

EUROPEAN PARLIAMENT

2004



2009

Committee on Petitions

16.7.2007

REPORT

on the Fact Finding Mission to Poland "Via Baltica" (Warszawa-Bialystok-Augustow)

11-14 June, 2007

Committee on Petitions

Thijs Berman, David Hammerstein, Martin Callanan

The Petitions Committee receives a growing number of petitions from individuals, local communities and voluntary associations which concern the environment. This demonstrates, most encouragingly, that the competences of the European Union in relation to the environment and its protection are widely recognised by the public. A large proportion of these petitions contest decisions by public authorities to develop infrastructure projects, some of which may be supported financially by the European Union.

Of course the European Union does not have and does not seek absolute power to dictate its views to Member states in this or any other field of activity. The Union exercises its authority in a way which respects member states' competence on the basis of the subsidiarity principle. Yet, Member states and regional or local authorities are under a treaty obligation to respect the provisions of EU Directives and Regulations which are agreed by Parliament and Council and which are binding upon them. For new Member states such as Poland, this also relates to the *aquis communautaire*.

In other words, member state authorities may decide independently that they need to develop new road or rail links in order to develop their communications, facilitate travel and commerce or improve transport safety and security. The European Union may provide funding to assist member states with such projects when requested from the so-called cohesion funds. But with or without funding, such projects must fully respect EU law and not undermine the integrity of areas which - on the basis of a proposal from the member state - are set aside, by a common accord between the EU and the member state concerned, in order to protect more fragile ecosystems from destruction.

By adopting such provisions, contained notably in the Habitats Directive, the Birds Directive, the Water Framework Directive and others,¹ it is recognised that decisions affecting areas which are safeguarded by such legislation should not be taken unilaterally, nor should they contradict such legally binding agreements. Moreover, under the precautionary principle which is written into Community law, authorities should abstain from pursuing a course of action which might encroach on viability and the sustainability of such protected areas. In such circumstances as these, alternative options must be properly considered.

Since 2005, the Petitions Committee has received several major petitions which oppose the decision by the Polish authorities, taken in January 2005, to construct a dual-carriage roadway destined for heavy goods vehicles on a proposed route that would bypass Bialystok and Augustow, in north-eastern Poland, and in so doing, it is said, seriously endanger a number of specially protected areas including the Rospuda Valley, the Knyszynska Forest with its valuable primeval forest and population of European bison, the Biebrza National Park and the Narew River National Park. This proposed section of road is foreseen by the Polish authorities as part of the Via Baltica trans-European network connecting Finland and the Baltic countries with other major countries in the EU via Warsaw, Berlin and Budapest.² It had been under consideration for some time.

¹ Strategic Environmental Assessment (SEA) Directive (2001/42/EC) for plan and programme assessment. Environmental Impact Assessment (EIA) Directive (85/337/EEC as amended by Directives 97/11/EC and 2003/35/EC) for project assessment.

[Birds Directive (79/409/EEC), Habitats Directive (92/43/EEC) and Water Framework Directive (2000/60/EC).

² List of petitions received.

This and another proposal to connect Lithuania with Warsaw, via Lomza, were in fact considered by the Polish Government as long ago as 1993 when the Environment Ministry at that time opposed the Bialystok route. The Lomza route was known as variant one, (Road number 61 - 307 km) and the Bialystok - Augustow route was known as variant two (Road number 8 - 335km). These terms are still used.

The original Trans-European Network project dates back to 1996 based upon a decision of the Essen Council, and it was extended to take account of the new member states in 2004. Eighteen of the current thirty priority projects concern the railways but there is no rail route planned in this area. The Polish authorities are still giving their priority to road transport.

The European Council emphasized the need for candidate countries to comply with EU environmental legislation for any new projects and developments prior to accession and the Commission made clear that new developments and projects potentially affecting “environmentally sensitive areas”, should comply with Article 6 of the Habitats Directive and the other relevant Directives¹.

The final decision to route Via Baltica through Bialystok, the variant two option, was nevertheless taken apparently without a proper strategic environmental assessment of its possible impact on the environment and without consideration of the environmental protection principles of the European Union, contrary to the commitments entered into during the accession negotiations. The areas have national status of conservation and belong to the Natura 2000 network.

The allegations made by the petitioners were taken seriously by the Petitions Committee when it discussed the issue in November 2006. They also led to subsequent actions by the European Commission which opened infringement proceedings under article 226 of the Treaty, and applied for an injunction to the European Court of Justice when it became clear that the Polish authorities intended to implement their decision in March 2007. The Court granted the order on April 18th 2007 and work has been temporarily suspended.

In the meantime, the Polish authorities launched a referendum campaign on the issue in the region but the turn-out for the vote on May 20th – at 21.56% - was far below the threshold of 30% required and the result was declared invalid. It appears that a majority of those who voted favoured the Bialystok – Augustow bypass, but the boycott campaign organised by the opponents was also manifestly effective. Nationally there is a strong feeling against the plan according to opinion polls.

A Commission Statement was made in plenary in May before the fact-finding visit left for Poland to meet with all interested parties and local people concerned by the project.

¹ *‘Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.’*

The mission therefore provided the authorities in Poland with an opportunity to justify the choice which they had made for the second variant and to explain their decision to cross the Rospuda Valley and the other protected sites. It provided the members of the Committee with an opportunity to gauge local and national approaches to the question and to see for themselves the nature of the problem. It enabled the associations and individuals who contested the project to demonstrate on the ground what had motivated their opposition and their decision to petition the European Parliament under Article 194 of the EU Treaty.

The visit:

The visit of the delegation was designed to ensure that the Polish authorities were able to make their input both at the beginning and at the end of the mission. It was also organised in such a way that members were able to meet with the petitioners who were in favour of the Augustow variant and, at separate meetings, with those who opposed it. Local authorities from variant one and variant two areas were listened to by the delegation. Expert evidence was also provided by environmental specialists and engineers, and the views of the Chamber of Commerce of Lomza were also taken into account. A number of site visits were also incorporated into the programme, notably in the Rospuda Valley where members were able to travel in canoes in order to obtain a most important visual and atmospheric appreciation of the site itself, including the observation at first hand of some of the rare and protected species of birds, fauna and flora for which the Rospuda Valley is justly famous worldwide. Beavers and their lodges were seen along the banks and a lesser-spotted eagle nesting site was close by.

It is perhaps interesting to note that this was not the first visit of a European Parliament delegation to the area. In June 2005 a delegation of the Environment Committee visited the same area and the message delivered to them at that time was remarkably similar to the one received two years later by this delegation. At the end of its report it included four items to be followed up of which the fourth is the most general:

- What are the main advantages and disadvantages of the two major variants to the route, in particular the importance of serving Białystok, and the real impacts on the environment of crossing the four nature protection areas concerned by the Białystok variant?¹

In order to clarify this general question and to pursue the matter concerning the reasons for the choice of routes the delegation held a very informative meeting with the Polish Undersecretary of State for Transport, Barbara Kondrat, and several senior officials. She insisted that the general approach of the authorities was to find a balance between the development of Polish infrastructure and the environment, but construction of the Białystok - Augustow route was urgent as the financial resources available must be used by 2012. She recognised the underinvestment in the rail network, due to lack of available data, had led to more focus on road transport.

Members were provided with documentation by the ministry containing the opinion of government appointed experts who were also present at the meeting.

¹ Summary Note: ENVI Committee delegation to Lithuania and Northeast Poland, 15-17 June 2005. Members: Brepoels, Westlund, Auken, Blokland, Matsakis. See ENVI Committee web-site.

An idea of the contrasting views presented may be highlighted by the following extracts:

"It is favourable for the bypass to go through the forest, as it will provide the outlet for exhaust fumes which means that these will be retained within a narrow forest belt. To build heavy traffic roads amidst farmland, meadow and grazing land means genocide, crime against people who live in villages and small towns and indirectly against those who live in cities and will in consequence consume poisoned food" (Prof. H. Tomaszewicz - Warsaw University)

"...although the construction of the Augustow bypass along the road proposed by the designers will cause some damage to the nature of the Augustow Forest, these will be very limited, will not pose any threat to endangered rare species and will affect mainly the forest.....will not cause any changes to water conditions in the peat bog....poses no threat to priority plant species in the Rospuda River Valley.....A different route for the bypass going along a larger distance would also lead to an increase in air pollution by fumes and would increase the number of animals killed in car accidents..." (Prof.A Sokolowski - Director Natural Forest Department Bialowieza.)

The officials with whom the delegation met were clearly not prepared to consider any alternative route such as variant one and were scathing in their remarks concerning those who favoured the Lomza alternative. They said that this was a test of strength between the authorities and the 'ecologists' and, they continued, if the ecologists can block this bridge and viaduct then they can block the whole road development programme and the authorities will not be able to spend all of the money in time.

The delegation insisted upon the fact that no-one questions the need for improvements in the road and rail infrastructure in Poland, and in the Podlasie region in particular. It was also pointed out that EU resources could not be made available for routes which did not respect the EU law. The authorities were unable to provide any answer when the delegation pointed out that Scott Wilson, the expert consultants who had examined the question at the request of the Polish authorities, had themselves called for the other variant to be chosen.

Clearly the opposition to the variant through the Rospuda Valley was not just a question of 'the ecologists' alone, but the weight of history and the length of time it had taken to formalise decisions by successive Polish governments seemed to constitute a stumbling block for any revision of route options.

The meeting at the Environment Ministry was much less productive and the Minister's Cabinet Director seemed very ill-informed about the form and content of the Environment Directives at issue. She also expressed the view that the natural richness of the Rospuda Valley had been created by man and that the proposed road scheme which would cross the valley at its widest point would do less harm and create less disturbance for migrating mammals, for birds and for the wetland areas than the very much shorter bridge crossing option at Chodorki, which the alternative route suggested.

The Vice-Minister was also surprisingly dismissive and he attached little significance to the designation of the Rospuda Valley and the other areas as Natura 2000 sites and seemed

unaware of, or at least did not comment on, the assessment made by the Polish State Council for Nature Conservation that the narrow bridge option offered at Chodorki "*gives better possibilities of efficient solution to the problem*" regarding animal migration.¹ The Council states that the biggest advantage of the Chodorki alternative is the fact that it secures the inviolability of Rospuda's fens, which is its most valuable feature. Other recent surveys concur with this view and also underline the unique importance of the distinctive characteristics of the fens and mires for the birds and insect populations considered by the EU to be endangered species.²

The delegation then travelled to Białystok and indeed witnessed the impact of heavy traffic along the main Warsaw Białystok road, from time to time a three lane highway and extremely dangerous as a result.

The delegation had a most revealing discussion at a meeting organised by the Marshall of the Podlasie Region and the Mayor of Białystok and officials. Prof. Sokolowski made a presentation which, amongst other things, drew attention to the serious traffic problems experienced in Augustów resulting from increases in freight transport. A few additional elements also emerged which bear reflecting upon as they show a little more of the motivation behind the government choice. For example according to Prof Sokolowski the 'NGO' option would go through 900 plots of private land and would 'knock down houses in the villages'. The government option goes through different land sites, he stated, including Natura 2000 areas, but this case should be treated as an exception as "the Natura 2000 areas were designated too rapidly without thinking about infrastructure implications".

The Director of the Roads Office, at the same meeting, focussed on the TEN corridor before mentioning the serious road safety problems providing figures for 47 fatal accidents on the N8 road in 2006. He drew attention not only of the urgent need for the Via Baltica but also, more generally, for a rapid improvement of the existing road infrastructure of Northeast Poland because of the great increase in the volume of traffic and the very high road accident rates on the current unsatisfactory roads. It was also, he emphasised, of central importance for bypasses to be built around towns which were currently suffering from heavy transit traffic, not only Augustów but also Wasilków and Sztabin. As far as the two Via Baltica alternatives, i.e. Warsaw-Białystok-Augustów-Suwałki and Warsaw-Łomża- Grajewo-Suwałki, he indicated that the first route had the important consequence of serving Białystok, by far the largest town in northeast Poland. He clearly preferred the route via the Rospuda Valley saying that the alternative would go through many farms in the area.

The Mayor, for his part, made an emotional statement saying that European lorries were running down his city's children and the inhabitants did not want more red-tape and obstruction, they wanted the bypass built as soon as possible.

Members of the delegation assured the Białystok authorities that they fully understood and supported efforts to improve the intolerable transport problems of the cities, but the burden could not simply be shifted from urban areas to the protected environmental zones. The

¹ The State Council for Nature Conservation: "Assessment of the issues concerning the Augustów bypass" Warsaw March 5, 2007.

² Rospuda Valley Survey 2007; EU Habitat Directive Polish Red list species. European Biodiversity Survey.

delegation also underlined that Rail Baltica should be considered more actively as a transport policy option and as a means of boosting regional economy.

In Augustow, the meeting with the Mayor and many local people, some of whom had submitted a petition in favour of the N8 road bypass, was also highly charged as they felt that they had also been kept waiting for far too long for “their road” which they wanted to upgrade to meet more modern standards of safety and security. They thought that the decision had been taken a long time ago before Poland joined the EU and now they were surprised to learn that they were apparently not allowed to have it. They wanted the lorry routes to be changed as soon as possible as the road through the city was particularly dangerous and the increase in the heavy transit traffic had made life unbearable for local families and especially dangerous for children and old people.

What was surprising was the apparent lack of any basic road safety planning by the town of Augustow itself in spite of the fact that it wants to develop its spa and tourist facilities. The Mayor made a strong statement that he was just not interested in what he called “temporary solutions” but no other measures were being taken to deal with the large increase in heavy vehicles using the Augustow road. The delegation felt this was an unacceptable argument and that any responsible political authority would take immediate action to improve road safety, even if it was a temporary solution. In any event such measures would by no means influence the ultimate choice of the route of the Via Baltica highway and in many respects the issue was not even directly related to the strategic option between variants one and two.

To what extent was there confusion between legitimate local requirements for improved road-building programmes around Augustow and Bialystok and the strategic route of the Via Baltica which is to connect the Baltic countries to Warsaw and the rest of Europe?

It emerged that one of the reasons for the increase of traffic through Bialystok and Augustow was because the alternative Lomza route had not been upgraded sufficiently to allow heavy transit vehicles and lorries had no practical alternative but to take the longer Augustow route.

The series of meetings held between the delegation and petitioners who opposed the route, notably the Polish Society for the Protection of Birds, WWF Poland, CEE Bankwatch and Birdlife International, via Bialystok and Augustow provided members with a first hand description of the substantial and irreversible damage that the N8 route would cause to Europe’s only remaining primeval forest area and peat-bogs, mires and fens as well as to the unique variety of large mammals including the European bison, elks, lynx and wolves which inhabited there. (All cited in Annexe II Habitats Directive) The ecology of this area has changed little since medieval times in spite of the enormous tragedies that the local population had experienced during periods of German and Soviet occupation. Indeed, throughout its history the Podlasie region had been a frequently disputed border region which is only now, at last, facing a more certain and prosperous future.

The upgrading of the Bialystok road and the construction of new sections to bypass the town of Augustow cutting across the Raspuda valley as planned by the authorities would significantly reduce the effective habitat area and increase the fragmentation of fragile animal populations increasing the risk of extinction, and impact heavily on migration routes of the larger mammals. Studies by the Institute of Nature Conservation, Polish academy of Sciences

have demonstrated how dispersal corridors will be seriously threatened.¹ It would also create far-reaching changes in freshwater habitats by increased pollution and water runoff from the roads – in the long winter period heavily contaminated with salt and chemicals which are used to clear the ice. It would destroy large sections of the peat-bog and active raised bog sites and alkaline fens.

In addition the section of the road which is planned through the Biebrza Valley – the site of an EU funded LIFE conservation project will have a devastating impact on 10 bird species listed in Annexe 1 of the Birds Directive.

These petitioners make a strong case for the alternative route through Lomza which has the advantage of almost entirely avoiding any of the areas considered to be vulnerable or specially protected. (A map indicating the alternatives is annexed.) The alternative route was explained in detail by a representative of SISCOM – a road engineering design group – joins the planned Suwalki bypass at Chodorki at the northern tip of the Rospuda Valley where it would cross using normal bridge construction techniques and not the more costly and untested techniques proposed for the lower crossing of the valley involving the deep drilling of 123 concrete posts into the wetland area. He agreed with the Council of Nature Conservation that the Chodorki crossing, visited by the delegation, would disturb the migration corridor much less. It would, he said, save 24 hectare of forest and prevent damage to the Natura 2000.

Proponents of the government route accused the petitioners of many things including planning to destroy 900 homes and farms. The petitioners however defend their choice by pointing out that only two houses would be destroyed if the alternative route was chosen which is parallel to the existing road nearer to the high-tension power grid lines. Because there would be fewer natural obstacles the cost of the alternative would, they indicate, be cheaper and the construction time would be faster.

The municipal authorities along the alternative route, including the Mayors of Lomza and Ostroleka who met with the delegation were supportive of this option along road 61 as was their Chamber of Commerce which had conducted a survey among the haulage companies likely to make the most use of the Via Baltica transit corridors. More than two-thirds of them favoured the shorter Lomza alternative to the Bialystok – Augustow route. They felt the more traditional route for lorries had been deliberately closed off to lorries forcing them to take the longer Bialystok route and creating a ‘fait accompli’.

Conclusions:

The development of the Via Baltica strategic road network in Central and North-East Europe is essential to the economic and social cohesion of the European Union as a whole. However it is obvious in light of fast growing transport volume that an even higher priority should be given to better railroad connexions because of their inherent long-term benefits. This is largely a question of Member states' priorities but this is the path encouraged by the EU.

¹ In particular connections between the Augustow and Knyszyn Forest with the Bierbrza marshes and other natural areas to the west. Obstruction would place an additional obstacle to the natural expansion of the European bison population, wolf and lynx.

The Treaty has to be respected of course. *Pacta sunt servanda*. Construction projects by Member states must fit within EU regulations. Earlier this year, on March 21, 2007, the European Commission brought the case of the Via Baltica road construction project before the European Court of Justice. According to the Commission, this project, as it has been adopted by the authorities in Poland, would breach important EU-regulations for the protection of the environment.

The fact finding mission of the EP Petitions Committee confirmed that the Via Baltica road building project, as it is currently proposed, would cross very sensitive Natura 2000 areas. The project encroaches upon Special Protection Areas (SPAs) designated by Polish authorities under the Wild Birds Directive. It would also cross sites proposed as Sites of Community Importance (pSCIs) under the Habitats Directive and sites intended to be proposed as pSCIs to the Commission.

According to all international experts who visited the Rospuda Valley and carried out field research, it is hard to over-estimate the value of the Rospuda Valley as a unique area of bog woodland, of active raised bogs and alkaline fens. The valley has been preserved for thousands of years, gradually depositing 14 meters of sediments. Researchers found 17 "red list" (rare and/or endangered) species for which the Rospuda Valley is their natural habitat. This large amount is, in the European Union, unprecedented for such a small area. In the opinion of these experts, any change in hydrology, such as the road construction project, would result in irreversable damage. Moreover, the road project would cross two other nature reserves, near Białystok, contributing to further fragmentation of natural habitats.

Polish authorities failed to demonstrate to the fact finding mission that alternatives to the current road construction project have been properly and objectively examined. Opponents of the road building project through the Rospuda Valley have tried to draw the attention of subsequent Polish governments to the risk of an infringement of European environmental legislation. In return these opponents are subject to intimidation and systematic denigration. The alternative route through Lomza deserves a more thorough yet rapid objective assessment, and it should not be dismissed by Polish authorities on political and questionable economic grounds, with arguments based on sometimes clearly false and misleading data.

Although this remains something the European Court of Justice has to decide, it is the opinion of the Fact Finding Mission that Polish authorities seem to breach Article 6 (2) of Directive 92/43 (the Habitats Directive), with the authorisation of the road building project through the Rospuda Valley. The Directive aims "*to avoid, in the special areas of conservation, the deterioration of natural habitats and the habitats of species as well as disturbance of the species for which these areas have been designated, in so far as such disturbance could be significant in relation to the objectives of this Directive.*"¹ Obviously, the construction of such a road through this valley would constitute a significant disturbance and deterioration, as the damage to the Rospuda valley would be both important and irreversible.

¹ As to the objectives, the Directive is unequivocal. The aim is (Art.2.1 and 2.2) "*to contribute towards ensuring bio-diversity through the conservation of natural habitats and of wild fauna and flora in the European territory of the Member States to which the Treaty applies. (...) to maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest.*"

The reluctance of the Polish authorities to countenance the alternative more direct route, even if the anticipated Strategic Impact Assessment reaffirms this alternative, was all too clear yet not well justified by the authorities with whom the delegation met. Their arguments lacked coherence and credibility.

In one public meeting some people expressed the view that the public was not given the full picture and that misleading facts were given to the media by the authorities. The delegation also felt that at times it was also being misled by the authorities.

The fact remains that no convincing argument was given for the Bialystok – Augustow option. The closest the delegation got to a justification was based upon the fact that the route had been decided before Poland joined the EU but even this is not at all certain because even if planning had been carried out it was only with membership of the EU that the funding became a possibility. The Polish authorities themselves mentioned the decision date as being January 2005, (though no SEA had been carried out then) building permits were granted in 2006 and 2007 after Supreme Administrative Courts had rejected appeals against the project.

There appears to be a systemic problem which has lasted for a number of years with this particular project which has created unreasonable delays and at the same time blocked any sensible consideration of alternative options. If the road 61 Lomza - Chodorki option was to be agreed then the transit traffic would obviously be reduced through Bialystok and Augustow and the sensitive ecosystems preserved. Proper town planning in Bialystok and Augustow should enable better road safety and the building of new local roads to facilitate tourist traffic and medium sized freight delivery vehicles.

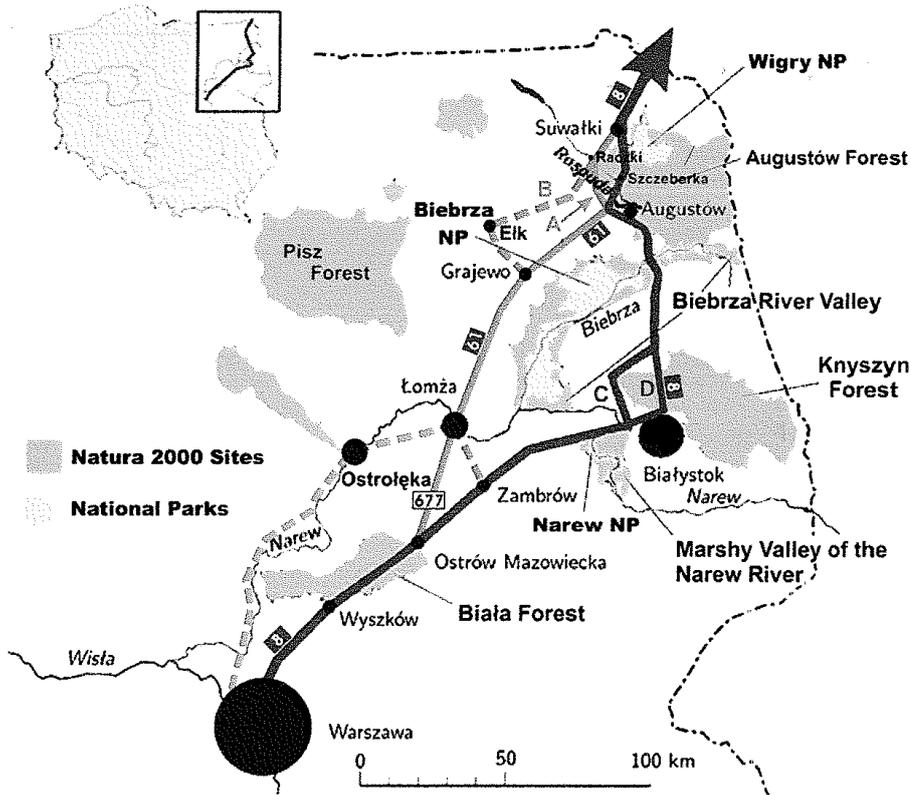
If a request were to be made to the European Commission by the Polish authorities for support for such measures then this delegation considers that the Commission should give such a request their urgent attention. The option of the Via Baltica transit corridor passing through the Lomza passage on road 61 should be perfectly compatible with substantial improvements to traffic movement in Augustow and Bialystok.

Recommendations:

1. Considers the alternative route Lomza – Chodorki – Suwalki for the Via Baltica road transit corridor project is the only suitable option if one is to avoid irreversible damage to the unique and valuable sites protected under EU Environmental Directives mentioned in this report; urges the Polish authorities not to proceed with any construction or destruction in the Rospuda Valley or other protected areas and to preserve the integrity of the ecology of the region;
2. Calls on the European Commission to assist the Polish authorities by providing financial support to help them take the necessary decisions to improve the road safety on the traffic routes around Bialystok and Augustow as a matter of urgency;
3. Considers that EU funding should only be allocated to Via Baltica in North-East Poland if the route is selected on the basis of a properly conducted SEA and is in strict conformity with the spirit and the letter with European Directives, bearing in mind the precautionary principle;

4. Recommends that EU support should be made available for rail freight and passenger transport between Finland and the Baltic States and Warsaw as a matter of urgency to relieve traffic pressure on the road corridors in the region;

5. Urges the local and regional authorities to seek sustainable transport and communication options which enhance the natural characteristics of the area and promote the unique and beautiful local environment for the benefit of the local population, economic development and tourism.

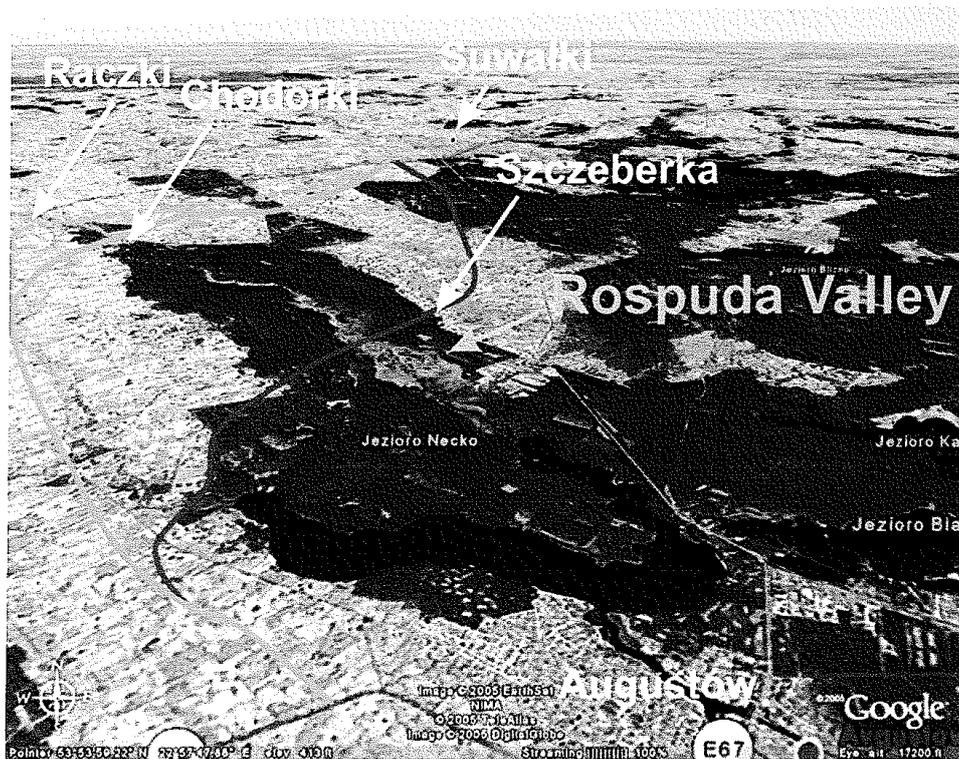


Routes of the Via Baltica options (extension of map by Tomasz Cofka)

Symbols:

- A - alternative variants of the bypass of Augustów, routed north from Uroczysko Święte Miejsce (Sacred Place) through Chodorki (SISKOM) or Raczki. It would also enable bypassing the Augustów Forest with the Valley of Rospuda. Unfortunately, the decisions and actions taken by the authorities so far lead to building the bypass of Augustów right through the centre of the Valley of Rospuda near the Szczeberka (red line), which would mean routing the Via Baltica through the Augustów Forest
- B - Suwałki-Raczki-Kalinowo-Elk expressway, according to the Zoning Plan of the commune of Raczki from 1993. The plan includes a bypass of Raczki and a bridge over Rospuda between Raczki and Dowspuda
- C - a section bypassing the Knyszyn Forest, whose construction was promised years ago by the General Management of State Roads and Highways (GDDKiA), but so far even its course in the locality of specific towns and villages has not been planned
- D - modernisation works are being conducted here; construction of a bypass of Wasilkowo is officially planned as a part of the Via Baltica project

Via Baltica - a map



The Augustów Bypass - options

List of meetings
PETI delegation to Poland

Tuesday, 12 June 2007

Meeting in Transport Ministry

Barbara Kondrat, Undersecretary of State
Andrzej Maciejewski, spokesman
Zbigniew Kotlarek, General Director for National Routes and Highways
Katarzyna Maranda, chief of Environment Department in National Routes and Highways Directorate

Meeting in Environment Ministry

Andrzej Szweda-Lewandowski, vice-minister
Joanna Szczepańska, chief of the Political Cabinet of the Minister
Małgorzata Piwińska, chief of Department for Natura 2000 and National Parks
Łukasz Oprawski, Political Cabinet

Meeting with petitioners

Jan Jakiel, SISKOM Association

Meeting with Białystok authorities

Dariusz Piontkowski, Marshall of Podlaskie voivodship
Tadeusz Truskolaski, Mayor of Białystok
Antoni Pełkowski, Mayor of Wasilków
dr Włodzimierz Kwiatkowski, expert Politechnika Białostocka
Ewa Welc, director of the Infrastructure Department, Podlaskie voivodship
Roman Kalski, Polish Birds Protection Association

Wednesday 13 July 2007

Meeting with petitioners (canoe trip)

Małgorzata Znanińska, OTOP
Andrzej Kamocki, Politechnika Białostocka
Anna Roggenbuck, Polska Zielona Sieć (Polish Green Network)
Tomasz Tumiel,
Adam Bogdan, Pracownia na Rzecz Wszystkich Istot (Workshop for All Beings)
Noria Selva, Polska Akademia Nauk (Polish Sciences Academy)
Filip Jarzombkowski, Stowarzyszenie Chronić Mokradła (Save Marshes Association)

Meeting with Augustów authorities and citizens:

Leszek Cieślik, Mayor of Augustów
prof. Aleksander Sokołowski, expert
Bogdan Dyjuk, representant of Augustów By-pass Support Committee
Andrzej Chmielewski, MP Samoobrona

Zbigniew Buksiński, Augustów Commune
Marek Motybel, Nowinka Commune
Roman Fiedorowicz, Raczki Commune
Tadeusz Dragiewicz, Sztabin Commune

Meeting with Łomża and Elk mayors, Białystok

Jerzy Brzeziński, Mayor of Łomża
Marcin Sroczyński, vice-Mayor of Łomża
Edward Łada, Piątnica Commune
Jacek Nowakowski, Łomża Commune
Andrzej Zaremba, Śniadowa Commune
Stanisław Kubel, Ostrołęka County
Maciej Zajkowski, President of Trade and Industry Chamber

Thursday 14 July 2007

Meeting in Environment Ministry

Agnieszka Bolesta, Undersecretary of State
prof. Aleksander Sokołowski, expert
Roman Kalski Polish Birds Protection Society
Irena Mazur, chief of Department of Nature Interaction Analyses (Departament Ocen Oddziaływania na Środowisko)
dr Włodzimierz Kwiatkowski, expert Politechnika Białostocka

Meeting with petitioners

Przemek Chylarecki, OTOP
dr Marta Majka Wiśniewska, WWF Polska

EUROPEAN PARLIAMENT

COMMITTEE ON PETITIONS

**FACT FINDING MISSION TO POLAND
"VIA BALTICA"
(WARSZAWA-BIALYSTOK-AUGUSTOW)**

11-14 JUNE 2007

(Authorisation of the Bureau: 12 February, 2007)

(Draft 6)

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P PASTUSZKO PL/EN

EP Delegation phone number: 00 32 498 983593.

The objective of the mission is to investigate, with all interested parties, the situation regarding the planned route for the "Via Baltica" in the north-eastern region of Poland near Bialystok and Augustow, and the conformity of the existing plans with EU Directives, notably concerning the environmental impact of the project. The mission is organised resulting from the right to petition the European Parliament, granted under Article 194 of the EU Treaty.

PROGRAMME

Monday, 11 June

Departure Brussels at 16.25 - Arrival **Warszaw** at 18.35

Overnight: Warsaw Hotel Sheraton.

Tuesday, 12 June

9.00 Departure from Hotel

9:30 Meeting with National authorities - Transport Ministry

10.15 Meeting with National authorities - Environment Ministry

11:00 Petitioners in EP Office - Warsaw

(Mr Jan Jakiel, President of SISKOM & Rep of Scott-Wilson Ltd)

12:00 Lunch

Departure from Warsaw by minibus to **Bialystok** (arrival around 16:30)

16:30 Meeting with local/regional authorities.

Mr Dariusz Piontkowski, Marshall of the Podlaskie Region.

Mayor of Bialystok, Mayors of Wasilków,

and invited experts and senior officials.

Petitioners in favour of planned route.

(Ms M Szumarska, Ext Relations Unit, Marshal's Office to coordinate)

18:00 Discussions with petitioners. (in the Hotel)

(Mr Bohdan & Ms Roggenbuck, Ms Znanięcka and others)

Overnight: Bialystok Hotel Branicki

Wednesday, 13 June

08:00 Departure from Bialystok to **Augustow** by minibus with petitioners, & experts from Bialystok Technical University
Visit of the sites of Biebrzanski National Park , Rospuda Valley and Augustowska Forest which are subject of the petitioner's protests.

14.00 Lunch - Augustow

15:00 Meetings with local authorities in Augustow.
Mayor of Augustow and other mayors from towns on the planned road.

(Return to Bialystok)

18:30 Mayors of Lomze & Ostroleka, (Hotel Branicki)

19:30 Public meeting with petitioners and local associations.
(*Bialystok*)

Overnight: Bialystok Hotel Branicki

Thursday, 14 June

9.00 Departure from Bialystok to **Warszaw**

12.30 Arrival in Warszaw

13.00 Working Lunch - Sejm, (Polish Parliament) - Europe Committee.

14.30 Meeting with Ministry of Environment

16.00 Meeting in EP Information with petitioners.
(Mr Chylarecki & others)

19:05 flight back to Brussels

David LOWE
Head of Secretariat.
Committee on Petitions

VIA BALTICA PETITIONS

No. 779/2005 by Adam Bohdan (Polish), on behalf of "Rpacownia na rzecz wszystkich Istot-Oddzial Podlaski", bearing 38 signatures, on the projected "Via Baltica"

No. 845/2005 by Agnieszka Morzyk (Polish), and 2 co-signatories, on the projected "Via Baltica"

No. 190/2006 by Michał Szyszka (Polish) concerning the projected "Via Baltica"

No. 294/2006 by Joanna Frackiewicz (Polish), concerning the projected "Via Baltica"

No. 350/2006 by Małgorzata Znaniecka (Polish), on behalf of "Ogólnopolskie Towarzystwo Ochrony Ptaków" (National Association for the Protection of Birds), bearing 6900 signatures, on the planned "Via Baltica"

Petition 0958/2006 by Dariusz Kowalczyk (Polish), on behalf of 'Darz Bór!' discussion group, bearing 9000 signatures, on the Via Baltica

Petition 0123/2007, by Ewa Łukasik (Polish), on the Via Baltica

Petition 0228/2007 by Marek Smolarkiewicz (Polish), on behalf of 'Polski Klub Ekologiczny', and 491 co-signatories, on Via Baltica

No. 323/2007 by Krzysztof Sawicki, Polish signatures on the planned ringroad around Augustowin North-Eastern Poland



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To the EU Commissioner of Environment
Mr. Stavros Dimas
stavros.dimas@ec.europa.eu

Greifswald, 07 February 2007.

Re: Rospuda, Poland

Your Excellency,

The International Mire Conservation Group (IMCG, www.imcg.net) is a worldwide organisation of mire (peatland) specialists who have a particular interest in the conservation of peatland habitats. The IMCG willingly places its advice and expertise at the disposal of any government seeking to establish or maintain mire conservation programmes

We want to express our strong concern about the Rospuda river valley, Poland, in the light of the intention to build a road across this unique wetland complex of European importance.

A fact-finding mission of an international group of IMCG members, led by the undersigned, visited Rospuda in 2006 and confirmed that the Rospuda river valley mire is an exquisite example of a groundwater fed percolation fen. In the temperate zones of Europe, North America, and Asia, such fens formerly were the dominant mire type. As most areas have been drained for agriculture, good mires of this type are currently extremely rare. The group confirmed that Rospuda - with its undisturbed hydrological conditions and its large diversity in often very rare species - belongs to the best mire complexes of this type west of the Ural Mountains and deserves the highest form of protection. Such protection should encompass the integrity of the total mire valley and its catchment area and the highly sophisticated, complex and very vulnerable hydrology that is typical for percolation mires.

The plans to build a road across Rospuda valley have aroused alarm among mire specialists worldwide. Both the precarious conservation position of percolation mires in Europe (and far beyond) and their hydrological vulnerability dictate utmost reluctance in damaging the last high-quality examples such as Rospuda.

We therefore strongly request you to take all possible steps to prevent the by-pass road of Augustów crossing the Rospuda mire being build and to effect constructing the road as far away as possible from the unique pristine mires lying in the southern part of Rospuda valley

On behalf of IMCG,

Hans Joosten
Secretary-General