1. **Basic Information**
   1.1 CRIS Number: 2002/000-640.02
   1.2 Title: Modernization of Provincial Road No 945 Jeleśnia – the State Boundary constituting access to Polish - Slovakian road boundary post Korbielów – stage I.
   1.3 Sector: Social-economical consistency.
   1.4. Location: Poland, the Province of Silesia.

2. **Objectives**

2.1 Overall Objective(s):
Development of international co-operation of regions through modernization of transport infrastructure in the boundary zone.

2.2 Project purpose:
- Improvement of traffic safety.
- Enhancing the region’s attractiveness.
- Increasing the transport accessibility of the region.
- Increasing the standard of life and natural environment.
- Improvement of the boundary post accessibility for the traffic between Poland and Slovakia.

2.3 Accession Partnership and NPAA priority
Gradual achievement of economical and social consistency is one of the priorities of the pre-accession period. The project is compliant with the provisions of the Preliminary National Development Program which, according to the assumptions for Partnership for Membership and the National Program of Preparations for Membership is a strategic document for managing the economical and social consistency policy. This Project will contribute to the realization of the following priorities of the National Program of Preparations for Membership:
- priority No 21 „The Regional Policy and Co-ordination of Structural Funds” and
- priority No 9 "Transport Policy".

2.4 Contribution to National Development Plan
According to the provisions of the Preliminary National Development Plan, the general purpose of the structural actions will be to create the foundations to enhance the competitiveness of Polish economy and improvement of the life standard in the perspective of entering the European Union. Within this Plan, six principal pivots of the social-economical development of Poland were formulated. One of them is „The Enhancement of the development potential of regions and preventing the marginalization of certain regions”. Among the lines of action corresponding to this pivot, the following was mentioned: „The Development of international co-operation of Regions”. According to the provisions of the Preliminary National Development Plan, the actions in the scope of construction and modernization of the transport infrastructure will be performed, as part of the line “Development of the international co-operation between Regions”.

The submitted Project is also compliant with the provisions of the Phare CBC Joint Programming Document (JP D). The first Priority of the Joint Programming Document is “Accessibility”. As part of this priority, the actions aiming at the improvement of the accessibility of the boundary areas through the development of transport, telecommunication and power networks. The undertaking I.1 “The Development and Modernization of the transport and communication system” being part of the priority, includes the following purposes:
- improvement of the economical and social development of the boundary region,
- improvement of the transport conditions on the regional level..

To achieve those purposes, the following, but not limited to, measures are to serve:
- the development of all types of transport infrastructure, including roads,
- the development of transport systems serving the tourism development in the region.
2.5 Cross Border Impact
The project realization will facilitate and improve the boundary traffic at the Polish – Slovakian road, passenger boundary post in Korbielów.
On January 25th 2001, the representatives of the Marshall Office of the Province of Silesia and the Provincial Office in Žilina agreed upon the project of joint modernization plan of the trans-regional transport system. The trans-regional system is constructed on the foundations of three (3) boundary posts Zwardoń – Skalite, Ujsoły – Novot, Korbielów– Oravská Polhora.
This system will serve the expansion of commercial, cultural and tourist contacts.
Both Provinces – Silesia and Žilina, in the subsequent editions of Phare CBC Poland – Slovakia will present the following undertakings:
The modernization of the above roads will allow for additional foundation of transportation rings.

3. Description

3.1 Background and justification:
The international co-operation between regions is one of the most important factors of social-economical consistency of modern Europe. Poland, since the beginning of political system transformations, has been actively participating in the co-operation of European regions, including the co-operation within Euro-regions. The territorial reform of the country and appointment of bodies responsible for managing the development policy on the regional level created the conditions for the intensification of this co-operation. The investment measures, whose purpose is the support for the boundary co-operation development, have been taken since 1994, which includes, but is not limited to, the support for infrastructure development, mainly that of transport and environment protection. According to the provisions of the Preliminary National Development Plan, the support for “The Development of international co-operation of regions” is anticipated, concerning investment actions in the limits of the belt of two districts bordering upon the European Union member countries and European Union member candidate countries. The submitted Project concerns the modernization of Provincial Road to the Polish-Slovakian boundary post located in the limits of boundary rural commune of Jeleśnia being part of the boundary district of Żywiec.
A very important element of Poland’s adaptation to the European Union structures is the trans-boundary co-operation run on the basis of Euro-regions. One of them is the Euro-region of the Beskid Mountains that comprises, though is not limited to, the District of Żywiec. An important element of the foreign co-operation is to make interpersonal contacts favoring the development of local communities of the co-operating regions as well as the intensification of tourist traffic and boundary commerce. The submitted project concerns the modernization of the road Jeleśnia – the State Boundary. It passes the area in which there are traditions of tourist industry. The direct users of the planned investment will include the tourists enjoying the natural values of the mountains of Beskid Śląski and Żywiecki and the tourists traveling to Slovakia through the boundary post located in Korbielów. It is to emphasize that Korbielów is one of the largest winter sports centers in Poland with marvelous conditions for skiers. The slopes of Pilsko and Hala Miziowa attract thousands of skiers every year. The easy access to the commune and the State boundary, high tourist values available both in the summer and in the winter should cause the animation of the potential investors.

One of the developmental barriers for the boundary co-operation and for the development of boundary regions is the poor condition of the transport infrastructure. The existing network of roads does not provide the proper quality of transport. Further, one should notice that during the recent years, the intensive growth of boundary traffic has been noted (in the years 1993 – 97 the motor car traffic increased by 60%). The demand for modernizing the transport infrastructure of boundary posts arose, which included the access road to the posts. In accordance with the provisions of the Preliminary National Development Plan, part of the direction “The Development of International co-operation of Regions” will include issues in the scope of construction and modernization of transport infrastructure.
The modernization of the Provincial Road comprises the road section 12.840 m long. The widening of the roadway, replacement of the surface, construction of pavements, dehydration and repairs, and reconstruction of bridges are planned. The roadway surface of the street has numerous cracks in the asphalt-concrete layer and partly in the road foundation, creating pits and bumps and hollows. In addition, longitudinal cracks along the roadway edges occur, which indicates the foundation’s dampness and the adjoining land with the occurrence of water in these layers. The lane width is too small to stand fluent motor traffic of increased intensiveness, particularly during weekends, maintaining the due safety. It is anticipated that the investment's realization will contribute to the improvement of the comfort and life conditions of the local community. It will allow for the reduction of the time of access to the boundary and sports centers, improvement of the safety of pedestrian traffic and will contribute to the reduction of the negative effect of the road on the environment by reduction of pollutant emissions and the construction of rain sewage system and ditches allowing for waste water disposal. The subject of this slip is the realization of stage I of the modernization of Provincial Road No 945 Jeleśnia – the State boundary in km 0+000 to 8+000, i.e. on the route from Jeleśnia do Krzyżowa.

3.2 Linked activities:
The Slovakian party prepares a mirror undertaking, i.e. the modernization of the access road to the Slovakian-Polish boundary post Oravska Polhora – the State Boundary (Korbielów boundary post). The improvement of the accessibility of the boundary post will facilitate the commercial, cultural and tourist contacts between the inhabitants of the areas located on both sides of the boundary. The boundary post in Zwardon will be relieved. This will also have beneficial effect on the further development of the activity of Polish-Slovakian Chamber of Commerce, active in the boundary area. The Chamber is the initiator of numerous mutual Polish-Slovakian actions.

3.3 Results:
The Project realization will contribute to the facilitation of access to the boundary post in Korbielów. The improvement of the condition of the access road will cause the liquefaction of traffic in this region and in consequence the time of traveling to the boundary will be reduced. This will positively influence the exchange in the boundary zone, contributing to the intensification of boundary co-operation and the development of this region/

The projected time of traveling from Jeleśnia to the State Boundary will be reduced from 40 do 17 minutes.

3.4 Activities:
Modernization of Provincial Road Jeleśnia – the State Boundary – stage I from km 8+0000 to km 12+840, i.e. from Krzyżowa to the State Boundary:
- Reinforcing the structure of the existing roadway
- Repair of bridges
- Repair of existing pavements – for stage I
- Cleaning and modernization of penetrations, repair of roadside ditches – for Stage I
- Construction of environment protection devices (sand traps, separators)

The Project realization requires the following investment expenses:
- total expenses – MEURO 3.42 (of which Phare MEURO 1.75)

4. Institutional Framework

The Employer: Zarząd Dróg Wojewódzkich /The Management of Provincial Roads/
ul. Lechicka 24
40-609 Katowice

The Engineer: a consulting company – will be selected by way of open tender procedure
5. Detailed Budget

<table>
<thead>
<tr>
<th>Phare</th>
<th>Support</th>
<th>Total Phare (=I+IB)</th>
<th>National Cofinancing</th>
<th>IFI*</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Investment Support</td>
<td>Institution Building</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contract 1 (works)</td>
<td>1.75</td>
<td>0</td>
<td>1.75</td>
<td>1.47</td>
<td>0</td>
</tr>
<tr>
<td>Contract 2 (contract engineer)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.20*</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>1.75</td>
<td>0</td>
<td>1.75</td>
<td>1.67</td>
<td>0</td>
</tr>
</tbody>
</table>

*The domestic financing comprises expenses incurred per engineer contract in the amount of MEUR 0.20.
Co-financing will be available.

6. Implementation Arrangements

6.1 Implementing Agency
Implementing Agency
Phare CBC Implementing Authority
Ministry of Internal Affairs and Administration
00-522 Warsaw, 36 Krucka Street, Poland
Phone: +4822 695 99 10/11
Telefax: +4822 695 99 12/13
E-mail: Phare@wwpwp.it.pl
www.wwpwp.it.pl

PAO:
Mr Zenon Kosiniak - Kamysz
Under -secretary of the State
Ministry of Internal Affairs and Administration
02-591 Warsaw, 5 Batorego Street, Poland

6.2 Twinning
Not applicable

6.3 Non-standard aspects
During the implementation of the Project procedures described in “Practical Guide to Phare, ISPA and SAPARD contract procedures” will be strictly followed.

6.4 Contracts
The total project value is MEUR 3.42, of which the construction works contract comprises MEUR 3.22 (joint co-financing).

7. Implementation Schedule

7.1 Start of tendering/call for proposals
Specifications of tendering will be ready in the 2nd quarter of 2003.

7.2 Start of project activity
Expected date of commencement of first contract - 3rd quarter 2003

7.3 Project Completion
Expected date of final payment under last contract - 4th quarter 2004.
8. Equal Opportunity
The principles of equality of opportunities and acting according to these principles, in order to provide national, religious and sexual equality in the project participation will be guaranteed, in accordance with the Polish law and European Union standards.

9. Environment
The assessment of the undertaking's environmental effect was developed on January 15th, 2001, according to the requirements of Directive No 85/337/EEC and supplementary directive No 97/11/EC by Leopold Dobrowski, M.Sc.eng. – expert from the list of MOŚZNIL, and from the list of the Provincial Governor of Silesia.
The improvement of road traffic capacity, changing the geometry of junctions will allow both for the increase of the traffic capacity of the road leading to the State Boundary as well as to the reduction of strenuousness by lowering the level of noise, i.e. the improvement of the acoustic climate in the investment region, as well as the atmospheric pollutant concentrations. The level of safety for pedestrian traffic will also be improved, due to the construction of pavements. In addition the rain sewage system will be constructed and the roadside ditches will be brought back to their proper functioning.
The assessment of the environmental effect is available for review with the beneficiary, i.e. Zarząd Dróg Wojewódzkich /The Management of Provincial Roads/ ul. Lechicka 24; 40-609 Katowice

10. Rates of return
The Feasibility Study for the above investment issue was developed.
Authors: Andrzej Krowiak, M.Sc. eng. and Jacek Seweryński, M.Sc.eng.
Date of completing the study - 15.01.2002
The study includes the net project value (NPV) calculated in time horizon by the end of 2026, equal to:
NPV\(_{(0,12)}\) = - 829 209
NPV\(_{(0,07)}\) = 6 462 032
\textit{IRR index [%]} = 11.2%

11. Investment criteria
(to be completed for all investment support projects)

11.1 Catalytic effect:
The project is compliant with the assumptions of the pre-accession policy included in the Partnership for Membership, National Program of Preparations for Membership and Preliminary National Development Program, and Phare CBC Joint Program Document. Its prompt realization is possible on condition of obtaining Phare program support. In case of the contrary its realization will not be possible in the coming years.

11.2 Cofinancing:
The Project will be financed from the budget of the Province of Silesia.
The total value of the Project is MEURO 3.42.

11.3 Additionality:
The Phare funds do not substitute any other financing, they constitute the supplementation of the region's budgetary funds.

11.4 Project readiness and Size:
The Project has been prepared for implementation. The technical documents, the Investment's Environmental Effect and Feasibility Study are ready.

11.5 Sustainability:
Upon completion of the realization, the roads will be under the management of the Province of Silesia budgetary entity, i.e. Zarząd Dróg Wojewódzkich /The Management of Provincial Roads/ in Katowice. This entity will be responsible for the current maintenance and repairs of the road being the subject of the submitted Project.
The Project realization will beneficially affect the natural environment condition by the liquefaction of the road traffic.

11.6 Compliance with state aids provisions
The investment will be realized in compliance with the principles of the European Treaty in the scope of State assistance.

11.7 Contribution to National Development Plan
The submitted Project is compliant with one of the six principal pivots of social-economical development of Poland as defined in the Preliminary National Development Plan, namely with the pivot defined as „The Enhancement of development potential of the regions and preventing the marginalization of some areas”. Among the lines of action corresponding to this pivot „The development of international co-operation of regions” was specified.

The Project is also compliant with priority No 21 „The regional policy and co-ordination of structural funds” and priority No 9 „The transport policy” of the National Program of Preparations for Membership.

12. Conditionality and sequencing
• Preparation of tendering documentation: 1st quarter of 2003
• Verification and approval of tendering documentation: 2nd quarter 2003
• Announcement of the tender, selection of contractors, signing the contract: 3rd quarter 2003

The Beneficiary is:
Zarząd Dróg Wojewódzkich /The Management of Provincial Roads/
24 Lechicka Street, 40-609 Katowice, Poland

Phone: +4832 78 19 211
Telefax: +4822 78 19 200
E-mail: zdwslask@poczta.onet.pl

Contact person: Mrs Małgorzata Skarszewska

ANNEXES TO PROJECT FICHE
1. Logical framework matrix in standard format (compulsory)
2. Detailed implementation chart (compulsory)
3. Contracting and disbursement schedule by quarter for full duration of programme (including disbursement period) (compulsory)
4. Reference to feasibility / pre-feasibility studies. For all investment projects, the executive summary of the economic and financial appraisals, and the environmental impact assessment should be attached (compulsory)
<table>
<thead>
<tr>
<th>Wider Objective(s)</th>
<th>Indicators of Achievement*</th>
<th>How, When and By Whom Indicators Will Be Measured</th>
<th>Assumptions and Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development of international co-operation of regions through modernization of transport infrastructure in the boundary zone</td>
<td>Increase of boundary traffic Increase of turnover of companies located in this area Increase of number of mutual Polish-Slovakian initiatives</td>
<td>Boundary traffic statistics – the I Statistical Office The economical statistics – the Municipal Offices</td>
<td>Commitment of local and regional partners Good co-ordination of the program Efficient project management Compliance of works performed with the documentation</td>
</tr>
<tr>
<td><strong>Immediate Objective (Purpose)</strong></td>
<td><strong>Indicators of Achievement</strong></td>
<td><strong>How, When and By Whom Indicators Will Be Measured</strong></td>
<td><strong>Assumptions and Risks</strong></td>
</tr>
<tr>
<td>Improvement of traffic safety Enhancing the region's attractiveness Enhancing the transport accessibility of the region Increasing the standard of life and natural environment Improvement of access to the boundary post for the traffic between Poland and Slovakia</td>
<td>Reduced number of road collisions Growth of tourist traffic and commercial exchange in this region</td>
<td>Police road accident statistics Regional traffic statistics - the Provincial Office The statistical Office The economical statistics – the Municipal Offices</td>
<td></td>
</tr>
<tr>
<td><strong>Results</strong></td>
<td><strong>Indicators of Achievement</strong></td>
<td><strong>How, When and By Whom Indicators Will Be Measured</strong></td>
<td><strong>Assumptions and Risks</strong></td>
</tr>
<tr>
<td>Improvement of traffic liquidity: Modernization of Provincial Road No 945 Jeleśnia – State Boundary: Reinforcing the structure of existing roadway Repair of bridges Repair of existing pavements Cleaning and modernization of penetrations, repair of roadside ditches Construction of rain sewage system</td>
<td>Reduced time of travelling Number of kilometres of roadway with reinforced surface Number of bridges repaired Number of kilometres of repaired pavements Number of modernized penetrations Number of cleaned roadside ditches Number of erected environment</td>
<td>Experts' reports Data from the beneficiary Work quantity survey book</td>
<td>Good quality of works performed Properly made technical documentation Accessibility of contractor with qualified personnel, equipment and appropriate experience Defective technical documentation Occurrence of additional works exceeding the financial capabilities of the investor Defective performance of works</td>
</tr>
</tbody>
</table>
### Construction of Environment Protection Devices
- **Activities**
  - Modernization of 4.840 km of Provincial Road
    - Repair of bridges – 3 structures
    - Repair of existing pavements – for Stage I ca. 2 km
    - Cleaning and modernization of penetrations, repair of roadside ditches – for Stage I ca. 3km
  - Construction of environment protection devices (sand traps, separators) - 1 structure

- **Assumptions and Risks**
  - The Project realization requires the following investment expenses:
    - total expenses – MEURO 3.42 (of which Phare MEURO 1.75)
  - Efficient project management
  - Good quality of works performed
  - Properly made technical documentation
  - Occurrence of additional works exceeding the financial capabilities of the investor
  - Defective performance of works

### Annex 2-3: Implementation, Contracting and Disbursement Schedules

<table>
<thead>
<tr>
<th>Date of Drafting</th>
<th>January 2002</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning Period</td>
<td>2003 – 2004</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>PLANNED</th>
<th>Budget Allocation (M€)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>I '03</td>
<td>II '03</td>
</tr>
<tr>
<td>Implementation schedule</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>Contracting schedule</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disbursement schedule</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Legend:**
- D = design of sub-projects
- C = tendering and contracting
- I = contract implementation and payment

p. 8
1. Development consent
Has development consent already been given to this project?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

If yes, on which date 

If no, when was the formal request for the development consent introduced 

and by which date is the final decision expected? 30 09 2002

Specify the competent authority or authorities, which has given or will give the development consent

......Town Offices where takes place investment......                     
......Town Office in Jeleśnia ...................................................

Is the above authority considered to be the competent authority responsible for performing the duties of Directive 85/337/EEC as amended by 97/11/EEC on Environmental Impact Assessment?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

- If no, please specify for this project who is designated as competent authority for the purposes of the EIA Directive:

Urząd Wojewódzki w Katowicach / Silesia Voivodship Town Office in Katowice
Above named Town Office is appropriate authority which will give the Building permit.


2.1. Is the project a class of development covered by:

- X (go to question 2.4)
- Not covered by Directive 85/337/EEC, as amended by Directive 91/11/EC (only the section on nature conservation needs to be completed)

2.2. Has an EIA already been carried out?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>
If yes, has the EIA been carried out before development consent has been given?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

On which date has it been finalised  [01] 2001

If no, provide an estimation of the date when the procedure will be finalised

2.3. When covered by Annex I of the EIA Directive a similar procedure as the one described in the EIA directive will need to be applied and the following documents included.

Necessary documents are:

a) the non-technical summary of the Environmental Impact Study carried out for the project. A non-technical summary shall include at least:

- a description of the project comprising information on the site, design and size of the project,
- a description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects,
- the data required to identify and assess the main (direct and indirect effects) which the project is likely to have on the environment on the following factors:
  - human beings, fauna and flora (including those environmentally sensitive areas which might fall in future under the protection of the Birds (79/409/EEC) and Habitats (92/43/EEC) Directives);
  - soil, water, air, climate and the landscape;
  - material assets and the cultural heritage;
  - the interaction between the factors mentioned in the first, second and third indents
- and any further information which might derive from any of the obligations deriving from Annex IV of the EIA Directive.

b) the results of consultations with the competent environmental authorities; indicating in what way the concerns of the designated consultees have been taken into account.

c) the results of consultations with the public concerned. The information provided should cover the following:

- the concerned public which has been consulted,
- the places where the information has been consulted,
- the time which has been given to the public in order to express its opinion,
- the way in which the public has been informed (for example, by bill-posting within a certain radius, publication in local newspapers, organisations of exhibitions with plans, drawings, tables, graphs, models, etc.),
- the manner in which the public has been consulted (for example, by written submissions, by public enquiry, etc.)
- the way in which the concerns of the public have been taken into account.
d) in case a project is likely to have significant effects on the environment in another state the results of the transboundary consultation with those states effected by the project needs to be provided demonstrating that the procedure of article 7 of the EIA Directive. In addition, information indicating in what way the concerns of the designated consultees and concerned public have been taken into account will also need to be provided.

e) Evidence that the decision to grant or refuse development consent has been made available to the public by the competent authority, including the

- the content of the decision and conditions attached thereto,
- the main reasons and considerations on which the decision has been based,
- a description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects.

*Note: In relation to b), c) and d) these may be represented in the form of a statement, conclusion or certification by the competent environmental authorities describing and testifying that all obligation as described in the intends above have been followed.*

2.4. When covered by Annex II of the EIA Directive has an Environmental Impact Assessment been carried out for this project?

- If yes [X] include the necessary documents (see question 2.3.).

- If no explain the reasons and give the thresholds, criteria or case by case examination carried out to reach the conclusion that the project has no significant environmental effects:

Have the results of the determination whether a project listed in Annex II of the Directive requires a formal EIA or not (made by the competent authority) made available to the public?

- Yes [ ] No [X]

If yes, on which date [______]
1. Assessment of effects on sites of nature conservation importance.

1.1. Is the project likely to affect sites of nature conservation importance (i.e. potential Natura 2000 sites)?

Yes [ ] No [X]

- If yes - please go to question 1.2.
- If no - please fill out Annex I (Declaration by the authority responsible for sites of nature
  conservation importance = potential future Natura 2000 sites)

1.2 In this case an appropriate assessment according to art. 6(3) of the directive 92/43/EEC
("Habitats Directive") is obligatory.

1.2.1 Have this appropriate assessment been carried out?

Yes [ ] No [ ]

This appropriate assessment can take the form of an EIA according to Directive 85/337/EEC as
amended by 97/11/EC. If this is not the case, please describe briefly the procedure carried out and
include a non-technical summary of the impact study.

1.2.2 Based on the results of the above appropriate assessment, will the project have a
significant negative impact on a site of nature conservation importance?

Yes [ ] No [ ]

- If yes, please fill out Annex II (Information to the Commission according to Article 6(4) of the
Habitats Directive. This Annex has to be signed by the authority responsible for sites of nature
conservation importance = potential future Natura 2000 sites)

- If no, please fill out Annex I (Declaration by the authority responsible for sites of nature
conservation importance = potential future Natura 2000 sites)

ANNEX I - Declaration by the authority responsible for sites of nature conservation importance (=
potential future Natura 2000 sites)

Responsible authority Śląski Urząd Wojewódzki - Wojewódzki Konserwator Przyrody

Having examined the project application Modernisation of provincial road no. 945. Section from Jeleśnia
to State Border.

which is to be located at km 8+000 to km 12+840

we declare that (tick the appropriate box):

[ ] The project is not likely to have significant effects on a site of nature conservation importance
and the proposed areas Nature 2000 – the Beskid Żywiecki Mountains on the following
grounds:
- the road will solely consist in the pavement upgrading and the scope of works will not go beyond the borders of the existing premises

- the road upgrading will not result in occupying any additional areas

- save for the necessary corrections of curves, the upgrading will not be related to any broadening of the carriageway

- the road upgrading will not affect the landscape or the existing natural structures of the area, since no changes in the topographic features will take place (embankments, excavations)

Therefore an appropriate assessment required by Article 6 (3) was not deemed necessary.

☐ Following an appropriate assessment, according to Art. 6(3) of Directive 92/43/EEC, the project will not have significant negative effects on a site of nature conservation importance.

A map at scale of 1:100,000 (or the nearest possible scale) is attached, indicating the location of the project as well as the site of nature conservation importance concerned, if any.

Signed: Jolanta Prazuch

Official Seal: Slaski Urzad Wojewodzki, Katowice.
The Project is aimed at reconstructing the provincial road no. 945 Żywiec – Jeleśnia – State Boarder, section 2: Jeleśnia – State Boarder, km 0+000 – 14+675. The road is located on the route connecting the State Boarder – running north – with Żywiec and other parts of the province and country.

It is one of the historical and trade communication trails in Żywiec district leading to the south of Europe, in the direction of Budapest and Vienna. The road is a good link between Slovakia and Poland, as it connects important business and tourist centres with numerous districts within this territory.

The recreational area with Korbilków, one of the nearby towns, is the key point of numerous tourist routes in the west part of Beskid Żywiecki mountains and the centre for winter sports, with excellent system of ski lifts and trails.

Beautiful plant cover and open spaces enhance the attractiveness of this region. The analysed part of the road is located next to the border of the protected Żywiecki Landscape Park and the upper part of the road (in the State Boarder area) runs through it.

Compact settlement and fencing permit neither to broaden the roadway nor to construct screens and green belts without additional expropriation. Due to that the planned road modernisation will be realised in such a way as to keep the current ownership status. The reconstruction assumes - among the others - corrections of irregular arches and construction of additional sidewalks. Rain water will be drained from road body through double-sided road ditches and purified in separators and sand traps before being let into current receivers (melioration trenches, streams, etc.).

Inconvenience and discomfort for people as well as animals and plants that will occur during investment realisation will be limited. Duration of construction works and their linear character are of great importance.

Road reconstruction will not change the landscape as we plan neither new land shaping (embankments, excavations) nor new elements like acoustic screens or additional area consumption.

Scope of works as well as the degree of transformation of the area directly adjacent to the planned Project will not cause any durable ecological threats. The Project does not assume the take up of precious – from the natural point of view – areas.

In short parts the designed section of the reconstructed road runs through forest and agricultural use grounds. However, we plan neither additional consumption – apart from the roadway – of the area nor the removal of trees, thus the investment will not be a danger to fauna and flora.

During the assessment of Project’s influence on the environment we measured the noise and air pollution along the Projected road reconstruction. The calculations prove that:

- Compact settlement and fencing do not allow for acoustic screens construction within the current demarcation. Due to that the only possible noise-protection element is the exchange of window woodwork for the acoustic one. However, this would mean the interchange of approx. 1,500 windows in the buildings located in the close neighbourhood of the noise source. We must underline that this type of protection improves the acoustics inside the buildings not in the environment. Another possibility is the change in the function of buildings from housing to other e.g. service one and establishing so called Limited Usage Areas whose boundary will be set by the range of night equal loudness contour of 50 dB, projected for the year 2020.

- The scope of over-normative noise influence during the day and at night should be reviewed by a construction supervision body in cases of granting permits for the construction of housing buildings within the distance of 50 m from a road.

- Analysed pollution emitted to the air, related to the future usage of the reviewed part of the road, will not be a health and life threat for the inhabitants and will not be a danger to the environment.

The need for provincial road no. 945 reconstruction results from its unsatisfactory shape providing inappropriate driving conditions.

Project realisation will enhance the attractiveness and accessibility of the regional business centres due to shortening of the time of travel, increase the mobility and improve the approach to large labour markets in the middle part of the province, facilitate the access of industrial areas inhabitants to recreational centres as well as raise the life quality of their residents.

The Project is fully compliant with the assumptions of the "Preliminary State Development Plan" and the Śląskie Province Development Strategy, one of the priorities of which is the "Area Reconstruction and
Attractiveness Enhancement”. The itemised strategic goals defined for this priority include “Unblocking and Integration of Regional Communication System”, which can be realised through the modernisation of the existing road network.

After identifying the object and analysing the plans it was concluded that the Project would improve the technical condition of the provincial road no. 945, enhance its attractiveness, make the traffic safer and should not have negative impact on the environment. At the same time the suggested way of road reconstruction would guarantee that the planned goal of the investment is reached.

Summary of the feasibility study

The Project under the title „The Modernization of Provincial Road No 945 in the section Jeleśnia in direction the State Boundary – Stage I” entirely comprises the modernization of Provincial Road No 945 in the section Złoty – the State Boundary. The feasibility study in its descriptive part was made for Stage I of the investment with the purpose of the modernization of the section of road No 945 leading from Jeleśnia in direction the State Boundary in Korbielów. The economical analysis was made for the whole undertaking.

The modernization comprises the road section with the length 12 840 m. It is projected to widen the roadway wherever possible, replace the surface, construct pavements, dehydrate and repair or reconstruct bridge structures.

The technical condition of Provincial Road No 945 in the section from Jeleśnia to the State Boundary in Korbielów is poor or unsatisfactory. The roadway surface has numerous cracks in the asphalt-concrete layer and partly the foundation, creating pits and bumps and hollows. In addition, longitudinal cracks along the roadway edges occur, which indicates the foundation’s dampness and that of the adjoining land with the occurrence of water in these layers.

The improvement of the road traffic capacity made as part of the investment, changing the geometry of junctions will allow both for the increase of the capacity of the road leading to the State Boundary and for reducing the strenuousness by lowering the level of noise, i.e. the improvement of the acoustic climate in the investment area, as well as the limitation of atmospheric pollutant concentrations. The level of safety for pedestrian traffic will also grow, due to the construction of pavements. One should also notice that the Communal Office of Jeleśnia not once postulated the construction of the missing pavement along the road. In addition the rain sewage system will be constructed and the roadside ditches will be brought back to their proper functioning, allowing for disposal of rain waters to rivers and streams.

The basic aims assumed at the project’s realization are:
- Improvement of the quality of roads in the area of the Commune and access to the boundary post located in Korbielów
- Improvement of road traffic conditions (changing the geometry of junctions, widening the roadway, construction of pavements) with consideration to the level of safety for pedestrian traffic,
- Erection of roadway dehydration as an ecological measure reducing the extent of the investment’s environmental effect
- Correct traffic organization

The principal aim except the improvement of the technical condition of the roadway and improving the level of safety for the pedestrians is to create an efficient and dense network of links for transport – road traffic, both in the local and boundary traffic. The realization of these aims will allow for the formation of an integrated transport system comprising road, railway, air transport complementary to the Trans-European network.

The creation of a convenient link between Poland and Slovakia is also of large importance. It forms new possibilities for the development of the local infrastructure, due to the growth of economical and tourist attractiveness.

The Project realization as compliant with the Preliminary National Development Program, which according to the assumptions of Partnership for Membership and the National Program of Preparations for Membership, is a strategic document for managing the policy of economical and social consistency, is a continuation of realizing the priority 3.5.2 NPFC „Regional and Consistency Policies”.

The Project is compliant with the strategy of development of the Province of Silesia. One of its priorities is “Reconstruction and enhancing the attractiveness of the area”. Among the particular strategic aims determined for this priority “Permeability and integration of the region’s
transport system” were specified. The modernization of existing road network was indicated as one of the undertakings serving the realization of this priority.

The results of the financial analysis for the projected investment

1. The investment program assumes the total expenditure of the funds in the amount of PLN 66 173 498 divided into:

   **STAGE I: PLN 12 312 000**
   - pre-investment expenses - 1 480 119 PLN i.e. 12,0 %;
   - expenses for fixed assets - 10 831 881 PLN i.e. 88,0 %

   **STAGE II: PLN 53 861 498**
   - pre-investment expenses - 2 498 196 PLN i.e. 4,6 %;
   - expenses for fixed assets - 51 363 302 PLN i.e. 95,0 %

2. Demand for funds in the particular years is as follows:

   - 2002 - 463 903 PLN i.e. 0,7 %;
   - 2003 - 636 209 PLN i.e. 1,0 %;
   - 2004 - 743 168 PLN i.e. 1,1 %;
   - 2005 - 11 787 208 PLN i.e. 17,8 %;
   - 2006 - 1 210 814 PLN i.e. 1,8 %;
   - 2007 - 32 385 340 PLN i.e. 48,9 %;
   - 2008 - 18 946 856 PLN i.e. 30,6 %;

3. The division into sources of financing of the entire investment program is as follows:

   - PHARE funds - 6 839 620 PLN i.e. 10,3 %
   - other European Union funds - 33 457 716 PLN i.e. 50,6 %
   - domestic funds - 25 876 162 PLN i.e. 39,1 %

   **STAGE I:**
   - PHARE funds - 6 839 620 PLN i.e. 55,6 %
   - domestic funds - 5 472 380 PLN i.e. 44,4 %

   **STAGE II:**
   - other European Union funds - 33 457 716 PLN i.e. 62,1 %
   - domestic funds - 20 403 782 PLN i.e. 37,9 %

4. Division into the financing sources of expenses on fixed assets (covered by subsidizing), for the total amount of PLN 58 126 340 is:

   - PHARE funds - 6 839 620 PLN i.e. 11,8 %
   - other European Union funds - 33 457 716 PLN i.e. 57,6 %
   - domestic funds - 17 829 004 PLN i.e. 30,7 %

   **STAGE I: PLN 13 516 052**
   - PHARE funds - 6 839 620 PLN i.e. 65,4 %
   - domestic funds - 3 625 580 PLN i.e. 34,6 %

   **STAGE II: PLN 44 610 280**
   - other European Union funds - 33 457 716 PLN i.e. 70,2 %
   - domestic funds - 14 203 424 PLN i.e. 29,8 %

5. The demand for domestic funds in the particular years is as follows:

   **STAGE I: 5 472 380 PLN**
   - 2002 - 463 903 PLN i.e. 8,5 %;
   - 2003 - 636 209 PLN i.e. 11,6 %;

p. 16
- 2004   - 357 288 PLN i.e. 6,5 %;
- 2005   - 4 014 980 PLN i.e. 73,4 %;

STAGE II: 33 457 716 PLN
- 2005   - 1 318 488 PLN i.e. 6,5 %;
- 2006   - 382 582 PLN i.e. 1,9 %;
- 2007   - 10 232 828 PLN i.e. 50,2 %;
- 2008   - 8 469 884 PLN i.e. 41,5 %;

6. The demand for subsidies from PHARE funds in the particular years (for STAGE I only) is as follows:
- 2004   - 385 880 PLN i.e. 5,7 %;
- 2005   - 6 453 740 PLN i.e. 94,3 %;

7. The demand for subsidies from other European Union funds, in the particular years (for STAGE II only) is as follows:
- 2006   - 828 582 PLN i.e. 2,5 %;
- 2007   - 22 152 512 PLN i.e. 66,2 %;
- 2008   - 10 476 972 PLN i.e. 31,3 %;

8. Capital expense repayment Period
- For a simple period – the repayment of the investments will take place in the second quarter of 2026.
- For discounted period (R = 0,07) – the repayment of investments will be after 2026.

9. The updated net value (NPV) – in the horizon by the end of 2026 is:
   With consideration to the total investments in the expenses:
   a/ for R = 0,07  NPV = PLN - 21 727 102
   b/ for R = 0,12  NPV = PLN - 22 779 939

   With consideration in the investment expenses to the total investment expenses deduced by PHARE subsidies and those of other European Union funds
   a/ for R = 0,07  NPV =  PLN 6 462 032
   b/ for R = 0,12  NPV =  PLN - 829 209 ;

10. Internal Return Rate (IRR)
The Internal Return Rate by the end of 2026 is:
   a/ With consideration in the expenses to the total investment expenses: IRR = negative;
   b/ With consideration in the investment expenses to the total investment expenses deduced by PHARE subsidies: IRR(%) = 11,2

11. Financial stream balance
The cumulated financial stream balance calculated in the horizon by the end of 2026 is:
PLN 71 863 153.

The cumulated net financial stream balance (upon deduction of investment expenses) calculated in the horizon by the end of 2026 is PLN 5 689 654.

The general conclusion
The economical-financial analysis results allow to state that in terms of the economical-financial relationships the investment is purposeful and justified.

The PHARE subsidies will allow for fast realization of the investment and achievement of the above mentioned aims.