1. Basic Information
1.1. CRIS Number: 2003/005-708.10

1.2. Title: Waste water management in the area of Brody and Tuplice border gminas.
1.3. Sector: Environment protection

1.4. Location: Poland, Zary Powiat, the Brody gmina, Tuplice gmina, terrain of the Nysa Luzycka River drainage area.

2. Objectives:
2.1. Overall objective
- Protection against pollution of the Nysa Luzycka River drainage area.

2.2. Project purpose
- Reduction of pollutants conducted to the environment in the included in the project area,
- Improvement of inhabitants’ living conditions.

2.3. Accession Partnership and NPAA Priorities
The following project responds to middle-term priority specified in Accession Partnership i.e. creation of national social and economic cohesion policy as well as to implementation of regional development programmes and European Initiative Programme. The project is also in accordance to NPAA priority i.e. ‘Environment” in it 22.2 priority of ‘Working out programmes and creation of conditions for implementation of EU law concerning upring water quality”, indirect objective no. 3 ‘Continuous implementation of programmes of waters quality improvement, including investment implementation.’ as well as to priority ‘Regional and cohesion policy.’

2.4. Contribution to National Development Programme (NDP) as well as of Joint Programming Document (JPD) Phare CBC.
The project is connected in frame of National Development Plan to the development axis: ‘Creation of conditions favourable for increasing of investment level, sustainable development and planning of spatial cohesion’, priority : ‘Environmental protection and terrain development’, and to development axis: ‘Strengthen of the region development potential and counteracting marginalizing of some areas’, priority: “Extension and development of infrastructure for strengthening of region competitiveness”.

In the frame of Joint Programming Document Phare CBC/Interreg IIIA in 2000-2006, the project fulfils Priority III ‘Environmental Protection’, task III.1 ‘Improvement of wastewaters utilisation’, priority II ‘Infrastructure improvement’, task II.2 ‘Improvement of technical and communal infrastructures, as well as Priority I: ‘Economic co-operation and backing of small and medium enterprises’, task I.1: “supporting Trans-border economical co-operation” as an undertaking considering development of cross-border area. The project fulfils the main aim of Development Strategy of Lubuskie Province in the scope of Main Objective no.1: ‘Regional assurance of spatial, economic and social cohesion’ Operational objective no. 1.3 ‘Uprising and development of technical, communal and social infrastructures’ as well as Operational objective no.1.4 ‘Wide-ranging transborder and inter-regional co-operation’.

2.5. Cross Border Impact
The Tuplice and Brody gminas are located directly next to German border in the terrain of the Nysa Luzycka River drainage area. The Forst town and Sprewa-Nysa administrative district is the partner for both gminas in transborder relations. Lack of basic elements for wastewater treatment in the area causes negative results in natural environment of the entire area. The basic problems in range of the
gmina development, environmental protection and transborder co-operation have been agreed by local authorities of Brody and Forst town during working out ‘Development Strategy for Brody gmina’ including conversion programme and economic utilisation of post-military structures. The Strategy was co-financed by Phare Fund and partly carried out by German experts. The German partner recognises every activity leading to environmental protection in the area of Tuplice and Brody gminas and especially protection of the Nysa Luzycka river due to the fact of town location along the river bank. The signed partnership Agreement in December 2000 concerns common regional development of the cross-border area. The representatives of the parties approved the scope of common regional planning and stated that the most important priority is environmental protection. The integrated strategy was a subject of discussions during representatives meeting in March 2001, and the common programme in range of partner-towns regional development programme was discussed and accepted. The programme was prepared and carried out by Herwarth&Holz Company from Berlin and ordered by the Forst authorities. None of the agreement and strategy programmes elements can be implemented without construction of wastewater treatment plant and sanitary sewage network in the area of the Brody and Tuplice gminas. The project will enable implementation of German party expectations in scope of the environmental protection standards and liquidation or avoiding of raw wastewaters conducting directly into the Nysa Luzycka river. The project will initiate the process of the both sides of the border inhabitants’ living conditions equalisation. Current situation i.e. disproportion between two parties does not enable process of co-operation headed towards cross-border terrain development. The importance of that fact is especially considered due to customs terminal with back-up facilities in Olsztyna (it is partly located in the terrain of the Tuplice gmina) and due to putting to use the new border check point and bridge in Zasieki-Forst. The check point will increase opportunities for close co-operation. The traffic will increase significantly in the terrain poorly developed in environmental protection infrastructure.

3. Description
3.1. Background and justification
The Brody and Tuplice gminas are located along the border river – Nysa Luzycka, between border check points in Olszyna and Gubinek. Next border check point will be opened in the terrain of Brody gmina, i.e. the bridge in Zasieki. The terrain of both gminas will become destination for trade and inhabitants traffic. Nowadays, only 75m$^3$ out of 850 m$^3$ wastewaters, generated each 24 hours, are conducted to the wastewater treatment plant in Tuplice. In addition, according to the recent tests, the plant does not fulfil required standards for wastewater treatment. The both gminas are backward in this field in comparison to the Polish-German cross-border neighbouring areas. The gminas together decided to take action due to obvious fact that further keeping of such conditions is hazardous for natural environment of the Nysa Luzycka River drainage area. The common action enable also the financial support of the investment, as separate activity in the problem solving will fail due to the fact of the investment costs. The completing of works connected to construction of the border bridge in 2002 and opening of the new cross-border check point in Zasieki in the Brody gmina is additional element which accelerates the necessity of the undertakings in scope of environment protection due to the fact that it will be the shortest way from Zielona Góra to Cottbus (Germany). It will create opportunities for economic exchange between enterprises and of course the traffic will be much heavier there. Such a situation can worsen environment condition in the area. The presented project shall prevent this danger.

3.2 Linked activities
The basis of activities in framework of the presented project are the results of implemented project titled: ‘Development strategy for Brody gmina including conversion programme and economic utilisation of post-military structures’ No PL.9502.04.02.01, where the main connections and frames for co-operation between neighbouring Polish gminas and German partner – the Forst town were
established. The following projects, co-financed by Phare CBC were carried out in the terrain of the Tuplice and Brody gminas due to their strategic location: construction of customs terminal in Olszyna (partly located in the terrain of Tuplice gmina), erection of watch-tower in Jeziory Wysokie in Brody gmina in the frame of ‘Eurolas’ programme (regional Management of Forestry Commission in Zielona Góra is the Beneficiary) and construction of the border bridge and access road in Zasieki (Management of Province Roads is the Beneficiary). Entire activities, despite the fact that were not directly undertaken by the gminas, have essential influence on the gminas operating. The Olszyna terminal and new bridge in Zasieki will significantly change traffic tension in the entire area. Carrying out of by-pass road of Lubsko will open the shortest way from Zielona Góra town to Cottbus and traffic will increase in the area of Zasieki. Additionally, roads running along the Polish-German border will be constructed and it will connect cross-border check points in Olszyna and Zasieki.

3.3. Results
Conducting of wastewaters from the Brody and Tuplice gminas to wastewater treatment plant (app. 400m³/d ) and their treatment according to Polish and EU standards as well as construction of installations enabling treatment of 90% of wastewaters from the entire area of two gminas will be the results of the project. All inhabitants of towns included in the project - 3300 inhabitants and 60 firms - will be able to use the sanitary sewage network. The outlet of raw wastewaters directly into the natural environment will be decreased.

3.4. Activities
The completed biological-mechanical wastewater treatment plant of app. 400m³/d capacity including sewage network for Brody and Jeziory Dolne will be constructed in Jeziory Dolne village and water distribution connection to the wastewater treatment plant as well as water distribution network in Brody will be constructed in the scope of the project. The wastewater treatment plant in Tuplice will be modernised and its capacity will be increased up to 250m³/d, the sanitary sewage network will be constructed in Tuplice and Cielmów places, too. The total length of constructed sewage networks will be app. 12,250m (Brody) and 11,500 (Tuplice) as well as 18 wastewater pumping stations will be constructed. The total length of water distribution network will be app. 5,200m. The entire tasks will be carried out within scope of one construction works contract of 2.675 MEUR value.

3.5. Lessons learned
The Brody gmina was a Beneficiary of the project for services, co-financed by Poland-Germany Phare CBC Programme commune, project title: “Development strategy for Brody gmina including conversion programme and economic utilisation of post-military structures’ No PL.9502.04.02.01 and the development strategy of the gmina was carried out as a project result. The strategy includes conversion and economic utilisation of post military structures being in the terrain of Brody gmina. The results of the project are the basis for the following investment.

4. Institutional framework:
4.1. The project will be implemented within the framework of both gminas agreement and on basis of existing structures of gminas Offices in Brody and Tuplice.
4.2. The project implementation will not cause any changes in the beneficiary’ operation structure.
4.3. Does not concern
4.4. Brody gmina and Tuplice gmina shall be beneficiaries of the Project. The Brody gmina will be the contracting party representing both gminas where gminas will act in agreement. The contract Engineer will be selected in tender procedure. The Brody and Tuplice gminas will be the owner of the entire objects constructed within the scope of project implementation.
5. Budget:

<table>
<thead>
<tr>
<th>Contract</th>
<th>INW backing</th>
<th>IB backing within the scope of the institutional development</th>
<th>Totally PHARE CBC 2003</th>
<th>Own contribution</th>
<th>IFI Financing from International Financial Institutions</th>
<th>TOTALLY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract 1</td>
<td>2.000</td>
<td>0.000</td>
<td>2.000 MEUR</td>
<td>0.675</td>
<td>0.000</td>
<td>2.675</td>
</tr>
<tr>
<td>TOTALLY</td>
<td>2.000</td>
<td>0.000</td>
<td>2.000 MEUR</td>
<td>0.675</td>
<td>0.000</td>
<td>2.675</td>
</tr>
</tbody>
</table>

The amount of 0.675 MEUR as own contribution will be covered from the Brody and Tuplice Gminas budgets.

6. Implementation arrangements:

6.1. Implementing Agency
Phare CBC Implementing Authority
Ministry of Internal Affairs and Administration
00-522 Warsaw, 2/4 Wspólna Street, Poland
Phone: +4822 6618739
Telefax: +4822 6284722
E-mail: Phare@wwpwp.it.pl
www.wwpwp.it.pl.

PAO
Mr Pawel Dakowski
Under Secretary of State
Ministry of Internal Affairs an Administration
02-591 Warsaw, 5 Batorego Street, Poland.

6.2. Twinning
Does not concern.

6.3. Non-standard aspects
During project implementation the tender procedures described in Practical Guidelines for Phare, ISPA and SAPARD Programmes will be respected strictly.

6.4. Contracts
The project will be implemented within the framework of only one contract for construction-assembly works of total value of 2.657 MEUR. The national co-financing will take the form of “joint co-financing” of the contract signed.

7. Implementation schedule:
7.3. Project completing: II half of 2005.

8. Equal Opportunity:
Equal opportunity rule shall be observed during the Project implementation.

9. Environment:
The analysis of the investment impact on the environment was drawn up by: ESKO Przedsiębiorstwo Inżynierii Srodowiska s.c. in Zielona Góra (2002) and by EKOTECH Przedsiębiorstwo Inżynieryjne Projektowo-Uslugowe s.c. in Gorzów Wlkp. (2001)
The reports concerning the investment impact on the environment show that solutions foreseen in the project and referring to wastewater management in Brody and Tuplice gminas have neither significant impact on natural environment nor on inhabitants in the entire terrain. Inconveniences connected to the project implementation will occur only during construction stage and will stop after construction works completion.

The new wastewater treatment plants shall assure:
- Minimal range of influence on the atmosphere (emission of noise, bio-aerosol and stench active compounds) and its closure in the boundaries of the plant,
- Avoiding of environment threat and inconveniences for people (avoiding of odour inconveniences, bacteriological threat, exceeding of gas substances condensation limits) during proper plant operation.

The investment will not violate binding standards of environment protection. Inconveniences connected to the treatment plant operation shall be limited to distance of 30m from processing structures. The investment will have no impact on up to date adjacent terrain usage.

10. Rates of return:
Calculated economic rates for the investment are:

\[ \text{IRR} = 4.59\% \quad \text{and} \quad \text{NPV} = -34,090.44 \text{ EUR.} \]
\[ \text{ERR} = 10.00\% \quad \text{and} \quad \text{ENPV} = 499,589 \text{ EUR.} \]

The feasibility study has been prepared.

11. Investment criteria:
11.1. Catalytic effect
Phare financial backing will be crucial for the project’s objectives reaching and will accelerate in the cross-border area European Union standards in frame of wastewater conducting and treatment. The objectives would be reached without support in much longer period and in less effective scale.

11.2. Cofinancing
The project is co-financed from Brody and Tuplice budgets in amount of 0.675 MEUR i.e. in 25.23% of total project value and from CBC Phare 2003 fund in amount of 2.0 MEUR i.e. in 74.77%.

11.3. Additionality
Phare financial means will supplement means from other sources. Small scale of incomes from investment operation does not let its financing from incomes or commercial credits.

11.4. Project readiness and size.
The project readiness and size will be in accordance with CBC Phare 2003 Programme requirements. The Feasibility Study (September 2002) and reports on investment impact on the environment (2001 and 2002) have been worked out. The decisions of ‘Conditions for construction and terrain development’ as well construction license are obtained. The above documents are available in: Local Administration of a Gmina Council in Brody, Rynek 2, 268-343 Brody Zarskie; Local Administration of a Gmina Council in Tuplice, ul. Mickiewicza 27, 68-330 Tuplice The terrain for investment is owned by the beneficiary. Estimated cost of the project amounts to 2,675 MEUR where Phare contribution amounts to 2.0 MEUR. Own financial contribution is protected by the Gminas Boards decisions.

11.5. Sustainability
Entire running costs of the investment will be covered by Brody and Tuplice gminas after the investment completion. Technical solutions for the project meet criteria and standards being valid in European Union.
11.6. **Compliance with state aids provisions**

The project concerns the public administration unit and does not violate association agreement in scope of state aids for economic units.

11.7. **Contribution to National Development Plan and Joint Programming Document**

The project is connected in frame of National Development Plan to the development axis – ‘Creation of conditions favourable for increasing of investment level, sustainable development and planning of spatial cohesion’ priority – ‘Environmental protection and terrain development’, and to development axis: ‘Strengthen of the region development potential and counteracting marginalizing of some areas’ in the frame of National Development Plan, priority: “Extension and development of infrastructure for strengthening of region competitiveness”.

In the frame of Joint Programming Document Phare CBC/Interreg IIIA in 2000-2006, the project fulfil Priority III ‘Environmental Protection’, task III.1 ‘Improvement of wastewaters utilisation’, priority ‘Infrastructure improvement’, task II.1 ‘Improvement of technical and communal infrastructures, as well as to Priority I: ‘Economic co-operation and backing of small and medium enterprises’, task I.1 ‘Supporting of transborder economic co-operation’ as undertaking concerning development of the border region.

12. **Conditionality and sequencing**

The condition for adequate project implementation and assumed objectives reaching is the project execution according to its assumptions and implementation in the both gminas’ terrain, according to the schedule:

- **Beginning of the tender procedure**: II half of 2003.
- **Works commencement**: I half 2004.
- **Works completion and infrastructure handing over**: II half of 2005.

**Name, address, telephone, fax, e-mail of applying institution + contact person:**

Brody gmina on behalf of Tuplice gmina
Local Administration of a Gmina Council in Brody
Rynek 2
68-343 Brody Zarskie
tel. (068) 371 21 06, fax (068) 371 20 15
e-mail: gmina@brody.pl
Brody Head: Czeslaw Odyniec
**Required annexes to the project fiche**

1. LogFrame matrix
2. Quarterly schedules of contracting and disbursement for entire period of project implementation (including period of disbursements).
3. Annex „Environmental Impact Assessment”.
**LOGFRAME PLANNING MATRIX:**

<table>
<thead>
<tr>
<th>Programme name and number</th>
<th>Poland – Germany Phare CBC 2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contracting period expires</td>
<td>November 2004</td>
</tr>
<tr>
<td>Disbursement period expires</td>
<td>November 2006</td>
</tr>
</tbody>
</table>

### Overall objective

**Protection against pollutants of water drainage area of the Nysa Luzycka river.**

<table>
<thead>
<tr>
<th>Objectively Verifiable Indicators</th>
<th>Sources of Verification</th>
<th>When will be reached?</th>
<th>Who will be measured by?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Decreasng of conducted wastewater directly into environment of app. 400m³/d</td>
<td>Wastewater treatment plant monitoring; 1 year after project completion</td>
<td>State Sanitary Inspection</td>
<td></td>
</tr>
</tbody>
</table>

### Project purpose

1. Reduction of pollutants amount conducted to the terrain covered by the project.
2. Improvement of inhabitants’ life standard.

<table>
<thead>
<tr>
<th>Objectively Verifiable Indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. % pollutants reduction:</td>
<td></td>
<td></td>
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<tr>
<td>- BZT5 &gt; 94 %</td>
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<td></td>
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<tr>
<td>- Total content &gt; 91 %</td>
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<td></td>
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<tr>
<td>- N gen. &gt; 70 %</td>
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<td></td>
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<tr>
<td>- NNH4+ &gt; 91 %</td>
<td></td>
<td></td>
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<tr>
<td>- P gen. &gt; 76 %</td>
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<td></td>
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<tr>
<td>2. Connection to the sewer system app. 3300 inhabitants and 60 firms.</td>
<td>Wastewater treatment plant monitoring, Statistic in Local Administration of a Gmina Council. 1 year after project completion</td>
<td>State Sanitary Inspection Local Administration of a Gmina Councils in Tuplice and Brody.</td>
</tr>
</tbody>
</table>

### Results

- Conducting of wastewaters from the Brody and Tuplice gminas to wastewater treatment plant (app. 400m³/d) and their treatment according to Polish and EU standards as well as construction of installations enabling treatment of 90% of wastewaters from the entire area of two gminas will be the results of the project. All inhabitants of towns included in the project - 3300 inhabitants and 60 firms - will be able to use the sanitary sewage network.
- WTP of capacity app. 400m³/d for Brody gmina and enlarged and modernised WTP in Tuplice gmina up to capacity of app. 250m³/d, total length of constructed sanitary pipelines app. 12250m (Brody) and 11500m (Tuplice) and the number of wastewater pumping stations - 18.
- Acceptance Protocol and certificate of Works Handing Over issued by the Project Engineer after works completion.
- Scheduled connection of the users to the sanitary network

### Activities

- Construction of wastewater treatment plant of capacity app. 400m³/d including seer system for Brody and Tuplice places as well as water terminal to WTP and water distribution pipeline in Brody. The existing WTP in Tuplice will be modernised and its capacity will be increased up to app. 250m³/d. Construction of sanitary sewer will be constructed for Tuplice i Cielmów. Total length of constructed sanitary pipelines app. 12250m (Brody) and 11500m (Tuplice) and the number of wastewater pumping stations – 18. Total length of water pipelines app. 5200m.
- One contract for works of value 2.675 MEUR.
- Total budget: 2.675 MEUR
- Phare budget: 2.000 MEUR

### Preconditions

- Taking up the decision regarding common problems solution regarding waters protection by both Tuplice and Brody gminas.
## Annexes 2-3: Implementation, contracting and disbursement schedules

<table>
<thead>
<tr>
<th></th>
<th>Budget Allocation Cost Estimate in MEUR</th>
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<td></td>
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<tr>
<td>Date of Drafting</td>
<td>October 2002</td>
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<td>Planning Period</td>
<td>10.2002 - 12.2006</td>
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### PLANNED

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<th>II '05</th>
<th>III '05</th>
<th>IV '05</th>
<th>I' 06 – IV '06</th>
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### Implementation schedule
- contract 1

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<th>C/I</th>
<th>I</th>
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### Contracting schedule
- contract 1

<table>
<thead>
<tr>
<th>Disbursement schedule</th>
</tr>
</thead>
</table>
- contract 1

| 0.45 | 0.80 | 1.10 | 1.40 | 1.70 | 2.00 | 2.00 | 2.00 |

### Legend:
- D = design of sub-projects
- C = tendering and contracting
- I = contract implementation and payment
- the amount shall be drawn in MEURO rising
(Annex 4 to the project fiche)

ENVIRONMENTAL IMPACT ASSESSMENT

(Please complete this section for each project in case of grouped applications)

1. Development consent

Has development consent\(^1\) already been given to this project?

- Yes
- X
- No

**If yes,** on which date: 13.09.2002, 09.05.2002, 08.03.2002

**If no,** when was the formal request for the development consent introduced and by which date is the final decision expected?

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

Head of Gmina Brody and Head of Gmina Tuplice.

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?

- Yes
- X
- No

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

Starostwo Powiatowe in Zary


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

- X (go to question 2.2)
- (only the section on nature conservation needs to be completed) included

2.2. Has an EIA already been carried out?

- Yes
- X
- No

\(^1\) i.e. decision of the competent authority or authorities which entitle the developer to proceed with the project

If yes, has the EIA been carried out before development consent has been given?

Yes [ ]  No [X]  

On which date has it been finalised [09] [13] [2002]  

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

Does not concern

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.

---

3 A guidance document describing the minimum criteria to ensure that a similar procedure has been applied can be found on [http://www.inforegio.cec.eu.int](http://www.inforegio.cec.eu.int)
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 obligations 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?

Yes [X] No [ ]

- If yes include the necessary documents (see question 2.3.). (Annexes 1, 2, 3 included)

- If no explain the reasons\(^4\) and give the thresholds, criteria or by case examination carried out to reach the conclusion that the project has no significant environmental effects: not applicable.

Use more space if necessary

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 [ ]

If yes, on which date

|   |   |   |

a) summarising of EIA analysis with use of non-technical language.

The Brody and Tuplice gminas are located in the area adjacent to the border river- Nysa Luzycka. The WTP does not exist in Brody, and existing WTP in Tuplice services only 10% of wastewater generated in the entire area. Additionally, the WTP does not fulfill demanded standards of treatment. In the scope of environmental protection, both gminas significantly diverse from others located in the Polish – German border. Keeping of this statute is favourable for permanent decreasing of the nature environment in the Nysa Luzycka river catchment.

Foreseen of negative impact of investment on the environment

The range of negative impact of the investment has only local and periodical character during construction works, and it can be located in the terrain of 15 m from the pipeline. The terrain will be reclaimed after assembly of the pipeline. Referring to the WTP, the negative impact of the investment on environment will also have local character and the range will be limited to the area of plot fencing. The investment impact on nature environment will be minor during construction works and during operation period stage, it will not take place.

Impact on the air.
The traffic caused by the materials and workers transportation on the site will be the source of air pollution. Small amounts of dust and gas pollutants will occur only in the site. Entire sources of air pollutants will be housed after construction works of WTP and will emit vestigial amounts of pollutants.

Acoustic troublesome.
The devices used for earth and assembly works will be the source of noise. That troublesome will occur only during construction stage and will have periodical character. The sources of noise will be silenced by housing during operation stage.

Impact on soil and earth surface
The impact of the soil and on the flora will occur only on the site. Removed layer of the soil shall be storage in the places that are not expose for pollutions. The soil shall be recycled for gardening or agricultural purposes. The TWP devices and equipment will not have impact on the soil.

\(^4\) The decision needs to be based on the procedure described in article 4.2, 4.3 and 4.4 and the screening criteria of Annex III of Council Directive 97/11/EC amending Directive 85/337/EEC.
Threat for surface and underground waters
During the project implementation, earth works will have minor impact on the surface and underground waters and it shall be limited to small amount of pollutants transported with storm waters into adjacent ditches. The ground water table is located deeply and the hazard of waters contamination does not occur despite of long lasting rains. The underground waters are beyond the limit of contamination.

Impact on people health
The distance of TWP from housing estates excluded impact of the investment on the people health during works execution. Noise, dusting, emission of toxic gases can be troublesome only for workers. They will be limited to minimum acc. to binding industrial regulations. The impact of the TWP location on the people health cannot be affirmed. The changes will have place only in the landscape.

Solid waste
During works execution, solid waste can be generated in form of PE and PVC pipes reminders and in form of mineral elements. The waste will be used for excavations and trenches backfilling. The waste are neutral for the environment and can be stored on the dump or recycled.

Protection of culture heritage.
The investment terrain is located beyond the restricted restorer protection zone and there is lack of information referring to the archaeological stands.

Ecological effects of the investment.
Planned investment will have significant meaning, incommensurate with investment costs, for improvement of soil and waters quality. The amount of rough wastewaters and poorly treated will decrease significantly. It is affirmed that investment will have magnificent impact on the improvement of environment state and its hygienic-sanitary conditions.

b) The results of public consultations. The presented information shall provide the following data:
Construction of the TWPs and sanitary sewer in the terrain of Brody and Tuplice gminas was consulted repeatedly with gmina’s inhabitants in form of meetings. The meetings took place in Tuplice gmina on the following dates: 14.02.02 and 16.05.2 in Cielmów; 15.03.02 in Czerna; 10.04.02 in Chlebice; 03.09.02 in Tuplice and 2.10.02 in Chelmica. The issue of TWP was also discussed during session of counsellors meetings on the following dates: 04.03.02; 26.04.02; 27.06.02 and 20.09.02. The information about sessions was displayed on public notices in the terrain of gmina and the villages heads informed directly the inhabitants. Consultation in Brody gmina took place in form of meetings with participation of inhabitants, heads of villages on the following dates: 23.02.01, 02.04.01, 11.06.01, 17.12.01, 08.07.02.
The issue was also discussed during open meetings on the following dates: 08.01.01 in Bločz; 03.02.01 in Biecź, 06.02.01 in Jalowice, 07.02.01 and 06.03.01 in Grodziszcze, 10.05.01 in Jalowice, 14.05.01 in Zasieki, 21.05.01 in Jasienica, 23.05.01 in Kolo, 27.06.01 in Janiszowice, 13.06.02 in Balcz, 13.06.02 in Wierzchno, 28.08.02 and 02.09.02 in Janiszowice. The gminas’ inhabitants insisted the local authorities on as soon as possible investment commencement. The protocols from above mentioned meetings are for insight at the gminas’ offices.

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.

- Does not concern

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,
Brody 9th May 2002

Our. Ref. RL 733-18/02

DECISION NO 14/2002

REFERRING TO GRANT BUILDING AND TERRAIN DEVELOPMENT CONSENT

Having regard to art. 1 item 2, and arts. 39 and 40 item 1, 3 art.42 and art. 46 item 2 and 3 of the act on 7th of July 1994 concerning spatial development (final text of the Law of Journal no. 15, item 139 from 1999 with after amendments) as well as article 104 of K.P.A

After consideration of the motion of Przedsiebiorstwo Inzynieryjno-Budowlane ‘EKOBUD’ S.C in Gorzów Wlkp. on base of Local General Spatial Development plan of the Brody village passed by the Gminas Councilors no. XIX/167/93 on the 25th January 1993 and published in Zielonogórskie Voivodship Gazette no. 5 item 50 on 9th June 1993 (changed pass no. XIX/153/96 of Gmina Council in Brody on 25th November 1996 and published in Zielonogórskie Voivodship Gazette no. 1 item 11 on 29th January 1997 and on the base of detailed regulations

I DETERMINE

conditions for building and terrain development for the investment of:
reconstruction of water distribution network including house terminals in the Brody village in the plots marked in the annex (official copy of the grounds register) respecting the following conditions and guidelines:

1. Guidelines for spatial landscape, technical conditions for construction and terrain development:
   reconstruction of water distribution network including housing terminals
2. Conditions arising from detailed conditions:

   - ref. to environmental protection acc. to act of 27th April 2001 of environmental protection law /Journal of Law no.62 item 627 in 2001/
   - ref. to culture heritage acc. to act on 15th February 1962 (final text of Journal of Law no.98 item 1150 in 1999) reconstruction of water distribution pipeline in the Brody village has to be agreed with Wojewódzki Konserwator Zabytków (Voivodship Restorer of Historical Monuments) in Zielona Góra.

Building license shall be obtained from Poviat Starostwo in Zary, submitting construction design and terrain development plan drawn up in the current geodetic map.

The following decision is binding to 9th May 2003

The following decision concerning housing and terrain development does not bear rights for the terrain and does not trespass the right of property and third parties.
Applicants, who do not obtain the terrain property right, do not own rights for claim for reimbursement of outlays and expenses born due to the received decision (art.46, item3).

INSTRUCTION

The parties are eligible to appeal to the Self-government Board of Appeal and the claim shall be submitted in Brody Village Head Office, the deadline of the claim submission is 14 days from the date of decision delivery.

Receiving parties:
------------------------
1. P.I.B ‘EKOBUD’ s.c.
   Gorzów Wlkp.
2. Wojewódzki Konserwator Zabytków in Zielona Góra

Signature
(-) unreadable
Having regard to art. 1 item 2, and arts. 39 and 40 item 1, 3 art.42 and art. 46 item 2 and 3 of the act on 7th of July 1994 concerning spatial development (final text of the Law of Journal no. 15, item 139 from 1999 with after amendments) as well as article 104 of K.P.A

I. DETERMINE conditions for building and terrain development for the investment of:

1. Construction of sanitary gravity-pressure sewage pipeline

Foreseen for construction in Jeziory Dolne in the plots no.:

169/4, 169/3, 21/3, 167/1, 166/2, 165/1, 1158/3, 158/1, 159/1, 160/2, 160/1, 281, 283/2, 24, 163, 162, 134, 135/2, 135/1, 133, 132/1, 131, 130, 129, 128, 3, 127, 125/3, 125, 124/1, 3/3, 123, 122, 121/1, 121//1, 120/1, 271, 119, 118, 117, 116/1, 115/1, 114/1, 113, 112/1, 111/1, 9/1, 144, 156, 324, 108/10, 107/1, 279, 738, 140, 141, 142/1

being owned by Gmina Office in Brody and private persons and with repection of the following conditions and guidelines:

Conditions rising from establishments of local general spatial development plan for Brody gmina:

acc. to plan the plots are – roads and urban type

guidelines for spatial shape, technical conditions for building and terrain development:

- construction of sanitary gravity-pressure sewage pipeline

Conditions arising from detailed conditions:

- ref. to environmental protection acc. to act of 27th April 2001 of environmental protection law /Journal of Law no.62 item 627 in 2001/

The boundary lines of the investment and graphical markings are presented in the map that is an annex to the decision

The following decision is binding to 8th March 2003

The following decision concerning housing and terrain development does not bear rights for the terrain and does not trespass the right of property and third parties. Applicants, who do not obtain the terrain property right, do not own rights for claim for reimbursement of outlays and expenses born due to the received decision (art.46, item3).
INSTRUCTION

The parties are eligible to appeal to the Self-government Board of Appeal and the claim shall be submitted in Brody Village Head Office, the deadline of the claim submission is 14 days from the date of decision delivery.

Receiving parties:
5. Marek Chwalek – Jeziry Dolne
6. Eugenia szczocianiak – J.Dolne
7. Danuta Sturm – J. Dolne
8. Eugeniusz Trzeciak – J.Dolne
9. Grazyna Rudnicka – J.Dolne
10. Janina Głodkowska – J.Dolne
11. Tadeusz Postek – J.Dolne
12. Elzbieta Byczko – J.Dolne
13. Janina Marcinowska – J.Dolne
14. Jan Jablecki – J.Dolne
15. Katarzyna Kowalczyk – J.Dolne
17. Maria Hance – J.Dolne
18. Janina Kurianska – J.Dolne
19. Genowefa Osak – J.Dolne
20. Emilia Kunicka – J. Dolne
22. Janina Rudziak - J. Dolne
23. Jolanta Kepa - J. Dolne
24. Wiesława Szuk - J. Dolne
27. Stanisława Bartosz - J. Dolne
28. Wiesława Kalicka - J. Dolne
29. Ryszard Kochanowski – Marianka 77
30. Irena Gawron - J. Dolne
31. Maria Bielak - J. Dolne
32. Stefan Stefaniak - J. Dolne
33. Maria Kuczkowska - J. Dolne
34. Halina Gawron - J. Dolne
35. Elżbieta Włodarczyk - J. Dolne
36. Aniela Kowalczyk - Nabloto

Signature
(-) unreadable
DECISION

On the base of art.113 item 1 of K.A.P it is corrected, on the request of Przedsiębiorstwo Inżynieryjnego Projektowo-Uslugowego ‘EKOTECH’ in Gorzów Wlkp., obvious error in decision no. RL 733-4/02 regarding to grant building and terrain development consent in the line 25 on page 1 instead words:

‘109/1, 144,156,324,108/10,107/1,279, 138,140,141,142/1 being property of
shall be:

109/1,144,156,324,108/10,107/1,279.138,140,141,142/1,272,273,274,23/3,23/9,23/12, 23/13, 34 being property of

JUSTIFICATION

During working out of documentation for sanitary sewage system in Jeziory Dolne the following plots were specified because of mistake: plots no. 272, 273, 274, 23.13 and 34 were the pipeline will be constructed.

The parties are eligible to appeal to the Self-government Board of Appeal in Zielona Góra and the claim shall be submitted in Brody Village Head Office, the deadline of the claim submission is 7 days from the date of decision delivery.

Receiving parties:

3. Marek Chwalek – Jeziory Dolne
4. Eugenia szczaniak – J.Dolne
5. Danuta Sturm – J. Dolne
6. Eugeniusz Trzeciak – J.Dolne (-)unreadable signature
7. Grazyna Rudnicka – J.Dolne
8. Janina Głodkowska – J.Dolne
9. Tadeusz Postek – J.Dolne
10. Elzbieta Byczko – J.Dolne
11. Janina Marcinkowska – J.Dolne
12. Jan Jablecki – J.Dolne
13. Katarzyna Kowalczuk – J.Dolne
15. Maria Hance – J.Dolne
16. Janina Kurianska – J.Dolne
17. Genowefa Osak – J.Dolne
18. Emilia Kunicka – J. Dolne
20. Janina Rudziak - J. Dolne
21. Jolanta Kepa - J. Dolne
22. Wiesława Szał - J. Dolne
24. Tadeusz Kowalczuk – ul.Poplawskiego Lubska
25. Stanisława Bartosz - J. Dolne
26. Wiesława Kalicka - J. Dolne
27. Ryszard Kochanowski – Marianka 77
28. Irena Gawron - J. Dolne
29. Maria Bielak - J. Dolne
30. Stefan Stefaniak - J. Dolne
31. Maria Kuczkowska - J. Dolne
32. Halina Gawron - J. Dolne
33. Elzbieta Wlodarczyk - J. Dolne
34. Aniela Kowalczyk - Nabloto
REFERRING TO GRANT BUILDING AND TERRAIN DEVELOPMENT CONSENT

Having regard to art. 1 item 2, and arts. 39 and 40 item 1, 3 art.42 and art. 46 item 2 and 3 of the act on 7th of July 1994 concerning spatial development (final text of the Law of Journal no. 15, item 139 from 1999 with after amendments) as well as article 104 of K.P.A

After consideration of the motion

ESKO Enterprise of Environmental Civil Engineering Ltd. Co.
Obywatelska 1 St.
65-736 ZIELONA GÓRA

On 29th July

- Local General Spatial Development plan of the Tuplice Gmina passed by the Gminas Councilors no. V/30/90 on the 18th December 1990 and published in Zielonogórskie Voivodship Gazette no. 14 item 188 in 1992
- Changes in the Local Spatial Development plan of the Tuplice Gmina passed by the Gminas Councilors no. VII/26/94 on the 2nd December 1994 and published in Zielonogórskie Voivodship Gazette no. 16 item 130 in 1994
- Changes in the Local General Spatial Development plan of the Tuplice Gmina passed by the Gminas Councilors no. XXVII/131/97 on the 8th August 1997 and published in Zielonogórskie Voivodship Gazette no. 14 item 143 in 1997

I DETERMINE

conditions for building and terrain development for the investment of:

CONSTRUCTION OF THE WASTEWATER TREATMENT PLANT FOR PLACE TUPLICE-CIELMÓW IN TUPLICE.
WTP OF BIOLOGICAL-MECHANICAL TYPE.
LOCATION: 68-219 TUPLICE UL. 9 MAJA. PLOTS NO. 753 TUPLICE REGION

1. Pressure pipeline conducting treated wastewater acc. to specification
2. Construction of wastewater pumping station (plot no. 59)
According to local spatial development plan structural unit TUPLICE, terrain symbol in the plan – B 13 NO – TUPLICE.
Guidelines and conditions arising from local spatial development plan of the gmina for terrain market with symbol – destination for – EXISTING WASTEWATER TREATMENT PLANT.

Property: TUPLICE GMINA OFFICE, PLOT NO. 753 TUPLICE.

Conditions arising from detailed regulations:
ref. to environmental protection acc. to act of 27th April 2001 of environmental protection law /Journal of Law no.62 item 627 in 2001/
directive of Spatial Management and Civil Engineering Minister on 14th December 1994 /Journal of Law no.108 on 8th February 1995 item 46/
conditions for technical infrastructure and communication maintenance: demand for electric energy to be agreed with ZZE – ZARY DISTRICT

IMPLEMENTATION IN ACCORDANCE WITH BUILDING DESIGN

The project shall be agreed in scope of:

2. ZAKLAD ENERGETYCZNY – REJON ENERGETYCZNY, 68-200 ZARY ul. Moniuszki 64
3. TELEKOMUNIKACJA POLSKA S.A. – ZARY DISTRICT
4. ZAKLAD GOSPODARKI KOMUNALNEJ - TUPLICE ul. Przemysłowa
5. ZAKLAD GAZOWNICZY - ZARY
6. POWIAT STAROSTWO OFFICE – al.WARSAWSKIE 5, 68 – 200 ZARY
7. PKP ZIELONA GÓRA
8. LASY PANSTWOWE – ZIELONAGÓRA/NADLESNICTWO LUBSKO
9. PANSTWOWY INSPEKTOR SNITARNY – ZARY
10. WOJEWÓDZKI ZARZĄD OGRÓDKÓW DZIALKOWYCH – ZIELONA GÓRA
11. GOSPODARSTWO NADZORU I ADMINISTROWANIA ZASOBEM WRSP IN LIBSKO
12. AGENCJA WŁASNOŚCI ROLNEJ, GOSPODARSTWO NADZORU I ADMINISTROWANIA ZASOBEM WRSP IN LIBSKO
13. Justified protection of third persons

JUSTIFICATION

Skipped on the base of art. 107 item 4 of KPA

The following decision is binding from 10th SEPTEMBER 2003

For building license shall be obtained from Poviat Starostwo in Zary, submitting technical design, terrain development plan, legal title of the property and the following decision.

The following decision concerning housing and terrain development, in acc. to art.46 item 2 does not bear rights for the terrain and does not trespass the right of property and third parties.
Applicants, who do not obtain the terrain property right, do not own rights for claim for reimbursement of outlays and expenses born due to the received decision (art.46, item3).

INSTRUCTION
The parties are eligible to appeal to the Self-government Board of Appeal in Zielona Gora and the claim shall be submitted in TUPLICE Village Head Office, the deadline of the claim submission is 14 days from the date of decision delivery.

Annexes:
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- boundary lines of the investment terrain and graphical markings are pointed in the map that is an annex to the decision.

Receiving parties:
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1. ESKO Przedsiębiorstwo Inżynierii Środowiska
   Zielona Góra ul. Obywatelska 1
2. a/a

Signature
(−) Tadeusz Rybak
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 ☒

- 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)

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5 For the purpose of the Pre-Accession instruments a site of nature conservation importance (= potential future Natura 2000 site) in candidate countries is a site falling under one or more of the following categories:

(a) sites, which have been identified by the competent national authorities as sites to be proposed for the Natura 2000 network as laid down in the Birds Directive (79/409/EEC) and Habitats Directive (92/43/EEC)

(b) sites listed in the latest inventory of Important Bird Areas (IBA 2000) for candidate countries or (if available) equivalent more detailed scientific inventories endorsed by national authorities

(c) wetlands of international importance designated under the Ramsar Convention or qualifying for such protection

(d) areas to which the Berne Convention on the conservation of European Wildlife and Natural Habitats (Art. 4) applies, in particular sites meeting the criteria of the Emerald network

(e) areas protected under national nature conservation legislation
ANNEX I - Declaration by the authority responsible for sites of nature conservation importance (= potential future Natura 2000 sites)

(EQUIVALENT TO Annex I(a) of the Cohesion Fund form)

Responsible authority: Lubuski Urzad Wojewódzki w Gorzowie Wielkopolskim, Wojewódzki Konserwator Przyrody. (Lubuski Voivodship Office in Gorzów Wielkopolski, Voivodship Nature Restorer)

Having examined the project application: Complex system of wastewater management in the area of Brody and Tuplice border gminas which is to be located at Brody and Tuplice gminas

we declare that (tick the appropriate box):

☐ X The project is not likely to have significant effects on a site of nature conservation importance on the following grounds:

On the area of the project there is no site of nature conservation and any one is foreseen in frame of the Natura 2000 programme.

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.

Stamp: Voivodship Nature Restorer

(Authority responsible for monitoring sites of nature conservation importance)

Official Seal: Lubuski Voivodship Office in Gorzów Wielkopolski, Jagiellonczyka Str. no.8.

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6 taking into account the requirements of Art. 6(3) of Directive 92/43/EEC