



Via Baltica update

- construction continues under a new name, *Via Carpatia*

We urge EU decision makers to take the following action:

- **It is time that a strong political message is sent by the EU to Poland:** DGs REGIO, Transport and Environment must send a strong message that EU-sponsored road development in Poland must comply with EU environment law.
- **Withhold EU structural funding:** DG REGIO should not continue to issue EU funding to Poland while it is in breach of EU law.
- **Urgent acceleration of Commission legal action:** plans are progressing to damage Biebrza Marshes and other EU-protected Natura 2000 sites. The Commission sent Poland a supplementary letter of formal notice concerning these projects in March 2009 and should now accelerate this legal action immediately.

Rospuda Valley saved ... but Via Baltica destruction continues

In March 2009 the Polish Government announced it would no longer build a road across the marshy Rospuda Valley which is a Natura 2000 site protected under EU law. The bypass around the town of Augustow would follow a route recommended by a new Environmental Impact Assessment (EIA). The new road would be routed close to the village of Raczki.

The Polish Government should be congratulated for saving the unique Rospuda Valley.

Yet, regrettably no formal decision has been made to route the whole Via Baltica corridor – of which Augustow Bypass is only a small part - west towards Lomza, rather than towards Białystok through more Natura 2000 sites.

Strategic Assessment rejects damaging route – it must not be ignored: (map on p 3)

A Strategic Environmental Assessment (SEA) recommends that the Via Baltica should be routed to the west via Lomza, NOT to the south via Białystok – see map. The study is based on the EU Strategic Environmental Assessment Directive that aims to find the best strategic options in such situations. This study has long been awaited and it is crucial that the results are adhered to and not ignored by the Polish Government. The Polish Government should be urged to take the final decision to route the Via Baltica corridor via Lomza and urgently progress construction of this route.

Trick of re-branding bad old route of Via Baltica as the new *Via Carpatia*

The Polish Government has recently revealed new and extensive plans for road infrastructure development along the environmentally damaging original planned

route for the Via Baltica (Route S-8 North from Białystok) and South of Białystok (Road S-19). This corridor has been named *Via Carpatia* and planned as an international transit road between Lithuania, Poland, Slovakia and Hungary. Four individual road projects along Via Carpatia are currently the subject of a European Commission infringement proceedings. This includes damage to the Knyszyn Primeval Forest and the world famous Biebrza Marshes, both Natura 2000 sites protected by EU law. The European Commission continued to raise concerns about these projects in a supplementary letter of formal notice (sent to Poland around 19th March 2009).

Plans for EU funding despite Commission infringement proceedings

The construction of an international expressway on the S-8 route (the section Białystok – Budzisko at the Lithuanian Border) has been included in the indicative list of major projects within the Polish Sectoral Operational Programme "*Infrastructure and Environment*" 2007-2013. This part of the expressway includes three road projects that are the subject of a European Commission infringement proceeding:

1. Białystok-Katrynka Upgrade
2. Katrynka-Przewalanka Upgrade
3. Sztabin Bypass

TEN-T revision process and planned road developments in NE Poland

The Polish Ministry of Infrastructure has proposed changes to the Polish part of the EU's Trans-European Transport network (TEN-T), including the Via Carpatia - a new south-north corridor along the eastern border of Poland. The section of Via Carpatia North of Białystok overlaps with the most environmentally harmful route for Via Baltica (which was rejected by the SEA) and affects 2 Natura 2000 sites: Knyszyn Primeval Forest and Biebrza Marshes. No SEA is being carried out for the Via Carpatia. Instead the planned road has been divided into several sections for which separate EIAs are being conducted. This kind of approach makes it impossible to select an environmentally acceptable variant for the entire corridor. If the Via Carpatia is to be considered a serious option, an SEA must be completed to inform route selection.

Further, the Polish changes to the TEN-T network ignore the result of the SEA for the Via Baltica and do not propose changes to the routing of the Via Baltica corridor (also known as the 1st Pan-european corridor).

European Commission must send strong funding signal

It is time that the Commission sends the strongest of political messages that EU-sponsored road development in Poland must be approached strategically, in compliance with EU environment law and that EU funds will be held back until such breaches are halted. This message should come from DG REGIO and DG Transport to the highest levels in the Government. Current action by the Commission has been insufficient.

DG REGIO must make clear that it will not continue to issue EU funding to Poland while it is in breach of EU law. Member States cannot break EU law and still expect to receive millions of Euros of EU taxpayers' money.

Construction –and destruction– continues

Construction works are still continuing on the Bialystok-Katrynka Upgrade in Knyszyn Forest Natura 2000 site.

Permission has been granted for preparatory works for the Katrynka-Przewalanka Upgrade involving tree cutting and shrub clearance inside Knyszyn Forest Natura 2000 site. The investor has also applied for the environmental consent for this project based on an EIA report of very poor quality which does not fulfil the requirements of the EU Habitats Directive.

For further information

Małgorzata Górską, OTOP – the Polish Society for the Protection of Birds (BirdLife Partner in Poland), malgorzata.gorska@otop.org.pl, tel. + 48 605 072 963.

Marta Majka Wiśniewska, CEE Bankwatch Network/Polish Green Network, mwisniewska@bankwatch.org, +48602888143.

Route map, showing most valuable nature sites as Natura 2000.
 The western route via V42 is clearly less damaging to Natura 2000 sites than the eastern route via S8.

