, 15/2, 22/2, 23/1, 23/2, 24/1, 24/2, 25/3, 25/6, 31/1, 23, 33, 64/7, 64/8, 64/11, 64/12, 64/13, 64/14, 64/20, 64/21, 64/22, 64/23, 66, 67, 68, 69, 70, 71, 72, 73, 74, 76/3, 76/5, 76,6, 76/8, 78, 79/1, 79/2, 80, 97, 98/2, 99, 101/2 and 102;
- **poviat: the City of Cracow; cadastral unit: 126104_9, Podgórze; section 0106, 106:** 376/2, 376/4, 376/5, 376/10 and 376/14;
- **poviat: the City of Cracow; cadastral unit: 126103_9, Nowa Huta; section no. 0046, 46:** 1/2, 1/3, ¼, 2, 3, 5, 6, 11, 12, 19, 59/3, 105/1, 105/2, 106/1, 106/2, 107, 108, 109, 118, 119, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131/1, 131/2, 132/1, 132/2, 133/2, 230, 231, 232, 233, 234, 235, 236/1, 237/1, 238/1, 238/2, 239, 240/1, 240/3, 240/4, 241/1, 241/3, 241/4, 249, 292, 369, 432, 433/1, 433/2, 434, 435, 436, 437, 438, 439/1, 439/2, 440, 456, 458, 459, 460, 461, 462, 463, 464, 596/1, 596/2, 625, 626, 631, 632, 634/1, 634/2, 635, 636, 641, 642, 643/1, 643/2, 646, 647, 648, 665/1, 665/3 and 677;
- **poviat: the City of Cracow; cadastral unit: 126103_9, Nowa Huta; section no. 0047, 47:** 51/16, 51/17, 59, 60, 61, 62, 63/1, 63/2, 63/3, 64, 65/3, 65/4, 66/1, 67/4, 263, 264, 265, 370 and 371;
- **poviat: the City of Cracow; cadastral unit: 126104_9, Podgórze; section no. 0103, 103:** 106/3, 106/4, 107/1, 107/2, 108, 109, 110/1, 110/2, 111/1, 111/2, 111/2, 112/1, 112/2, 112/3, 113/1, 113/2,

114/1, 116/1, 116/2, 116/4, 116/5, 116/6, 117/1, 117/2, 118, 120/1, 120/2, 129/1, 129/2, 130/1, 130/2, 131/1, 131/2, 132/1, 132/2, 133/1, 133/2, 134, 135/1, 135/2, 136, 137, 138/1, 138/2, 138/3, 139/1, 139/2, 139/3, 140/1, 140/2, 141, 142, 143, 144, 145/1, 146, 147/1, 148/1, 148/2, 149/3, 149/4, 149/5, 149/6, 150/2, 150/3, 150/4, 151/1, 151/2, 152/1, 152/2, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163/1, 163/2, 164, 165/1, 165/2, 166/1, 166/2, 167, 168/1, 168/2, 169/1, 169/2, 170/1, 170/2, 171/1, 171/2, 172/1, 172/2, 173/1, 173/2, 174/1, 174/2, 175, 176/1, 176/2, 177, 178/1, 178/3, 178/4, 178/5, 178/6, 179/1, 179/2, 180/1, 180/2, 180/3, 181/1, 181/2, 181/3, 181/4, 181/5, 182, 183, 184, 185/1, 185/2, 185/3, 186/1, 186/2, 186/3, 187/4, 187/5, 187/6, 187/7, 187/8, 187/9, 187/10, 188/1, 188/2, 188/3, 189/1, 189/2, 189/3, 190/1, 190/2, 191, 192/3, 192/4, 192/5, 192/6, 193/3, 193/4, 193/5, 193/6, 194/3, 194/4, 194/5, 194/6, 195/1, 195/3, 195/4, 196/1, 196/2, 197/1, 197/2, 198/1, 198/2, 199, 200, 201/1, 201/2, 201/3, 201/4, 202/2, 202/3, 204/1, 204/2, 46/4, 47/13, 47/14, 48, 53/2, 54/1, 54/2, 59/1, 59/2, 60/2, 60/3, 60/4, 61/1, 61/2, 62/1, 62/3, 62/6, 62/7, 62/8, 62/9, 62/10, 62/11, 63, 64, 65/2, 65/3, 65/4, 66/5, 66/6, 66/7, 66/8, 67/2, 67/3, 67/4, 68/6, 68/7, 68/8, 68/9, 68/10, 68/11, 68/12, 69/3, 69/4, 69/5, 69/6, 69/7, 69/8, 69/10, 69/11, 70/13, 70/14, 71/8, 71/14, 71/15, 72/7, 7/8, 72/9, 73/7, 73/8, 73/9, 74/4, 74/5, 75/2, 75/5, 78/1, 78/6, 78/10, 78/12, 78/13, 78/14, 78/15, 78/16, 78/18, 78/19, 78/20, 78/24, 78/25, 78/27, 78/30, 78/31, 78/32, 78/33, 78/34, 78/35, 78/36, 78/37, 78/38, 78/39, 78/40, 78/41, 78/42, 79, 80/1, 80/2, 81/3, 81/4, 83/3, 83/5, 83/6, 84/1, 84/2, 85, 86, 87/1, 87/3, 87/4, 87/5, 91/4, 91/5, 91/6, 91/7, 92/1, 92/3, 92/4, 92/5, 93/2, 93/3, 93/4, 94/1, 95, 96, 97/1, 97/2, 98/4, 98/5, 98/7, 205, 206/1, 206/2, 207/1, 207/2, 207/3, 208, 209, 210, 211, 212, 223, 224/1, 224/2, 227/1, 227/2, 228/1, 228/2, 228/3, 306, 307, 308, 309, 310, 311/1, 311/2, 312/1, 312/2, 313, 314, 315/1, 315/2, 315/3, 316/2, 316/3, 317/2, 317/3, 318, 319/2, 364/1, 364/2, 364/5, 365, 413/1, 413/2, 421/1, 421/4, 421/5, 421/7, 421/8, 422/3, 422/4, 425/1, 425/2, 428/1, 428/1, 429/2, 429/3, 429/4, 429/5, 430/3, 430/5, 430/6, 431/1, 431/3 and 431/4;

- **powiat: the City of Cracow; cadastral unit: 126104_9, Podgórze; section no. 0107, 107:** 12/5, 12/6, 12/7, 70/4, 70/20, 70/21, 70/22, 70/24, 70/25, 70/26, 70/32, 71/1, 71/3, 71/4, 72/1, 72/2, 73, 74/1, 74/2, 74/3, 75/1, 75/2, 76, 77, 78, 79/1, 79/2, 80, 81/1, 81/2, 82/1, 82/2, 83/1, 83/2, 84/1, 84/2, 85/1, 85/3, 85/4, 86/1, 86/2, 87/1, 87/2, 88, 89, 90/1, 90/2, 91/1, 91/2, 92, 93/1, 93/2, 99/2, 99/4, 99/5, 99/9, 100/1, 100/7, 108, 109/1, 109/2, 109/3, 110/1, 110/3, 110/4, 110/5, 111/2, 111/3, 111/4, 111/5, 112/1, 112/2, 112/3, 113/2, 113/4, 113/5, 114/1, 114/3, 114/4, 115/1, 115/2, 116/2, 117/1, 117/2, 161/1, 161/4, 161/5, 161/6 and 167;
- **powiat: the City of Cracow; cadastral unit: 126104_9, Podgórze; section no. 0108, 108:** 1, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 415, 416, 417, 418, 419, 420, 422, 423, 426, 427, 428, 429, 432, 433, 434, 435, 436, 437, 438, 439, 441/1, 441/2, 442, 443, 444, 445, 446/1, 447, 448, 449, 450, 451, 452/1, 452/2, 452/3, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479/1, 479/2, 480, 481, 482, 518, 519/1, 521/1, 521/2, 522, 525/2, 526, 528, 537, 540 and 553;

2.2 Conditions for the use of the land at the implementation and operational stages, taking into account in particular the need to protect valuable environmental assets, natural resources and historical buildings and to reduce the impact on the neighbouring areas:

2.2.1. At the implementation stage:

- 2.2.1.1. Perform road works in the vicinity of buildings only during the day (between 6 a.m. and 10 p.m.).
- 2.2.1.2. Organise the construction site and the construction bases in accordance with the principle of minimising the land take and the land surface transformation, and reclaim the area once the works are completed.
- 2.2.1.3. Locate the construction base outside forests, valleys of watercourses and places at a risk of erosion.
- 2.2.1.4. Secure the ground and water environment against contaminated precipitation runoffs, sanitary sewage and process sewage from the construction site and the technical base.

- 2.2.1.5. Properly manage the waste produced during the construction works, which includes minimising the quantity of waste and storing waste selectively in separate, adapted places, where the environment is protected against harmful substances, and making sure the waste is efficiently collected or reused.
- 2.2.1.6. Minimise tree cutting.
- 2.2.1.7. For the period of construction works, secure the root systems, crowns and trunks of trees (e.g. by protecting them with mats, covering them with boards), work around the root system while using heavy equipment, store chemicals and soil-degrading agents outside the root system zone.
- 2.2.1.8. In forests, valleys of watercourses and near the meadow in Kokotów, cut down trees in a period other than between 31 March and 15 August.
- 2.2.1.9. Use wire netting on both sides at the section from km 0+300 to km 1+550.
- 2.2.1.10. Make sure construction works are performed in a way which limits any changes in the hydrographic conditions to the necessary minimum and which does not cause social conflicts.

2.2.2. At the operational stage:

- 2.2.2.1. Use noise protection measures ensuring that environmental quality standards are adhered to in areas requiring noise protection.
- 2.2.2.2. Accumulate waste selectively, as defined in the regulations in force.

2.3 Environmental protection requirements to be considered in the construction design:

- 2.3.1. Design a rainwater drainage system on the whole section of the road, and use devices collecting and treating the rainwater, including a system intercepting hazardous substances which can close automatically and retain hazardous substances in the event of an emergency on the road involving vehicles transporting hazardous substances. Stormwater from the road surface should be fully captured in the rainwater drainage system and channelled to the designed treatment devices: to separators and to storage and treatment tanks, and then to the existing natural collectors.
- 2.3.2. Provide noise barriers in places where environmental quality standards regarding noise may be exceeded:

No.	road kilometre	side of the road	minimum height (m)
1	0+000 - 0+222 (BŁ slip road)	left	4.0
2	0+000 - 0+200 (AL slip road)	right	4.0
3	0+542 - 0+874 (CL slip road)	right	3.0
4	0+000-0+100	left	3.0
5	2+200 - 3+680	left	2.4 ÷ 4.5
6	4+830 - 5+252	left	3.0 ÷ 5.0
7	5+244 - 6+230	left	3.0 ÷ 4.5
8	0+000 - 0+100	right	4.0
9	2+540 - 2+890	right	3.0 ÷ 4.0
10	3+220 - 3+700	right	3.0 ÷ 4.5
11	4+910 - 5+300	right	3.0 ÷ 4.5

When technically justified, the location and length of noise barriers may change ($\pm 10\%$ of their length) but the environmental quality standards in areas requiring noise protection must be preserved.

- 2.3.3. Plant protective plants to protect the adjacent area and to compensate for environmental losses at the following sections:

left side of the road (at kilometre):	right side of the road (at kilometre):
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0+300-0+415	0+300-1+750
1+570-1+770	1+850-2+230
1+850-2+225	2+300-2+550
	2+900-3+220

Those plants should be represented by native species for the habitat as those species will be the best adapted to local climate, soil and biocoenotic conditions.

- 2.3.4. Adapt bridge underpasses to animal migration: Minimum dimensions of wildlife underpasses:
- for the flyover above Zarzyckiego Street, above the railway line, the access road and the Serafa River, the width should be 6 m (length of bridge spans), and the height – 4 m;
 - under the bridges over the Vistula and the Drwina River, the width should be 6 m (width calculated outside the water table, in total, on both sides of the watercourse), and the height – 3.5 m.
- 2.3.5. Adapt the culverts planned in the road to proper parameters so that they can serve as crossings for small animals. Wherever technically possible, provide the culverts with dry shelves about 50 cm wide, placed above the expected water table in the culvert. Those shelves should be gently connected with the area adjacent to the culvert.
- 2.3.6. Make sure plants are properly arranged near the culverts and crossings for migrating fauna; plant strips of trees and bushes leading to the crossings on both sides of the road, shaped as funnels narrowing towards the crossing.
- 2.3.7. Design the edges of the adapted bridge structures in such a way as to guide wildlife to their vicinity.
- 2.3.8. Take into account access roads to the existing structures.
- 2.4 This project does not require defining the requirements for the prevention of industrial accidents as it does not present a major-accident hazard.**
- 2.5 The project does not require establishing any requirements as regards limiting cross-border environmental impact.**
- 2.6 Obligations for preventing, limiting, and monitoring the environmental impact of the project:**
During construction works, maintain particular caution while operating equipment which may contaminate the soil with oil derivatives.
- 2.7 The project requires preparing a post-implementation review regarding acoustic protection of areas which must be protected against noise one year after the commissioning of the structure, and the analysis must be submitted to the Małopolskie Voivode 18 months after the commissioning of the structure so that the effectiveness of the proposed solutions can be established and a limited use area can be determined if necessary.**
- 2.8. Variant III is considered the most favourable in terms of environmental protection; additionally, the conditions set forth in the justification to the decision must be taken into account.**
- 3. The description of the whole project is enclosed as an annex hereto.**
- 4. I hereby make this decision immediately enforceable.**

J u s t i f i c a t i o n

Via the letter of 27 February 2006, reference: Mosty 2006/02/00853, the company Mosty Katowice Sp. z o.o. (40-555 Katowice, 12 Rolna Street), operating on behalf of the Investors, i.e. the Cracow Urban Commune – represented by the Mayor of Cracow – and the General Directorate for National Roads and Motorways, the Cracow Branch, applied for a decision on environmental considerations for the investment project *Construction of the S7 expressway in the City of Cracow from the Bieżanów junction to the Igołomska–Ptaszyckiego junction (known as the Nowohucka Route)*.

The application was later supplemented with the following letters:

- by the representative of the Investors, i.e. by Mr Arkadiusz Palka from Mosty Katowice Sp. z o.o. of 27 February 2006, reference: Mosty 2006/02/00853 (received at the Małopolskie Voivodeship Office in Cracow on 23 March 2006); of 22 March 2006, reference: Mosty 2006/02/01085; of 19 April, 2006 reference: Mosty 2006/04/00574; of 21 April 2006, reference: Mosty 2006/04/00653; of 24 April 2006, reference: Mosty 2006/04/0705; of 15 September 2006, reference: Mosty 2006/09/00579; of 4 December 2006, reference: Mosty 2006/12/00062; of 18 January 2007, reference: 2007/01/00733;
- by a Representative of the Mayor of Cracow, letter of 16 March 2007, reference: PS.01.0717- 50/07.

The following documents have been attached to the application:

- powers of attorney granted to: Mr Krzysztof Markowicz and Mr Arkadiusz Palka, employees of Mosty Katowice Sp. z o.o., 40-555 Katowice, 12 Rolna Street, authorising them to act on behalf of the Investors;
- the environmental impact report for the project: *Construction of the S7 expressway in the City of Cracow from the Bieżanów junction to the Igołomska–Ptaszyckiego junction (known as the Nowohucka Route)*, prepared by Biuro Konsultingowe Ochrony Środowiska Ekosystem Śląsk by a team supervised by Elżbieta Sugier, MA (Mysłowice, November 2005, revision: 22 March 2006 and 24 April 2006);
- copies of cadastral maps.

The following were submitted as supplements to the application: originals of the powers of attorney, copies of cadastral maps with marked project boundaries and the environmental impact range, revision of the report regarding information about the planned project and its forecast environmental impacts.

The investment project in question represents project group 1 – § 2(1)(29) (motorways and expressways) of the Ordinance of the Council of Ministers on determining the kinds of project that may have a considerable impact on the environment and on the detailed conditions for qualifying a project for an environmental impact report of 9 November 2004.

The body competent to issue the decision on environmental considerations of the consent to implement the project involving construction of the S7 expressway in Cracow from the Bieżanów junction to the Igołomska–Ptaszyckiego junction (known as the Nowohucka Route), representing a category of projects for which the report is obligatory, is the Małopolskie Voivode, pursuant to Article 46a(7)(1)(a) of the Environmental Protection Law Act.

No local spatial development plan has been established for the area specified in the application.

Since the project required an environmental impact report, it was necessary to enable the public to participate in the proceedings, according to Article 53 of the Environmental Protection Law.

Due to the fact that the number of parties to the proceedings exceeds 20, the provision of Article 49 of the Administrative Procedure Code was applied (in accordance with Article 46a(5) of the Environmental Protection Law Act) which speaks about notifying the parties via an announcement.

The notice of 28 April 2006 on placing the Investors' application for the decision on environmental

considerations of the consent to implement the project *Construction of the S7 expressway in Cracow from the Bieżanów junction to the Igołomska–Ptaszyckiego junction (known as the Nowohucka Route)* on a list kept by the Małopolskie Voivodeship Office and available to the public was announced (for the required 21 days) on the main notice board of the Małopolskie Voivodeship Office in Cracow and on the notice board of the Environment and Agriculture Department of the Małopolskie Voivodeship Office, and it was submitted to be placed for 21 days on notice boards of the Cracow City Hall and the Cracow City Hall Districts XII, XIII and XVIII.

No comments or motions were submitted within the proceedings.

The National Voivodeship Sanitary Inspector in Cracow issued an approval via the decision of 25 May 2006, reference: WSE.NNZ.432/459/06, providing appropriate project implementation conditions in terms of hygiene and health requirements. Since only one Investor was listed in the decision, the National Voivodeship Sanitary Inspector, via the letter of 20 June 2006, reference: WSE.NNZ.432/459a/06, issued a decision to amend the obvious mistake, listing two Investors in the approval (in accordance with the application) i.e. the Cracow Branch of the General Directorate for National Roads and Motorways and the Cracow Urban Commune represented by the Mayor of Cracow.

Having analysed the materials submitted by the Voivode and having established that the information included in the report was incomplete, the Environmental Impact Assessment Department of the Ministry of the Environment asked the Investors' representatives for additional explanations via the letter no. DOOŚ-9272/2006/kk, dated 29 August 2006.

After obtaining the additional information, included in letters from MP Mosty Katowice Sp. z o.o. of 15 September 2006, reference: Mosty 2006/09/00579 and of 4 December 2006, reference: Mosty 2006/12/00062, the Minister of the Environment issued an approval via the decision of 4 January 2007, reference: DOOŚ-77d-6195/2006/kk, setting out the conditions for project implementation in terms of environmental protection.

A motion for reconsideration of the matter was submitted to that decision; the application suggested changing the location of the project by abandoning the construction of the Igołomska–Ptaszyckiego junction. In the decision of 25 April 2007, reference: DOOŚ-770/2509/2007/ER, the Minister of the Environment stated that the reconsideration motion had been submitted by a person who was not a party to the proceedings related to implementation of the project involving construction of the S7 expressway in Cracow from the Bieżanów junction to the Igołomska–Ptaszyckiego junction (known as the Nowohucka Route).

The designed section of the expressway with the Bieżanów junction is situated within the Cracow city limits. It is to handle the car traffic from the south, from the Prokocim–Bieżanów district to the north, to Nowa Huta.

The project is divided to two sections:

- section I – from the Bieżanów junction to the Christo Botewa junction, construction of the Bieżanów junction
- section II – from the Christo Botewa junction to the Igołomska–Ptaszyckiego junction, construction of the Igołomska–Ptaszyckiego junction.

The route is designed as a dual carriageway connected with the existing road system via the planned road junctions.

Four location variants were analysed for section II in the report (from km 4+465 to km 6+388.6). Two location variants were proposed for the Igołomska–Ptaszyckiego junction due to land-related limitations (tramline, residential housing).

Variant "0," involving abandonment of the project, will leave traffic in the existing road network. Considering the growth trends in the automotive sector, abandonment of the project must be expected to cause further degradation of the environment, including the acoustic climate.

An environmental impact analysis pointed to Variant III as the one to be followed in further road design works since it caused the least conflicts; however, additional conditions were stipulated:

- building a flyover about 240.0 m long (over Zarzyckiego Street, the railway line, the access road and the Serafa River) – Variant II;
 - crossing Christo Botewa Street according to Variant I – the S7 route running over the road, and construction of a three-span road viaduct,
- and Variant II for the Igołomska–Ptaszyckiego junction.

Building the road according to Variant III causes the least conflicts with nature since in this variant the road will be as far from the planned Dłubnia River park as possible. Implementation of this variant will lead to no collisions with the facilities of the landfill site for the combustion waste of the Cracow thermal power plant and with the intake of groundwater. In addition to permitting free wildlife migration, the construction of a flyover near the Serafa River will secure valuable meadow complexes. The absolute requirement that the road must run as a flyover arises also from the need to preserve the area near the meadows in Kokotów, which are an important element shaping the city's nature systems and permitting free wildlife migration.

For the Igołomska–Ptaszyckiego junction, Variant II is better from the point of view of the environmental impact. The total land take will be the smallest, there will be no need to alter the tram terminus and track. The expressway is as far from the Wanda Mound as possible.

Based on the analyses in the report, the impacts and potential threats to the environment related to the implementation and operation of the project were determined, which made it possible to establish the required methods to prevent and minimise the potentially negative impacts and to define the project implementation and operational conditions to protect the environment against negative project impacts.

Near the project, there are several architectural heritage facilities: a historical cobbled road in the vicinity of the Mogiła fort, a roadside chapel near Kokotowska Street and Ochoczno Street and chapel with a statue of Christ of Nazareth and John of Nepomuk. Since those structures are at a risk of being damaged during earthworks, the method of performing construction works must be agreed with the competent body to make sure they remain intact.

Farther from the planned route there are such architectural heritage sites as the Wanda Mound and the Mogiła Fort. Among the buildings to be demolished in the vicinity of the Biezanów junction, there are also a few facilities listed as historical monuments. They may be demolished on condition that applicable procedures are adhered to.

Examination of the area has shown that in connection with the rich and long history of Cracow and the neighbouring lands, numerous archaeological sites may be encountered during the construction works on the expressway section. As a result, archaeological excavations will have to precede the project implementation activities. The procedure for archaeological rescue excavations should be agreed with the Voivodeship Conservation Officer, and archaeological supervision should be provided during earthworks.

The project will have no impact on the condition and functioning of Natura 2000 sites since the nearest area of this type, i.e. the Niepołomska Forest, is over 11 km from the planned road.

The planned road crosses several wildlife corridors of local and supralocal importance. However, separate crossings for animals are not proposed since places where the route runs as flyovers in specific locations will serve this function. Furthermore, bridge structures must be adapted to function as crossings for various animal species, including roe deer, wild boar and hares, and to enable them to move freely.

The crossings and the plants in their vicinity were designed in a way increasing the functionality of those solutions. Specially shaped strips of plants leading animals to the crossings (trees and bushes) should be provided on both sides of the road, shaped as funnels narrowing towards the crossing.

Wherever animals are observed to be abundant, the designed road section should be separated with wire netting which should guide any migrating animals to bridge underpasses adapted for that purpose. The wire netting should meet specific criteria, including the minimum height of the netting above the ground, the minimum depth of the netting in the ground, the minimum hole size – varying at different levels according to the sizes of animals.

Insulating plants, located as determined in this decision, are a required element of the measures

minimising the nuisance of the planned road. Those plants should consist of native species for the habitat as those species will be the best adapted to local climate, soil and biocoenotic conditions. Areas with roadside plants should be prepared as well – ornamental trees and bushes should be planted, and the existing trees and bushes are to be used, also those replanted because they collided with the road.

The works connected with removing forest vegetation, especially at Kokotowska Street, in the meadows in Kokotów, and in the valleys of the Dłubnia, the Drwina and the Vistula must not be performed between 31 March and 15 August, which will considerably limit their potential negative impact. Furthermore, to protect the plants close to the project, tree and bush cutting must be limited to the necessary minimum. Particular caution is required when it comes to works carried out near root systems.

To protect the inhabitants against noise, civil works should be performed only during the day (between 6 a.m. to 10 p.m.), and appropriate noise protection measures must be applied. They include noise barriers, with the location and parameters as determined in the decision. This entails the need to conduct a post-implementation review taking into account noise protection issues. Its results will help determine the nature and scope of the next steps to ensure environmental quality standards in areas under noise protection.

During civil works, additional land take will occur to accommodate the construction base. This is why the construction site and base must be organised according to the principle of minimising the land take and the land transformation, outside forests, valleys of watercourses and places at a risk of erosion. On completion of works, measures must be taken to reclaim the area of the construction site and its base.

Civil works may present a hazard to the quality of surface water and groundwater. This may be caused mostly by contaminants washed away from the materials used to change the road surface; by oil derivatives leaking from working machines, construction equipment and vehicles; by untreated sanitary and process sewage channelled from the technical base to water; by contaminated runoffs entering water. This is why the necessary actions and measures must be taken to secure surface water and groundwater against contaminants from the site.

At the project operational stage, sewage coming from the surface of contaminated road sections will be formed. This is why appropriate protection measures must be applied to meet the quality standards of the groundwater environment.

The project requires a post-implementation review according to Article 56(4)(2) and Article 56(5) of the Environmental Protection Law Act of 27 April 2001 so that the effectiveness of the designed noise protection actions and measures can be checked for areas requiring noise protection, such as residential housing areas; the analysis must be prepared one year after the commissioning of the structure and submitted within the 18 months following the commissioning day.

There are no nature features and sites protected under the Act on the Protection of Nature.

Since there is no spatial development plan for Cracow, creating a limited use area is not proposed at the present stage of analysis.

The materials included in the application make it possible to state that the planned project, both at the implementation and at the operational stage, should have no negative environmental impact, provided that the conditions set forth herein are met.

At the request of the Investors' representative, the decision was made immediately enforceable, in view of the arguments that the S7 expressway, once built and commissioned, will be a road handling both transit and local traffic at the section from the Bieżanów junction across the Christo Botewa junction to the Igołomska–Ptaszyckiego junction. Running an expressway along a new route and building a new bridge over the Drwina River and the Vistula will, in addition to streamlining car traffic, reduce traffic in the City of Cracow. Additionally, quick preparation of the investment will improve environmental and health-related conditions for those inhabitants whose properties are situated on the present roads handling local and transit traffic. The new route of the S7 expressway should considerably improve traffic safety and it should additionally reduce the negative environmental impact due to application of environmental protection devices. According to the Investors' representative, making the decision immediately enforceable should streamline the investment preparation and execution process.

In the light of the foregoing, it has been decided as presented herein.

I n s t r u c t i o n

The parties may appeal against this decision to the Minister of the Environment in Warsaw, 52/54 Wawelska Street, via the Małopolskie Voivode within fourteen days following the decision announcement date.

Copies to:

1. The Mayor of Cracow
2. The General Directorate for National Roads and Motorways, Cracow Branch
3. Mr Arkadiusz Pałka, Mosty Katowice Spółka z o.o.
4. Other parties according to the list – pursuant to Article 49 of the Administrative Procedure Code
5. SR.IV – courtesy copy
6. SR.III. – to file

PROJECT DESCRIPTION

The project involves building a section of the S7 expressway in the City of Cracow from the Biezanów junction to the Igołomska–Ptaszyckiego junction (known as the Nowohucka Route).

The scope of the project includes:

- a) building the S7 expressway section from km 0+000 ÷ km 6+388.66,
- b) building three road junctions,
 - the Biezanów grade-separated junction (slip roads) at km 0–470 (road junction at the WD-04A structure at km 438+500.53 of the designed A4 motorway and at km 0–468 of the S7 route),
 - the Christo Botewa partially separated junction at km 2+240.00 (intersection with central island at the level of Christo Botewa Street),
 - the Igołomska–Ptaszyckiego combined junction (approx. at km 5+400 ÷ 6+000).
- c) building bridge structures at the S7 route:
 - Zarzyckiego Street at km 0+014.70 of the S7,
 - the Cracow–Tarnów railway line at km 0+046.09 of the S7,
 - the access road at km 0+225.02 of the S7,
 - the Serafa River at km 0+234.00 of the S7,
 - the Drwina River at km 1+787.00 of the S7,
 - the road system of the Christo Botewa junction approx. at km 2+204.00 of the S7,
 - Lutnia Street approx. at km 2+700.00 of the S7 (extension of powiat road no. K2011) (variants),
 - Pod Wierzbami Street at km 3+620.00,
 - the Vistula – bridge from km 3+640.00 to km 4+240.00,
 - the Południowy Canal (the left tributary of the Dłubnia River) at km 5+255.00,
 - Igołomska Street (national road no. 79) at km 5+550.00,
 - Ptaszyckiego Street (national road no. 79) at km 6+000.00,
- d) building engineering structures over the S7 expressway:
 - in the newly designed section of Nad Drwiną Street, approx. km 1+520.00,
 - in the roadway of Lutnia Street, approx. km 1+520.00,
 - in the roadway of Husarska Street, approx. km 3+170.00,
 - in the access road to the waste landfill site of the Cracow Thermal Power Plant at km 4+465.00,
 - in the roadway of Giedrojcia Street, approx. km 4+775.00,
 - in the roadway of Na Niwach Street, approx. km 4+920.00,
- e) altering the junctions and exists with the crossed local roads,
- f) building access roads along the S7,
- g) providing road drainage,
- h) building a rainwater drainage system,
- i) building road culverts adapted to the migration of small animals,
- j) altering and securing the devices of technical infrastructure which collide with the planned project,
- k) demolishing the buildings colliding with the designed expressway route,
- l) removing the plants colliding with the planned road use,
- m) building environmental protection devices.

The planned section of the expressway will be approx. 7.0 km long. Building the section of the S7 expressway along with the Biezanów motorway junction (in the Cracow Biezanów district) will require land take of approx. 93 ha. Construction of the road will entail the need to cut down trees and bushes

(10 coniferous and 1975 broadleaved), and to exclude about 8 ha of forest areas from production.

The project in question is divided into two sections:

- section I – from the Biezanów junction to the Christo–Botewa junction, construction of the Biezanów junction;
- section II – from the Christo Botewa junction to the Igołomska–Ptaszyckiego junction, construction of the Igołomska–Ptaszyckiego junction.

The route is designed as a dual carriageway connected with the existing road system via the planned road junctions.

The construction scope for the Biezanów junction was established via the decision no. 1/05 of 17 November 2005 on establishing the location of a national road, issued by the Małopolskie Voivode.

The section from km 0+000 to km 4+465 did not have different variants. The following administrative decisions were issued for that section of the expressway:

- The planning permission decision – the Nowohucka Route from the Christo Botewa junction to Kokotowska Street – Decision No. 91/SU/2000 of 22 December 2000, issued by the Mayor of Cracow,
- The planning permission decision regarding the junction with Kokotowska Street – Decision No. 87/SU/2000 of 22 December 2000, issued by the Mayor of Cracow,
- The planning permission decision regarding the junction with Christo Botewa Street – Decision No. 90/SU/2000 of 22 December 2000, issued by the Mayor of Cracow.

Four location variants were proposed for the section from km 4+465 to 6+388.6 of the project involving construction of the S7 expressway from the Biezanów junction to the Igołomska–Ptaszyckiego junction.

Due to the existing land development along the route of the designed S7 section, variants of the grade line have been presented as well:

1. The initial section about 250 m:

- Variant I – building two short bridge structures (a road viaduct over Zarzyckiego Street and the Cracow–Tarnów railway line, as well as a road bridge above the Serafa River and the access road), and building an earth embankment reinforced with elevation elements of prefabricated concrete,
- Variant II – building a flyover about 240.0 m long (over Zarzyckiego Street, the railway line, the access road and the Serafa River),

2. Christo Botewa Street crossing:

- Variant I – the S7 runs above, a three-span road viaduct is to be built,
- Variant II – the S7 runs below, between retaining walls

3. Directing the traffic in the roadway of Lutnia Street:

- Variant I – the S7 runs above on an embankment, on a viaduct with a framed structure,
- Variant U – the S7 route runs on the terrain level, while the street runs over the S7 route, which requires altering (repositioning) Lutnia Street at an approx. 465 m long section.

Due to the existing land development, construction variants for the structure which is to cross the Drwina River have been presented as well (approx. km 1+800):

- Variant I – building a single span bridge (of prestressed concrete);
- Variant II – building a three-span bridge (of prestressed concrete).

As a result of the environmental impact analysis, Variant III has been indicated for further road design works, with additional conditions:

- building a flyover about 240.0 m long (over Zarzyckiego Street, the railway line, the access road and the Serafa River) – Variant II;
- crossing Christo Botewa Street according to Variant I – the S7 route runs over the road, and a three-span road viaduct is built.

The planned part of the expressway runs longitudinally from the Biezanów junction connecting the route with the planned A-4 motorway to the connection with the national road DK 79 in the Igołomska–Ptaszyckiego junction.

The planned road is to run across areas with diverse landscape, both in terms of landform and land

development. They will include industrial areas (the Prokocim Bieżanów district on the west side), as well as areas with detached houses (Zarzyckiego Street, Lutnia Street, Pod Wierzbami Street, the area to the south of Igołomska Street), the farming areas between Lutnia Street and the Vistula channel, and open meadows (the meadows in Kokotów).

In its longitudinal part, the Nowohucka Route will run across the valleys of several rivers, the Vistula river valley being the largest of them. The landform on the whole section is relatively small, valley slopes are characterised by minor inclination.

The expressway will run across a few watercourses: the Serafa River, the Drwina Długa River, the Vistula, the Południowy Canal, and a system of drainage ditches in meadows and fields.

River parks will be created in the Vistula valley, which will be crossed by the S7 expressway, and in the Dłubnia valley, which is situated in the direct vicinity of the S7 route. Less than 2 km to the west of the route of the planned expressway, there is the Łąki Nowohuckie (Nowohuckie Meadows) ecological site.

Near the Christo Botewa junction, the planned expressway will run next to the established boundary of the mining areas of Krakowskie Zakłady Kruszyw. It will directly collide with the Brzegi documented deposits of solid minerals. The boundary of the established mining areas runs on the east side of the road.

Near the Christo Botewa junction and near the meadows in Kokotów, there are bodies of water. They were formed once excavations were flooded with water on completion of extraction of solid minerals. At present, they are used as recreation bodies of water by the District Board of the Polish Anglers Association in Cracow.

In connection with construction of the expressway, 24 residential buildings are planned to be demolished near the Bieżanów junction, and about 10–20 on the S7 route (depending on the chosen project variant).

Noise barriers are to be built at the said section of the expressway and at the Bieżanów junction. Protective plants have been proposed to be used to protect the nature and farming areas.

At the km 0+300 ÷ 3+220 section (the area of the Kokotów meadows), on the right side of the expressway, the route is to be fenced off with wire netting, 1.75 m high (a migration route of large animals has been observed there – of roe deer, wild boar, hares etc.).

For the migration of large animals, flyovers are to run over the road, and the planned bridges are to be properly adapted.

MAŁOPOLSKIE VOIVODE

SR.III.SZy.6665-1-24-06

Cracow, 3 August 2007

DECISION

Pursuant to Article 104 and Article 111(1) of the Act on the Administrative Procedure Code of 14 June 1960 (Journal of Laws of 2000, No. 98, item 1071 as amended),

u p o n c o n s i d e r a t i o n o f

the request of Mr Arkadiusz Palka of 2 July 2007, ref. no. 2007/07/00009, the representative of the Cracow Urban Commune and of the General Directorate for National Roads and Motorways, Cracow Branch, on supplementing the Małopolskie Voivode's decision of 25 May 2007, reference: SR.III.SZy.6665-1-24-06, on environmental considerations for the project "Construction of the S7 expressway in the City of Cracow from the Biezanów junction to the Igołomska–Ptaszyckiego junction (known as the Nowohucka Route)

I h e r e b y s t a t e t h a t

1. I supplement the statement of the Małopolskie Voivode of 25 May 2007, reference: SR.III.SZy.6665-1-24-06, on environmental considerations for the project "Construction of the S7 expressway in the City of Cracow from the Biezanów junction to the Igołomska–Ptaszyckiego junction (known as the Nowohucka Route) by adding the following plot numbers to section 2.1:
 - to cadastral unit 126104-9, Podgórze; section no. 0105, 105: plots: 259/2, 263/3, 271/2 and 291/9;
 - to cadastral unit 126103-9, Nowa Huta; section no. 0043, 43: plots: 25/4, 25/5, 32, 76/2, 76/9 and 77;
 - to cadastral unit 126103-9, Nowa Huta; section no. 0046, 46: plots: 133/1, 265, 433/3, 457, 482, 486, 503, 516/2, 520, 582/2, 586, 589., 590, 591, 592, 594/1, 594/4, 594/5, 595, 588/3, 613, 614, 615, 627, 629, 630, 633, 639/1, 640/2, 644, 645, 649, 650, 651, 674, 675 and 676;
 - to cadastral unit 126103-9, Nowa Huta; section no. 0047, 47: plots: 58, 70, 71; 72/1, 72/2, 73/4, 73/5, 73/6, 74, 75/2, 75/3, 266, 369/2 and 369/3;
 - to cadastral unit 126104-9, Podgórze; section no. 0103, 103: plots: 111/3, 179/3, 193/1, 202/1, 203/1, 203/2, 72/8, 364/4 and 428/2;
 - to cadastral unit 126104-9, Podgórze; section no. 0107, 107: plots: 99/8, 113/3, 116/1, 12/10, 12/11, 12/12, 12/13, 12/14 and 12/15;
 - to cadastral unit 126104-9, Podgórze; section no. 0108, 108: plot: 440.

J u s t i f i c a t i o n

Via the letter of 2 July 2007, ref. no. 2007/07/00009, Mr Arkadiusz Palka (representative of the Investors, i.e. the Cracow Urban Commune and the General Directorate for National Roads and Motorways, Cracow Branch), requested under Article 111 of the Administrative Procedure Code that plot numbers be added to the Małopolskie Voivode's decision of 25 May 2007, reference: SR.III.SZy.6665-1-24-06, and that obvious mistakes be corrected in accordance with article 113 of the Administrative Procedure Code.

In the part of the request pertaining to obvious mistakes, the Małopolskie Voivode issued a decision of 16 July 2007, reference: SR.III.SZy.6665-1-24-06.

As regards the part of the request related to supplementation of the decision in question, the request of the Investors' representative has been considered justified.

Furthermore, it has been observed that the plots listed in Mr Arkadiusz Palka's request of 2 July 2007, ref no. 2007/07/00009, were not on the list of plots submitted by the Representative of the Mayor of Cracow (the letter of 16 March 2007, reference: PS.01.0717-50/07) to the Małopolskie Voivode. So the body issuing the decision is not to blame for omitting the requested plots in the decision in question.

An analysis of the background maps submitted by the Investors' representative shows that some of the requested plots to be added are within the area of the investment, while others are in the vicinity of the planned investment, within areas marked with contour lines for noise emissions to the environment at night.

The plots to be added as requested by the Investors' representative have no effect on the scope, course and impact of the investment.

In the light of the foregoing, it has been decided as presented in the decision.

I n s t r u c t i o n

The parties may appeal against this decision to the Minister of the Environment in Warsaw, 52/54 Wawelska Street, via the Małopolskie Voivode within fourteen days following the decision announcement date.

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Copies to:

1. The Mayor of Cracow
2. The General Directorate for National Roads and Motorways, Cracow Branch
3. Mr Arkadiusz Pałka, Mosty Katowice Spółka z o.o.
4. Other parties according to the list – pursuant to Article 49 of the Administrative Procedure Code
5. SR.IV – courtesy copy
6. SR.III. – to file

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MAŁOPOLSKIE VOIVODE

SR.III.SZy.6665-1-24-06

Cracow, 16 July, 2007

DECISION

Based on Article 113 § 1 of Administrative Procedure Code (Journal of Laws of 2000, No. 98, item 1071 as amended), at the request (letter of 2 July 2007, ref. no. 2007/07/00009) of Mr Arkadiusz Palka, the representative of the Cracow Urban Commune – represented by the Mayor of Cracow – and of the General Directorate of National Roads and Motorways, Cracow Branch, obvious mistakes in the decision of the Małopolskie Voivode of 25 May 2007, ref. no. SR.III.SZy.6665-1-24-06, on environmental considerations for the project *Construction of the S7 expressway in the City of Cracow from the Bieżanów junction to the Igołomska–Ptaszyckiego junction (known as the Nowohucka Route)* shall be amended as follows:

1. Since certain plot numbers have been provided twice, one number of the following plots shall be deleted:
 - 1.1. plot no. 1/532 in cadastral unit 126103-9, Nowa Huta; section no. 0020, 20; the Cracow City Poviatic;
 - 1.2. plots no. 111/2, 139/3, 428/1 in cadastral unit 126104-9, Podgórze; section no. 0103, 103; the Cracow City Poviatic.
2. In section 2.1 of the decision, in cadastral unit 126104-9, Podgórze, section no. 0108, 108, the Cracow City Poviatic, the plot number marked as “7/8” shall be replaced by “72/8.”
3. The following amendments shall be made to the annex to the decision entitled *Project description*:
 - 3.1 the name Lutnia Street shall be replaced by the name Łutnia Street;
 - 3.2. the name Giedrojcia Street shall be replaced by the name Giedroycia Street;
 - 3.3. the word “Variant U” used on page 12 shall be replaced by “Variant II;”
 - 3.4. the expression “the Serafy River” shall be replaced by “the Serafa River;”
 - 3.5. the phrase “section II – from the Christo Botewa junction to the Igołomska–Ptaszyckiego junction, construction of the Igołomska–Ptaszyckiego junction” shall be replaced by the phrase “section II – from the Christo Botewa junction to the Igołomska–Ptaszyckiego junction, construction of the Christo Botewa and Igołomska–Ptaszyckiego junctions.”

JUSTIFICATION

Via the letter of 2 July 2007, ref. no. 2007/07/00009, Mr Arkadiusz Palka (representative of the Investors, i.e. of the Cracow Urban Commune – represented by the Mayor of Cracow – and of the General Directorate for National Roads and Motorways, Cracow Branch) requested under Article 113 of the Administrative Procedure Code that the Małopolskie Voivode's decision of 25 May 2007, reference: SR.III.SZy.6665-1-24-06, be amended through correction of obvious mistakes; this shall involve deletion of double plot numbers, correction of the wrong plot number in section no. 0108, correction of the wrong names of two streets, and inclusion of a detailed description of the investment variant.

Analysis of the documentation revealed that the Małopolskie Voivode's decision of 25 May 2007, reference: SR.III.SZy.6665-1-24-06 listed the same plots twice in some cases, that the plot number in section no. 0108 was wrong (7/8 instead of 72/8), that the Annex to the decision contained mistakes in the names of Łutnia and Giedroycia Streets and the Serafa River, and that the name of section II of the project was not properly defined.

Those are obvious mistakes which needed to be corrected.

In the light of the foregoing, it has been decided as presented in the decision.

I n s t r u c t i o n

The parties may complain about this decision to the Minister of the Environment in Warsaw, 52/54 Wawelska Street, via the Małopolskie Voivode within seven days following its announcement date.

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Copies to:

1. The Mayor of Cracow
2. The General Directorate for National Roads and Motorways, Cracow Branch
3. Mr Arkadiusz Palka, Mosty Katowice Spółka z o.o.
4. Other parties according to the list – pursuant to Article 49 of the Administrative Procedure Code
5. SR.IV – courtesy copy
6. SR.III. – to file

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