

Luxembourg, 16 October 2024

Environmental and Social Data Sheet

Overview

Project Name: *S10 EXPRESSWAY BYDGOSZCZ - TORUN*
 Project Number: *2022-0226*
 Country: *Poland*
 Project Description: *Construction of a new 56 km long S10 Expressway section between Bydgoszcz and Torun*

EIA required: *yes*

Project included in Carbon Footprint Exercise¹: *yes*

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

Environmental and Social Assessment

The project is located in the Northern Region of Poland (*NUTS1 - Pnocny - PL6*) in Kuyavian-Pomeranian voivodeship (*Kujawsko-Pomorskie – NUTS2 – PL61*) on a west – east road corridor between the Polish – German border near Szczecin and Warsaw. The S10 expressway is part of the Comprehensive TEN-T network. The project concerns the construction of a new S10 expressway section between Bydgoszcz and Torun. The project design foresees construction of a 51 km long 2x2 lane expressway and approximately 5 km long 2x2 lane section of national road DK25, partially along the existing alignment and partially along a new one. The project scope also includes constructing of grade separated interchanges, animal crossings, drainage systems, noise protection screens, local and service roads, expressway service areas and a motorway maintenance centre. For implementing purposes, the project has been divided into four sections:

(1) Bydgoszcz Południe -Bydgoszcz Emilianowo (8.93 km) with a DK25 reconstruction (5.36 km).

(2) Bydgoszcz Emilianowo - Solec Kujawski (8.64 km).

(3) Solec Kujawski - Toruń Zachód (21.15 km).

(4) Toruń Zachód - Toruń Południe (12.10 km).

Environmental Assessment

The project is included in the Governmental National Road Construction Program until 2030 for which the SEA was performed in 2022. Additionally, it is included in the National Operational Programme: European Funds for Infrastructure, Climate and Environment 2021-2027 (FEnIKS) for which a SEA was performed in 2021.

The project falls under Annex I of EIA Directive 2011/92/EU, as amended, requiring a mandatory EIA.

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.



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The project scope was covered by one EIA procedure, resulting in the EIA decision issued by the Regional Director for Environmental Protection (RDOŚ) in Bydgoszcz on 24 February 2020 (ref. WOO.4200.1.2016.ADS.45) modified by the General Director for Environmental Protection (GDOŚ) on 4 June 2021 (ref. DOOŚ-WDŚZiL.420.8.2020.mk.49).

A cassation appeal was lodged with the Supreme Administrative Court (SAC) concerning the 2021 GDOŚ decision. At the time of the appraisal, the SAC proceedings were underway and court ruling on the appealed decision remained undisclosed. As stated by the Project Promoter, the Court ruling is expected by the end of 2025. Therefore, before the disbursement of the loan, the Bank will not only request the borrower to provide a copy of the final Development Permits (ZRIDs) together with the associated RDOŚ decisions and SEIA reports, but the borrower will be also required to inform the Bank of the Court ruling concerning the challenged GDOŚ decision and any subsequent changes to the EIA procedure.

The project amendments to Section 4 design, concerning the extension of the Toruń Południe node were subject to a screening process (as foreseen within Annex II to the EIA Directive) resulting in a negative screening decision issued by the RDOŚ in Bydgoszcz on 29 May 2024 (ref. WOO.420.1.2024.ADS.13).

Following the completion of the design documents, the contractors completed the second stage EIA reports and applied for the Supplemental Environmental Impact Assessment (SEIA) within the development permit (ZRID) procedure for each of the four project sections separately. At the time of the appraisal, the SEIA reports are being reviewed by the competent authority. Therefore, before first disbursement towards a particular project section, the EIB shall receive a copy of the Supplemental Environmental decision together with a copy of the Development Permit (ZRID) for the respective section.

Assessment of effects on Natura 2000 sites

The following NATURA 2000 sites were identified as being potentially impacted by the Project:

No.	Code	Site name	Distance to the project (km)
1.	PLH040003	Solecka Dolina Wisły	2.6
2.	PLH040045	Dziki Ostrów	0.7
3.	PLB040003	Dolina Dolnej Wisły	0.45
4.	PLH040011	Dybowska Dolina Wisły	1.24
5.	PLH040044	Leniec w Chorągiewce	0.34
6.	PLH040041	Wydmy Kotliny Toruńskiej	0.41
7.	PLH040012	Nieszawska Dolina Wisły	in collision of 100m
8.	PLH040001	Forty w Toruniu	0.2
9.	PLH280001	Dolina Drwęcy	2.15

The project impact on Natura 2000 areas was analysed by the competent authorities as part of the EIA procedures concluding that the project would have no significant adverse impacts on the objectives and functioning of the sites.

It is mandatory under the SEIA to verify if the detailed project design meets the conditions set in the EIA decision by considering specific technical solutions and current environmental conditions, as well as the established and revised site-specific conservation objectives (SSCOs).



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Impacts and mitigation

During the EIA process, the studies, followed by the reviews of the competent authorities, have been carried out in accordance with the EU EIA Directive requirements. The EIA process included the analysis of variant solutions, the assessment of impacts along with mitigation measures and environmental monitoring needs.

Negative impacts include conversion of agriculture, urban and forestry land, noise and vibration, visual intrusion and severance of communities and habitats. The Environmental Decision specify a range of mitigating measures which include installation of acoustic screens, construction of different size animal passes, drainage and rainwater treatment systems, re-planting of greenery, fencing, various restrictions on working periods, hours, and practices as well as requirements for supervision and monitoring.

Although the project will have some negative impacts, these have been properly assessed and adequate mitigation, management and monitoring measures have been/are to be identified in consultation with relevant stakeholders and included in the final designs, which are subject to the SEIA decisions.

Climate adaptation

According to the climate risk and vulnerability assessment carried out during project preparation the most significant risk, deemed highly probable and impactful, relates to increased snow loading. Other relevant climate change related project risks, such as temperature increase, precipitation increase and strong winds, have been rated as “medium”. The promoter has confirmed that the project design incorporates proper measures and is sufficiently adapted to the identified climate vulnerabilities with the highest risks, and that maintenance planning will properly address the possible intensive snow loading risk. Following the application of proper mitigation measures, the climate risk of the project has been assessed as “low”.

Paris alignment

The project was assessed by the Bank’s services for Paris Alignment in accordance with the policies set out in the Climate Bank Roadmap (“CBR”). The project is considered being aligned with the low carbon goal as it consists of a capacity expansion of an existing road infrastructure meeting the EIB eligibility criteria for Transport, including passing the Adapted Economic Test introduced under the CBR and is consistent with national and EU level infrastructure planning.

Poland’s alternative fuel infrastructure national policy framework has been assessed to have shortcomings, but Poland has shown improving commitment to plan for alternative fuel infrastructure. The climate risk of the project is assessed as low, and the project is therefore considered to be aligned with the resilience goal.

[*Register of Commission Documents - SWD \(2019\)29 \(europa.eu\)](#)

EIB Carbon Footprint Exercise

The project is included in the Carbon Footprint exercise on the following basis:

- Estimated annual emissions of project in a standard year of operation:
 - Forecast absolute (gross) emissions are 197 200 tonnes of CO₂ equivalent per year.
 - Forecast emission created are 3 300 tonnes of CO₂ equivalent per year.
- The project boundaries are given by the new road and the existing roads (national roads 10 and 80, and small sections of national roads 25 and 15) connecting the cities of Bydgoszcz and Torun in Poland.



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The baseline is the forecast third party emission, in the absence of the project, from the existing network, only within the boundary defined above. The forecasts reflect the Services' assumptions on traffic, traffic growth, speed/flow, infrastructure capacity and fuel consumption. For the annual accounting purposes of the EIB Carbon Footprint, the project emissions will be prorated according to the EIB lending amount signed in that year, as a proportion of project cost.

Social Assessment, where applicable

Being a road construction partially along a new alignment, the project implementation requires an additional land take of approximately 660 ha. This includes the expropriation of approximately 835 land plots and the demolition of 35 real estate objects, including 10 residential houses. The construction will lead to the conversion and permanent loss of primarily forest (63%), as well as arable and sub-urban land. Impacted persons have been informed; however, as the expropriation and resettlement process are still underway, a certain risk of dissatisfaction and appeals exists until the process is fully completed. Experience with the promoter from the previous projects shows that such risks are minimised by applying well-planned expropriation procedures in accordance with Polish legislation, involving professional staff and offering a fair compensation for the expropriated property. This procedure includes information to the owners about resettlement timing, based on real needs and works calendar.

The project is expected to have positive socio-economic impacts such as the reduction of travel costs and improvement of road safety. The project is also expected to improve the quality of life of the inhabitants of the localities crossed by the national road and local roads in the area of influence of the expressway, because of reduced air and noise pollution, as well as job creation.

The traffic safety situation is expected to improve by constructing grade separated interchanges, separating transit, and local traffic, constructing pedestrian underpasses and bridges, constructing about 12 km of dedicated bicycle lanes and providing links to local road network. Road safety audits were undertaken at the design stage and, in accordance with the requirements of the EU and Polish legislation, will be performed at pre-commissioning phase.

Public Consultation and Stakeholder Engagement

The promoter organized extensive public consultations and assured stakeholder engagement during the different stages of the Programme Concept development, EIA and SEIA procedures in compliance with the requirements of the applicable legal framework. Prior to the public consultation meetings, information was made available through publication in local media, on websites, social media and by posting on information boards of the municipalities impacted by the project. The proposals and recommendations received during the consultations were dealt with, before issuing the environmental decisions and defining technical requirements for the design, which are further checked at issuing the SEIA decisions for ZRIDs.

Conclusions and Recommendations

The project was included in the National Road Construction Program 2014 - 2023 which was subject to a Strategic Environmental Assessment SEA in 2015, currently replaced by the Governmental National Road Construction Program until 2030 for which the SEA was performed in 2022.

The project falls under Annex I of EIA Directive 2011/92/EU, as amended, requiring mandatory EIA.



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At the time of appraisal, the EIA decision for the entire project had been issued by GDOS and is in place. Nevertheless, it was appealed in front of the SAC and court proceedings were underway. The SEIA reports and the applications for development permits (ZRID) had been submitted and were under review by the Competent Authority.

Subject to the fulfilment of the below-mentioned conditions and undertakings, the project is acceptable for EIB financing in E&S terms:

Disbursement conditions:

- Before first disbursement towards a particular project section, the EIB receives a copy of the Supplemental Environmental decision together with a copy of the Development Permit (ZRID) for the respective section.

Undertakings:

- Promptly inform the EIB about any changes/updates in the project design which may affect any decisions (including, among others, administrative decisions, or internal decisions of the promoter) to implement the project.
- Promptly inform the EIB on the Supreme Administrative Court ruling concerning the challenged GDOS decision and any resulting potential changes to the EIA procedure or the project scope.
- Promptly inform the EIB on any other significant environmental claims, proceedings or investigations commenced, pending, or risk of being initiated regarding environmental matters affecting the project.