

Environmental and Social Data Sheet

Overview

Project Name:	<i>LEGNICA URBAN INFRASTRUCTURE</i>
Project Number:	<i>20180077</i>
Country:	<i>Poland</i>
Project Description:	The project will support eligible investment schemes in the City of Legnica (Poland) in the 2018-2023 period. It will focus on urban development and infrastructure modernization. The loan will be signed under the Programme Loan SILESIA URBAN INFRASTRUCTURE PROGRAMME (2017-0117).
EIA required:	Multiple-scheme operation. Given their nature (urban development) investment schemes will mostly fall under Annex II of the EIA Directive; some may potentially be screened in.
Project included in Carbon Footprint Exercise ¹ :	No

(details for projects included are provided in section: "EIB Carbon Footprint Exercise")

Environmental and Social Assessment

Environmental Assessment

The operation is classified as a municipal framework loan (FL) under the Programme Loan: Silesia Urban Infrastructure Programme. The EIB financing will support implementation of development strategy of the City of Legnica, formerly a mining city in southern Poland with about 174 thousand inhabitants. It will comprise small and mid-size schemes dedicated mainly to urban roads and public transport, social, education, culture, sports and other public infrastructure and services, including energy efficiency measures.

The Polish EIA law, which is compliant with EU Directives, entered into force in November 2008 (Act on Providing Information on the Environment and Environmental Protection, Public Participation in Environmental Protection and on Environmental Impact Assessment). According to the Act, the Competent Authority issuing environmental permits for urban roads of national significance is the Regional Director for Environmental Protection (RDEP) after consultation with the Regional Sanitary Inspectorate. For other urban projects (i.e. other urban roads, urban renewal, etc.) the Competent Authority is the Mayor of the City.

The competent authority for Natura 2000 areas is the corresponding "Voivodship's" Regional Director for Environmental Protection. Given the scope of this operation and sectors included, it is possible that some infrastructure schemes may be located in the vicinity of Natura 2000

¹ Only projects that meet the scope of the Pilot Exercise, as defined in the EIB draft Carbon Footprint Methodologies, are included, provided estimated emissions exceed the methodology thresholds: above 100,000 tons CO₂e/year absolute (gross) or 20,000 tons CO₂e/year relative (net) – both increases and savings.

areas, thus requiring screening procedure. However, at this stage there were no identified projects located directly in Natura 2000 zones.

Strategic Environmental Assessment (SEA) was carried out for the City's Development Strategy 2015-2020 and published².

The investments included in this operation will in principle comprise new construction (e.g. urban roads, cultural buildings), modernization of existing infrastructure (e.g. urban roads, education and social care facilities), and urban revitalization and renewal (e.g. public park). Thus, the project will have an impact on the environment both during construction and operation.

At construction stage, it will increase noise levels, and will impact water and air quality. Adequate mitigating measures will be considered in the designs such as drainage systems, management of earthworks, reinstatement of damaged vegetation with local species and wildlife protection with underpasses or rehabilitation of existing structures for the road projects. Felling of trees is required in some schemes, trees will be protected in appropriate manner and tree clearance will be conducted outside the nesting season. Overall, the project's impact at the construction stage will be short-lived and reversible, at a level which is deemed acceptable.

Investments in social, culture, sports and education facilities primarily comprise rehabilitation and modernisation, rather than new construction, thus many of the schemes are not likely to fall under the EIA Directive 2014/52/EU (amending Directive 2011/92/EU). This is also to be the case for some new construction schemes in urban areas (e.g. sport halls for schools). In cases where EIA is to be required (e.g. mostly schemes concerning roads), the promoter will be requested to provide the report to the EIB. Some of the planned investments shall lead to improvements in energy efficiency.

At operation stage, main impacts will be related to noise and emissions from motor vehicle traffic linked to road projects. Special mitigation measures may be proposed in line with legal emission thresholds including the construction of noise barriers or fences where needed. Severance will be solved with animal underpasses and repair of affected animal paths.

The project is expected to improve the energy efficiency in public buildings (e.g. schools), bringing savings in operational costs and contributing to the reduction of local emissions. The project also includes a component of low-emission urban transport comprising of construction of a local/regional transit centre which will contribute to sustainable mobility. Against this background, the project is expected to entail a positive contribution to the Bank's efforts in combatting Climate Change.

Institutional Capacity of the Promoter

This will be the first operation with the City of Legnica,. Based on the due diligence carried out at appraisal, the monitoring capacity of the promoter is considered adequate with acceptable quality of social and environmental monitoring systems.

Social Assessment

No separate social impact assessments have been carried out; however, it is generally deemed that the overall social impacts of the Framework Loan operation are positive, achieved particularly by reducing travel times, congestion and pollution from car traffic, further also through job creation, improved quality of a built environment, provision of social and sport infrastructure and overall increased attractiveness of the urban area for the inhabitants.

Public Consultation and Stakeholder Engagement

The consultation process is embedded in the Planning process and procedures (Law on planning and spatial management – journal of laws 2015.22 of 27.03.2003). The

² SEA published: <http://um.bip.legnica.eu/download/107/21187/Prognozaoddzialywanianasrodowisko-StrategiiRozwojuMiastaLegnicy2015-2010PLUS.pdf> with a non-technical summary in chapter 14.

Development Strategies of the participating cities were subject of public consultation procedures.

Other Environmental and Social Aspects

The individual project building permits will stipulate monitoring of environmental requirements prior to, during, and post construction. In addition, road safety is expected to improve, thanks to the upgrading of the road network and public transport infrastructure to current safety standards.

Conclusions and Recommendations

Individual investments supported by this operation will be located within the city boundaries of Legnica. At this stage there were no identified projects located directly in Natura 2000 zones. Most of the schemes comprising rehabilitation of the existing infrastructure will not require EIA. Should any scheme under this operation fall under Annex II EIA Directive 2014/52/EU (amending Directive 2011/92/EU 2011/92/EU) and be “screened in” by the Competent Authority, or fall under Annex I, the Promoter shall deliver the EIAs to the Bank, if applicable, before the Bank funds are allocated.

Prior to disbursement against any specific scheme, the Promoter is to provide to the Bank the evidence that schemes comply with relevant provisions of the environmental EU Directives, including EIA (2014/52/EU amending 2011/92/EU), Habitats (92/43/EEC) and Birds (2009/147/EC) Directives as transposed into the national law. In addition, the Promoter will be requested to deliver the EIAs (if applicable) to the Bank before the use of Bank funds are disbursed.

For Schemes having a potential impact on protected areas including Natura 2000 sites, the Promoter has to provide evidence of the compliance (including screening) with the Habitats and Birds Directives (if applicable).

The overall environmental and social impact of the project is expected to be positive, with improved environment and citizens' quality of life, especially in matter of improvement of the public transport system, urban road network, and energy efficiency in buildings (contributing also to climate change mitigation). Potential negative effects (e.g. dust and noise during construction) will be alleviated by implementing effective mitigation measures.

The institutional capacity of the promoter (City of Legnica) to manage the environmental and social issues is deemed adequate. Therefore, subject to the conditions described above, the project is acceptable for the Bank in environmental and social terms.