1. **Basic Information**

1.1. **CRIS number**: 2003/004-379/05.23
1.2. **Title**: Development of the industry and services area in Bierawa Gmina.
1.3. **Sector**: Economic and Social Cohesion
1.4. **Location**: Poland, Opole Voivodeship, Kedzierzyn-Kozle Poviat, Bierawa Gmina.

2. **Objectives**

2.1. **Overall objectives**
Reinforcement of small enterprises activity by development of investment attractiveness of the region and improvement of investment conditions in Bierawa Gmina.

2.2. **Project purpose / Immediate objectives**
Increase in the attractiveness of investment areas by creation of conditions for economic development of the industry and services areas in Bierawa.

2.3. **Accession Partnership and NPAA priority**
The project is designed to address issues related to the AP priority in economic and social cohesion policy regarding the preparation for the implementation of regional programmes and Community Initiatives. The project in particular responds to the economic criterion identified in the AP concerning improving the competitiveness of the Polish economy. The project corresponds also to the NPAA priority "Regional policy and co-ordination of structural instruments".

2.4. **Contribution to the Preliminary National Development Plan**
The project is in line with the sixth axis of the preliminary NDP, which is “Strengthening development potential of regions and counteracting marginalisation of certain areas”. The priorities of this axis will be implemented by means of several measures including development and modernisation of infrastructure serving to strengthen competitiveness of regions.

The project is compliant with the priorities of the Operational Programme of the Opole Voivodeship (with Priority C – Extension and modernisation of the technical infrastructure conditioning the development of economic activities).

2.5. **Cross Border Impact**: N/A

3. **Description**

3.1. **Background and justification**
Bierawa Gmina has a population of 8300 persons, and it is located in the zone of economic development in the south-eastern part of Opole Voivodeship approx. 30 km from Upper Silesian Industrial District, bordering Kedzierzyn – Kozle Gmina, a former chemical basin of the country. The area of Bierawa Gmina is almost 12 000 ha, out of which 63% are forests and afforested areas. The location of Bierawa Gmina is advantageous – approx. 24 km from A-4 Motorway (“Olszowa” Interchange), its territory is crossed by important railway, road and water (Gliwice Channel) lines. The areas intended for investments are crossed by 408 Voivodeship Road. There is a big railway siding in Bierawa which is used by business entities operating in the area.

Unfavourable economic situation in the whole country and restructuring processes in big companies were the reason of the collapse of chemical industry in Kedzierzyn – Kozle, where residents of Bierawa and neighbouring gminas were employed. Reduction of workplaces resulted in high unemployment and emigration abroad. Presently, the unemployment rate amounts to 16.5 %.

In order to prevent further increase of unemployment and emigration, to take advantage of the good location and the biggest potential of Bierawa Gmina, which is its highly qualified inhabitants who get professional experience in EU countries and have strong links with their region and they want to invest or to use their domestic or foreign contacts for encouraging others to invest in Bierawa Gmina, the Board of Bierawa Gmina made decision of separation specific zones (I – Brzezce, II – Stare Kozle, III – Bierawa), where new businesses are nowadays under construction.
Zone III is the most attractive to potential investors. The investment area of the project covers 53 ha of zone III out of which 6.5 ha belongs to State Treasury and other industry and services areas in Bierawa. Presently, the areas belonging to investment zones have access to power, water and telecommunication systems, however there is a lack of sanitary installations, which is an important barrier to their effective and complex development and influx of potential investors.

New investors show their interest in zone III, therefore Bierawa is planning to construct a gravitational sewage system in Bierawa (including investment zone III – approx. 53 ha), inside pressure system, 4 pump stations and street connections of the total length of approx. 14 km and a sewage transit system, approx. 8.5 km long, from Bierawa to existing sewage treatment plant in Kedzierzyn-Kozle next to investment zone II and zone I.

In zone III there are four operating business entities (electrical, asphalt production – an Austrian investor, transport services and advertising), which plan, as a result of their development, to increase their present level of employment (76 workers) by approx. 100 new working places. There are intentions of setting up min. 3 new business entities, which plan to create, in the initial phase of their operation, approx. 20 permanent workplaces.

Implementation of this project will provide access to sewage connections for 45 existing business entities (they provide permanent employment to approx. 300 workers) within the area of Bierawa, and it will allow to reduce the costs of business activities in the area covered by the project.

Location of designed sewerage transit system will allow for future construction of sewerage systems in zone I and zone II.

Improvement of economic competitiveness of Bierawa Gmina owing to final implementation of sewage system in all investment areas will provide an encouragement for domestic and foreign investors as well as conditions for creation of new business entities in the whole Bierawa Gmina, e.g. petrol stations, car wash, service workshop for vehicles, car exhibition, hotel and parking facilities, service objects, prefabrication of switchboards for foreign markets. These actions will eventually result in the decrease of unemployment rate within the area of Bierawa Gmina.

The actions undertaken by Bierawa Gmina in relation to economic development and promotion of new investments have been reflected in a national classification „Professional Gmina Friendly to Investors”, where Bierawa Gmina has been classified as 15th one in the group of gminas up to 15 000 inhabitants. Bierawa Gmina was highly rewarded in such categories as financial management, development management, inner organization, service to customers, participation of inhabitants and social communication.

Future investors will not cover any additional costs related to the connection to the utilities.

### 3.2. Linked activities

The following activities have been completed by Bierawa Gmina in relation to the project implementation:

- zones of economic development have been separated on the basis of the development plan
- the zones have been equipped with power, water and telecommunication systems
- currently, there is a plan for natural gas supply within the industry and services area, in accordance with the now updated “The Planned Conception of Gasification of Bierawa Gmina”.
- in order to improve communication, traffic fluency and its safety in the three separated zones, Bierawa Gmina applied for modernization of communication lines within the area.
- investment plans and documents have been worked out: building permit for transit and sewage system, Environmental Impact Assessment, Feasibility Study together with Economic and Financial Analysis.

Bierawa Gmina offers benefits in the form of tax exemptions and tax preferences for new business entities and services objects. Investment areas are promoted on the Internet and printed brochures, the authorities keep contacts with potential investors.

As a result of the actions:

- In accordance with Resolution No. 1262/2001 issued by Board of Opole Voivodeship, there is a plan to change the category of roads: 408 Road to the parameters of class G (main road) and 425 Road to the parameters of class Z (local road).
- There is a plan to modernize the CE 59 railway line which connects a railway junction in Kedzierzyn – Kozle with Szczecin and Budapest, together with modernization of the junction in Bierawa and construction of a bridge along 408 Road over the railway line, which will improve the fluency and safety of the traffic.

Bierawa gmina has also an experience of using EU funds. Previously, the following actions within PHARE programme were taken in Bierawa Gmina:
PHARE “Reconstruction”, assistance for reconstruction of local infrastructure after the flood – roads, schools, rescue equipment for fire brigades and machinery for individual farmers.

assistance of World Bank for reconstruction of roads and melioration ditches.

Plans for the future:

active promotion of investment areas in all types of available media;
future development of the remaining investment zones (I and II) – approx. 66 ha

3.3. Results

Approximately 50 ha of investment area provided with sufficient technical utilities for new SME investment

Constructed pressure sewerage systems as listed in Activities below:

Constructed 4 pumping stations

Constructed distributive sewerage network,

Access provided to sewage connections for 45 existing SME

3.4. Activities

Construction of pressure sewerage systems as listed below:

- Pressure collector PEHD, dia. 0.16 m, length app. 4000 m (between Bierawa – Stare Kozle)
- Pressure collector PEHD, dia. 0.18 m, length app. 4200 m (between Stare Kozle – WWTP)

Construction of 4 pumping stations

Construction of distributive sewerage network

- Sanitary sewerage system PVC, dia. 0.2 m, length app. 9750 m
- House connections – PVC, dia. 0.16 m, length app. 2600 m
- Pressure collector – PEHD, dia. 0.11 m length app. 1650 m
- Pressure collector – PEHD, dia. 0.063 m length app. 160 m

Providing the access to sewage connections for 45 existing SME (as described above)

3.5. Lessons learned

Under the Final Assessment Report for Assistance funded under PL-9808 Special Preparatory Programme (SPP) and PL-9909 Regional Policy and Cohesion, prepared by OMAS, some recommendations have been made. They are also relevant to the above-mentioned project. Therefore the Ministry of Economy together with the IA and Office of the Committee for European Integration have established stronger institutional co-operation between those organizations (responsible for the programming and implementation of the Phare – ESC assistance).

LPM (Logical Planning Matrix) methodology is applied correctly and contains clear, quantifiable indicators of achievement of the project’s objectives.

The implementation of the Phare 2003 ESC Programme should be based on the experience gained during the implementation of previous Phare programmes, especially ESC 2000, 2001 and 2002 ESC Programmes. Therefore documents concerning land acquisition and conformity with the local spatial development plans are required during the current programming exercise. For this purpose the Polish authorities (Ministry of Economy and Office of the Committee for European Integration) have established a scrutiny system (in form of a checklist) that should be used at the early stage of programming Phare 2003 ESC assistance, eliminating proposals which do not meet the above-mentioned criteria.

4. INSTITUTIONAL FRAMEWORK

4.1. The Beneficiary of the Project: Bierawa Gmina

4.2. The Engineer / Project Manager will be appointed through a tender procedure in accordance with the Polish Public Procurement Act.

4.3. The owner of the facilities after project implementation: Bierawa Gmina.

4.4. The investment will be implemented pursuant to the regulations of the Decentralised Implementation System – “Practical Guide to Phare, Ispa and Sapard Contract Procedures”

4.5. The implementation of the project will not cause any changes to the institutional framework described above.
5. **Detailed Budget**

<table>
<thead>
<tr>
<th>Investment Support</th>
<th>Institution Building</th>
<th>Total Phare co-financing</th>
<th>National &amp; Financial Institutions</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>€</td>
<td>€</td>
<td>€</td>
<td>€</td>
<td>€</td>
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<tr>
<td>Project</td>
<td>2 000 000</td>
<td>2 000 000</td>
<td>1 100 000</td>
<td>3 100 000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>2 000 000</td>
<td>2 000 000</td>
<td>1 100 000</td>
<td>3 100 000</td>
</tr>
</tbody>
</table>

The values comply with cost calculation estimated by the Beneficiary, and it was based on the following rate: 1 EUR = 3.86 PLN.

The estimated cost of the employment of the Project Manager to be paid by the Beneficiary: up to 4% of investment value (approx. 0.0125 MEUR). Co-financing will be available.

6. **Implementation Arrangements**

6.1. **Implementing Agency**

- PAO: Ms. Krystyna Gurbiel, Undersecretary Of State In The Ministry Of Economy, Labour and Social Policy, Pl. Trzech Krzyzy 3/5, 00-507 Warsaw, Poland, Phone: + 48.22.693.56.28, 629.31.47, Fax: +48.22.693.40.05
- Implementing Authority for Phare Cross Border Co-operation Programme, Contact person: Ms. Grazyna Weclew ska, Krucza 36 Street, 00-522 Warsaw, Poland, Phone +48.22.695.99.10-11, fax +48.22.695.99.12-13

6.2. **Twinning**: N/A

6.3. **Non-standard aspects**

The project will be implemented in line with the *Practical Guide to Phare, ISPA and SAPARD contracting procedures*.

6.4. **Contracts**

- Number of contracts to be concluded between the Beneficiary and the Contractor: 1
- Total value of Phare support for contract implementation: 2 MEUR. This contract will be financed through joint co-financing.
- The estimated cost of the employment of the Project Manager to be paid by the Beneficiary: up to 4% of investment value (approx. 0.0125 MEUR).

7. **Implementation Schedule**

- Start of tendering / Call for proposals: second quarter 2003
- Start of project activity: third quarter 2003
- Project completion: third quarter 2005

8. **Equal Opportunities**

Procedures related to the implementation of the project will be performed according to the law and will respect equal opportunities for all interested institutions and natural persons in spite of their sex, race and nationality. The employment of men and women will be based on applicable EU standards with reference to EOE (Equal Opportunity of Employment), which will be announced in official press advertisements during the recruitment procedures.

9. **Environment**

According to Environmental Impact Assessment implementation of the planned investment will considerably improve the condition of the natural environment by:

- limitation of sewage discharge into the soil
- limitation of sewage discharge into underground waters, ditches and rivers
- elimination of unpleasant odours from the existing septic tanks
- elimination of bacterial infection from the existing septic tanks

Pollution concentration balance:
The planned investment is environmentally friendly, it will discharge approx. 285 m³ / day of sewage from Bierawa and zone III, where 45 business entities are located.

The effect of project will be an increase in the attractiveness of Bierawa Gmina to potential domestic and foreign investors.

The project meets requirements of Directive No. 85/337/EWG concerning assessment of the impact of some public and private investments onto environment.

The EIA is available at the Beneficiary’s office.

10. RATES OF RETURN

? FIRR 5.31%
? EIRR 23.94%
? NPV (for 5% discount rate) approx. 112 275.72 EURO

The FS is available at the Beneficiary’s office.

11. INVESTMENT CRITERIA

11.1. Catalytic effect

The Phare support will be conducive to achieving economic and social cohesion goals in Opole voivodship, which otherwise could be attained only in a more distant future and on a more modest and less efficient scale.

11.2. Co-financing

The contribution of the Beneficiary resources is 1,10 MEUR. The sources are planned in Bierawa Gmina budget and they will be effected in the years 2002 – 2005.

The above mentioned contribution amounts to 35.5 % of the project implementation cost.

11.3. Additionality

The financial means transferred to the Beneficiary for the project implementation, covering the investment costs as they are planned within the project do not displace other financing sources, especially from the private sector and the IFI system; it is solely the co-financing of identified priorities and does not replace national resources.

11.4. Project readiness and size

The project will be ready for implementation, contracting and disbursement in accordance with the requirements of PHARE 2003 programme. The Feasibility Study together with Economic and Financial Analysis as well as Environmental Impact Assessment have been prepared (February 2002). The EIA and the FS are available at the Beneficiary’s office. Building permit for transit construction (25.02.2002) and sewage system (20.06.2002) have been obtained. Gmina holds the documentation for the whole sewage system construction. The land under pumping stations is owned by the Beneficiary and the planned sewage system will be installed along gmina, poviat and voivodeship roads. The contribution has been allocated with the Resolution of Bierawa Gmina Council No. XXXII/286/2001.

11.5. Sustainability

The project will contribute to the long-term sustainable development of the region, as described in the Operational Programme for Opole Voivodeship. After implementation, all maintenance costs related to the investment will be covered by the beneficiary.

11.6. Compliance with state aids provisions

All aspects of the project will be developed with respect to the state aids provisions of the European Agreement.

11.7. Contribution to draft National Development Plan

The project is in line with the fifth axis of the draft NDP, which is “Strengthening development potential of regions and countering marginalisation of certain areas”. This axis will be implemented by means of several priorities including development and modernisation of infrastructure serving to strengthen competitiveness.
12. CONDITIONALITY AND SEQUENCING

Deadlines:
? Construction designs prepared until: second quarter 2002
? Obtaining the building permit until: June 2002
? Preparation of tender documents: second quarter 2003
? Start of tendering: second quarter 2003
? Start of project activity: third quarter 2003
? Completion of the contract: September 2005

Conditionality and assumptions:
? Elements of the Development Strategy for the Opole Voivodeship will be implemented
? All the remaining water and sewage management tasks will be implemented
? There will be an active promotion of investment areas in Bierawa Gmina

ANNEXES
? Annex 1 – Logframe Planning Matrix
? Annex 2-4 – Implementation, contracting and disbursement schedule
? Annex No. 5 – Environmental impact assessment
? Annex No. 6 – Nature conservation
## ANNEX 1 – PROJECT LOGICAL FRAMEWORK MATRIX

### PROJECT TITLE: DEVELOPMENT OF THE INDUSTRY AND SERVICES AREA IN BIERAWA GMINA

<table>
<thead>
<tr>
<th>Program Number</th>
<th>Overall objective</th>
<th>Objectively verifiable indicators</th>
<th>Sources of verification</th>
<th>Assumptions</th>
</tr>
</thead>
</table>
|                | Reinforcement of small enterprises activity by development of investment attractiveness of the region and improvement of investment conditions in Bierawa Gmina | Increase of number of new workplaces in gmina  
Creation of new SME in gmina | How: Statistical data from the Main Statistical Office (GUS) and Tax Office (US) in Opole  
When: 5 years after the date of project completion  
Implementation of the remaining water and sewage management tasks |
|                | Project purpose | Increase in the attractiveness of investment areas by creation of conditions for economic development of the industry and services areas in Bierawa | Creation of min. 3 new business with approx. 20 new permanent workplaces.  
Development of 4 existing businesses in zone III which increase their level of permanent workplaces (76 workers) by approx. 100 new permanent workplaces | How: Local administration data  
When: 2 years after the date of project completion  
Who: Beneficiary | |
|                | Results | Approximately 50 ha of investment area provided with sufficient technical utilities for new SME investment  
Constructed pressure sewage systems as listed below in Activities  
Constructed 4 pumping stations  
Constructed distributive sewerage network  
Access provided to sewage connections for 45 existing SME | Approx. 8.5 km of the sewage system constructed  
Gravitational sewage system, inside pressure system with 4 pump stations and street connections constructed, approx. 14 km  
3. 53 ha of the investment zone and industry and services areas connected to the sewage system  
4. Existing 45 business entities and future businesses within the investment area connected to the sewage system | How: Project Acceptance Certificate  
Data of the sewage treatment plant operator  
When: Directly after the project completion  
Who: Beneficiary | Active promotion of investment areas |
|                | Activities | Construction of pressure sewage systems as listed below:  
pressure collector PEHD, dia. 0.16 m, length app. 4000 m (between Bierawa – Stare Kozle);  
pressure collector PEHD, dia. 0.18 m, length app. 4200 m (between Stare Kozle – WWTP)  
Construction of 4 pumping stations  
Construction of distributive sewerage network,  
Sanitary sewerage system PVC, dia. 0.2 m, length app.9750 m  
House connections – PVC, dia. 0.16 m, length app. 2600 m  
Pressure collector – PEHD, dia. 0.11 m length app. 1650 m  
Pressure collector – PEHD, dia. 0.063 m length app. 160 m  
Providing the access to sewage connections for 45 existing SME | How: One contract for works  
One contract for the Project Manager | No risks identified |
|                | Preconditions | Resolution of the Gmina Council on the investment financing | |

<table>
<thead>
<tr>
<th>Date of drafting:</th>
<th>Planning period</th>
</tr>
</thead>
</table>
|                   | End contracting: 30/06/2005  
End disbursement: 30/06/2006 | Total budget:: 3 100 000 €  
Phare budget: 2 000 000 € |
**ANNEXES 2-3-4: DETAILED IMPLEMENTATION CHART, CONTRACTING AND DISBURSEMENT SCHEDULE OF THE PROJECT**

**PROJECT TITLE: DEVELOPMENT OF THE INDUSTRY AND SERVICES AREA IN BIERAWA GMINA**

Date of Drafting: 21.05.2002
Planning period: 01/2003-09/2005

<table>
<thead>
<tr>
<th>Implementation C/I</th>
<th>Contracting</th>
<th>Disbursement (Payment)</th>
</tr>
</thead>
<tbody>
<tr>
<td>C</td>
<td>C/I</td>
<td>I</td>
</tr>
<tr>
<td>2,0</td>
<td>0,6</td>
<td>0,8</td>
</tr>
</tbody>
</table>

Legend:  
D = design of sub-projects;  
C = tendering and contracting;  
I = contract implementation and payment.
ENGLISH 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 [ ] No [ ]

If yes, on which date
| 25 | 02 | 2002 |
| 20 | 06 | 2002 |
for transit construction
sewage system

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
Staroste of Kedzierzyn – Kozle

Is the above authority considered to be the competent authority responsible for performing the duties of

Yes [ ] No [ ]

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

…………………………………………………………………………………………………………………………

……………………………………………………………………………………………………………………..


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

Annex I of Directive 85/337/EEC, as amended by Directive 91/11/EC (go to question 2.2)
Annex II of Directive 85/337/EEC, as amended by Directive 91/11/EC (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?

Yes [ ] No [ ]

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

Yes [ ] No [ ]

On which date has it been finalised

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

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

Yes [ ] No [ ]

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

---

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)
– If no explain the reasons\textsuperscript{4} and give the thresholds, criteria or case by case examination carried out to reach the conclusion that the project has no significant environmental effects:

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 ___/___/___

\textsuperscript{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.
NATURE CONSERVATION

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)\(^5\)?

- Yes
- No \(\square\)

- **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 \(\square\)

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.

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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: Opole Voivode – Voivodeship Nature Conservator

Having examined the project application Phare ESC 2003
(title) “Development of the industry and services area in Bierawa Gmina”
which is to be located at poviat Kedzierzyn – Kozle and gmina of Bierawa
we declare that (tick the appropriate box):

☒ The project is not likely to have significant effects on a site of nature conservation importance on the following grounds:
  - the area under the project does not cover any potential Natura 2000 areas
  - the environmental impact assessment developed by mgr inż. Józef Wesolowski confirms that the investment planned will not deteriorate the condition of the natural environment

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.

Signed: Justyna Kantorczyk – Galkiewicz
(Authority responsible for monitoring sites of nature conservation importance)

Official Seal: Opolski Urząd Wojewódzki
  Ul. Piastowska 14
  45 – 082 OPOLE

6 taking into account the requirements of Art. 6(3) of Directive 92/43/EEC
ANNEX II - Information to the European Commission according to Article 6(4) of the Habitats Directive (92/43/EEC) for Candidate Countries

<table>
<thead>
<tr>
<th>Candidate Country:</th>
<th>Date:</th>
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<td>Competent national authority:</td>
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<td>Address:</td>
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<td>Contact person:</td>
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<td>Tel., fax, e-mail:</td>
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### 1. PROJECT

Name of the site affected:

This site is (please tick):
- ☐ a site identified by the national competent authority as qualifying under Art. 4(1) and (2) of the Birds directive (79/409/EEC)
- ☐ a site identified by the national competent authority as qualifying under Art. 4 (1) of the Habitats directive (92/43/EEC)
- ☐ a site listed in the latest inventory on Important Bird Areas (IBA 2000) or (if available) in an equivalent more detailed scientific inventories endorsed by national authorities
- ☐ a wetland of international importance designated under the Ramsar Convention or qualifying for such protection
- ☐ a site to which the Bern convention on the conservation of European Wildlife and Natural Habitats (Art. 4) applies, in particular a site meeting the criteria of the Emerald network
- ☐ areas protected under national nature conservation legislation

Summary of the project having an effect on the site:

### 2. NEGATIVE EFFECTS

Summary of the assessment of the negative effects on the site:

N.B.: this summary should focus on the adverse effect expected on the conservation value of the site, include the appropriate maps and describe the already decided mitigation measures.

### 3. ALTERNATIVE SOLUTIONS

Summary of alternative solutions studied by the candidate country:

Reasons why the competent national authorities have concluded that there is absence of alternative solutions:

### 4. IMPERATIVE REASONS

Reason to nevertheless carry out this plan or project:
- ☐ Imperative reasons of overriding public interest, including those of a social or economic nature (in the absence of priority habitat/species)
- ☐ Human health
- ☐ Public safety
- ☐ Beneficial consequences of primary importance for the environment
- ☐ Other imperative reasons of overriding public interest

Short description of the reason:

### 5. COMPENSATION MEASURES

Foreseen compensatory measures and timetable: