



Luxembourg, 05 February 2025

Environmental and Social Data Sheet

Overview

Project Name:	POLAND FLOOD RISK MGMT & SUSTAINABLE INFRA (SPL)
Project Number:	2019-0842
Country:	Poland
Project Description:	Structural Programme Loan (SPL) providing Co-financing of the flood protection and prevention programme in Poland in the 2021-2027 programming period.
EIA required:	Yes. This is an investment programme made up of multiple schemes. Some of them will require an EIA study under Annex I or Annex II of the EIA directive 2011/92/EC as amended by Directive 2014/52/EU
Project included in Carbon Footprint Exercise ¹ :	no

Environmental and Social Assessment

The project will support the implementation of flood prevention, climate change adaptation, risk management and disaster resilience schemes under Specific Objective 2.4 of the Polish Government's Programme European Funds for Infrastructure, Climate and Environment 2021-2027 (*Program Fundusz Europejskie na Infrastruktury, Klimat, Środowisko 2021-2027* or FEnIKS in Polish). The FEnIKS programme is part of the Partnership Agreement¹ (PA) between the European Commission and Poland for the period of 2021-2027. The project will comprise investments in flood protection, drought management and river restoration.

The Promoter of the project is the *Państwowe Gospodarstwo Wodne Wody Polskie* (State Holding of Polish Waters, SHPW), a state legal person under the *Ministerstwo Infrastruktury* (Ministry of Infrastructure), which has the overall responsibility for water management in Poland, including management of measures to provide protection against floods and minimise the impact of droughts. This is the first operation for the Bank with this Promoter.

Environmental Assessment

Strategic Environmental Assessment (SEA)

The project will comprise schemes which are included in and consistent with the Programme of Measures of the approved Flood Risk Management Plans (FMRPs) and will be implemented in 16 of the 17 regions of Poland. The FMRPs were approved on 18 and 26 October 2022 and were subject to a SEA. Prior to the approval of the FMRPs the SEA procedure had been concluded by the competent authority, Ministry of Environment and Climate, in the course of 2021. Its results had been incorporated into the FRMPs.

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



Luxembourg, 05 February 2025

Environmental Impact Assessment (EIA) process

It is expected that some of the schemes under this multi-scheme Project may fall under Annex I or Annex II of the EIA Directive 2011/92/EU as amended by the Directive 2014/52/EU. In case of schemes falling under Annex II, the decision as to whether an EIA Report is required or not, is left with the competent authorities, the regional offices of the Ministry of Environment and Climate.

In case some schemes under the Project require an EIA Report according to Directive 2011/92/EC as amended by Directive 2014/52/EU, the Promoter is obliged to inform the Bank accordingly and to submit the respective EIA Report(s).

The Promoter ensures that the schemes likely to have significant effect on Natura 2000 sites to which a screening or appropriate assessment procedures is carried out, will be assessed in view of the up to date site-specific conservation objectives (SSCOs).

The Promoter will also be required to ensure compliance of the Project with the Water Framework Directive (2000/60/EC), especially in relation to compliance with the requirements of Art. 4.7 of the Water Framework Directive. Schemes under the Project that would have a significant impact on status of water bodies, which would trigger an exemption under Article 4(7), shall be excluded from EIB financing.

Environmental Impacts

The river restoration schemes are expected to contribute to the overall improvement of the biodiversity of the flora and fauna. The drought management schemes are also expected to have a long term positive impact in terms of improving water resources availability. In general, it is foreseen that there will be temporary and reversible negative impacts during the implementation (construction) of the schemes. In case there are long term negative impacts, mitigation measures, as required by the competent environmental authorities, will be implemented.

Climate Mitigation and Adaptation

The project is expected to improve the adaptive capacity of the flood protection system across Poland against physical risks arising from climate change, primarily in the form of flood risk reduction and avoided flood damage. The project schemes will be subject to climate proofing, meaning that they will incorporate a climate change risk approach and be adapted to climate change predictions. The climate proofing guidelines are based on the European Commission's Communication 2021/C 373/01 on Technical Guidelines on the climate proofing in the period of 2021-2027.

The project has been assessed for Paris Alignment and is considered to be aligned against resilience goals against the policies set out in the Bank's Climate Bank Roadmap (CBR).

Social Assessment

By providing improved levels of protection and safeguards against floods and droughts, the project will enable socio-economic developments in the areas served by the project, including society-wide benefits from being better able to adapt to the adverse impacts of climate change. By providing a uniform level of protection against floods across the country, in line with the Floods Directive, the project will contribute to the reduction of inequalities. The river restoration projects are expected to provide improved recreational environment to the local stakeholders.

The works will also contribute to employment creation during construction.



Luxembourg, 05 February 2025

Implementation of certain schemes (e.g. flood retention reservoirs) of the project may require expropriation of privately owned agricultural land. In such cases, the Promoter will be required to conduct the expropriation in compliance with national laws and regulations.

Public Consultation and Stakeholder Engagement

Both the FENIKS programme and the FMRPs were subject to public consultation in the course of 2021 as part of the SEA process.

Regarding the particular schemes, where relevant, the Promoter will be requested to ensure compliance with national and European environmental legislation, notably to facilitate public access to environmental information and guarantee public consultation during the environmental decision process. Consultations with affected communities and interested parties have been carried out and will take place in line with the requirements of the Directives.

Conclusions and Recommendations

The project is expected to improve adaptive capacity of the flood protection system across Poland against the impact of climate change, primarily in the form of flood risk reduction and avoided flood damage. The project will comprise investments in flood protection, drought management and river restoration.

The Promoter will be required to comply with the following requirements:

- The Promoter will be required to act according to the provisions of the relevant EU Directives, including the 2011/92/EU Directive amended by the 2014/52/EU Directive, Habitats (92/43/EEC) and Birds (2009/147/EC) Directives, and the Water Framework Directive (2000/60/EC).
- The Promoter undertakes not to allocate the Bank's funds to Project schemes that require an Environmental Impact Assessment (EIA) until the EIA has been finalised and approved by the competent authority. For such schemes, an electronic copy of the EIA Report(s) should be submitted to the Bank.
- The Promoter will also undertake to provide to the Bank, upon request, any screening out decisions issued by the competent authority.
- For schemes with the permitting process finalised before the update of the SSCOs, the Promoter will inform the Bank about any changes/updates to the conclusions of the screening/ appropriate assessment, in view of the site specific conservation objectives, as defined by the competent authority and reflected in their decision.
- The Promoter undertakes to provide evidence satisfactory to the Bank that the Article 4(7) of the Water Framework Directive has been taken and/or an assessment by the relevant competent authority has been carried out, in view of achieving the environmental objectives of the Water Framework Directive. The Promoter also undertakes not to commit any EIB funding to projects which have a significant impact on status of water bodies and would trigger the exemption under Article 4(7) Directive.
- Before any allocation request, the Promoter will prepare a Climate Risk Vulnerability Assessment (CRVA) satisfactory to the Bank. All the schemes financed by the Bank will include in their designs the necessary measures to adapt to climate change (if required).

Considered the above, the Project is acceptable for EIB financing from an environmental and social point of view.