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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**  
23<sup>rd</sup> meeting

Strasbourg, 1-4 December-2003

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**Possible New File**

**Construction of the Via Baltica Motorway :  
conflicts with nature values in protected areas  
(North-East of Poland)**

Report of the on-the-spot appraisal (14-15.10.2003)

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## 1. Introduction and general background information

The planned construction of the so called 'Via Baltica' expressway envisages the connection of Helsinki (SF) through the Baltic states and Poland with Germany, thus connecting the capitals of these countries. The concept exists since 1988 and the overall project was discussed at the Conference of the Baltic Countries Ministers of Transport in 1994. The justification of this project as a whole, also called the 'first Pan-European Transport Corridor', includes the great symbolism of this initiative, especially for the states under former communism regimes formerly and now becoming members of the EU.

In Poland this project has been subject to studies, consultations and discussions at different levels since 1988.

In 1993 in the Motorways Building Programme approved the construction of Via Baltica, but this proposal was opposed by the Environment Ministry because of the link with Bialystok.

In 1995 the Road authorities published 3 alternative routes but did not include environmental costs needed for compensation or mitigation of negative effects.

Two main alternatives are actually under consideration for the connection from the Lithuanian border (at Budzisko) to Warsaw:

- variant N°.1: via Lomza via road N° 61 (307 Km)
- variant N°. 2. via Bialystok via road N° 8 (335 Km).

Both alternatives would use the routes of existing roads, except a number of *bypasses* to avoid small towns and settlements. Two more bypasses are designed to avoid areas of nature values.

In 2001 the Polish Cabinet designated road N° 8 along Bialystok as an expressway.

In spring 2002 the Infrastructure Deputy Minister announced that the Bialystok variant would not longer be revised; this was then accepted by the Environment Vice-Minister despite widespread opposition. Protests mainly came from some environmental NGOs, especially because the Bialystok route variant is running through precious areas with recognised nature and landscape values of both international and national importance.

In March 2003 three NGOs (WWF, OTOP and CEE Bankwatch network) expressed their great concern about the ecological impacts of the planned roads (especially the Bialystok variant) on a number of National Parks or protected sites in NE Poland.

In June and August 2003 meetings were organised between the National Roads Directorate General (GDDKIA) and NGOs in order to investigate consequences of the S 8 Expressway variant and to discuss the participation in the planned Strategic Environmental Assessment.

In their complaint three NGOs asked the Council of Europe to open a file against Poland based upon the Bern Convention. The motives of this complaint are well documented by scientific data and considerations on legal aspects (see references). The Bern Convention Standing Committee already adopted the Recommendation Nr. 93/2002 (5 December 2002) on the further implementation of Action Plans for Globally threatened birds and on other issues of interest for bird conservation in the Convention's range. Regarding the Via Baltica motorway the Polish Government has been invited to "*fully evaluate, according to Polish law, alternatives to the route proposed Via Bialystok to ensure that there is no risk of damage to the Biebrza Marshes supporting large population of globally threatened species: Aquatic Warbler, Greater Spotted Eagle and Corncrake;*".

The Committee will again discuss the case during the meeting of 2-5 December 2003.

At present the General Directorate for National Roads & Motorways, GDDKIA (Ministry of Infrastructure) is still organising the 'Strategic Environment Assessment' (SEA) in cooperation with the Ministry of the Environment.

Governmental representatives and non-governmental organisations have declared their willingness to cooperate in the preparatory processes and also scientists made relevant data and reports available as an input in this essential dialogue.

## **2. Considerations in the light of Polish EU accession and regulations**

Especially the lack of a *Strategic Environment Assessment (SEA)* and an *Environmental Impact Assessment (EIA)* is accused by the NGO complaint (see the revised document dated 17.09.03). Without these reports and well balanced *cost-benefit analysis* including economic, ecological and social aspects there is no legal ground for taking far reaching decisions. In view of the future EU membership, accession countries have strict rules and procedures to be followed indeed.

Therefore the Polish Government is supposed to harmonise such important projects and new investments with the EU agreements and legal instruments to be fully compliant with EU criteria and standards. This is essential before pre-accessions funds (and other EU programme subventions?) could be contributed.

The Polish law refers to: Acts on Legal Environment Protection, Access to Environmental Information, Environment Protection and Assessments of Environmental Impact.

The EU law refers to a number of Directives listed below:

- Directive 97/11/EEC on Assessment of Environmental Impact
- Directive 90/313/EEC on Access to Environmental Information
- Bird directive 79/409/EEC requiring *i.a.* the designation of resp. 'Special Protection Areas' (SPAs)
- Habitat directive 92/43/EEC requiring *i.a.* the designation of 'Special Areas of Conservation' (SACs), where species and habitats mentioned in the Annexes occur.

The EU Bird Directive art. 4.1 stipulates *'The species mentioned in Annex 1 shall be the subject of special conservation measures concerning their habitat in order to ensure their survival and reproduction in their area of distribution'*.

For the non-Annex I species, art. 4.2 indicates: *'Member States shall take similar measures for regularly occurring migratory species not listed in Annex I, bearing in mind their need for protection in the geographical sea and land area where this Directive applies, as regards their breeding, moulting and wintering areas and staging posts along their migration routes'*.

Art. 6 of the Habitat Directive includes requirements to be fulfilled in the framework of the earlier Bird Directive. It includes the following wording: *'investments that are likely to have a significant effect on Natura 2000 sites need to be subject to an appropriate assessment of their implications. If there are negative implications, the investment can only be allowed in absence of alternative solutions and for imperative reasons of overriding public interest'*.

## **3. Programme of the site visit and meetings**

Before discussing the case in the Bern Convention Standing Committee Meeting in December 2003, the Council of Europe executed an on-the-spot-appraisal. Being invited as an independent expert we were accompanied by Mrs Françoise Bauer, Directorate of Cultural and Natural Heritage of the General Secretariat in Strasbourg.

This two-day visit was organised by the Ministries of the Environment and of Infrastructure during 14-15.10.03. This report highlights the most important findings and suggests elements for the recommendation. We do not summarise all ecological argumentations and technical statements that were communicated, as this information was often only available in Polish or not very complete and in-depth. Also the period of the year and the short duration of the expertise did not permit relevant field observations.

The visit was lead by dept. Director Ryszard Zakrzewski of the Environment Ministry. During the trip and in some meetings we have been informed by several responsible officers of the General Directory for National Roads & Motorways (GDDKIA), both the central Department staff and the Division in Bialystok. Also the Director of the Biebrza National Park (Adam Sienko) and staff

members of the Ministry of the Environment were present during the whole stay (dr. Zygmunt Krzeminski).

We are very grateful to all those officials for the warm reception and the organisation of the visit, and to all other colleagues, managers and scientists. Thanks also to NGO representatives Malgorzata Znaniecka, Marta Wisniewska, Jacek Engel (WWF Poland), Przemek Chylarecki & Pawel Plonczkier (OTOP) and Robert Cyglicki (CEE Bankwatch Network/PZS), that helped us in collecting further information.

Thanks to the collective openness and knowledge of all people concerned we could form a notion of the manifold problems and extreme importance of the Via Baltica.

The Ministry of Infrastructure (mainly the staff of the Road Directorate GDDKIA) provided us with some general overview maps indicating both route options via Lomza and Bialystok, showing the distances between the villages or towns and the planned bypasses; also a 4 page notice annex a general road map of the Province was distributed.

The GDDKIA in its manifold presentations and comments during the bus trip showed a clear preference for the Bialystok variant to be the best choice. However, no written documents on impact studies or cost-benefit analysis were available yet.

Both main route variants were visited during the study tour starting from Warsaw on October 14<sup>th</sup>, with some short stops in the field (Lomza/Narev river, Rajgrad, Augustow/Rospuda river, Sztabin/Biebrza river and Knyszynski Forest). We received oral information on the spot from the Directors of the Biebrza National Park and the Knyszynski Forest and could meet the Majors or other representatives of local municipalities. Unfortunately, the NGOs who initiated the cause in Strasbourg were not given the possibility to explain their views and arguments in the field.

This one day field trip was followed by an evening session at the Biebrza National Park Headquarters in Osowiec, where only a two hours presentation by the interested NGO's was scheduled. The presented scientific data and conservation arguments of the organisations and the participating scientists were discussed (see some references).

Their unanimous conclusion is that the Bialystok variant will be by far the most disturbing option because of redirecting heavy traffic along this route. On the other hand they agree that some local proposals or plans for road improvements (e.g. bypasses) could be acceptable and needed for social reasons. Informal contacts between the authorities and the NGO's after the official meeting were most useful for the exchange of views and mutual understanding.

The second day morning session (chaired by dept. dir. Ryszard Zakrzewski) was organised with interventions from many authorities and administrations (12 scheduled speakers and some 5 supplementary interventions).

We were very honoured by the presence of the Vice-Minister of the Environment, Mrs. prof. Ewa Symonides, who openly presented her opinion on the case with preference for the Bialystok variant. Other officials such as the Podlaskie voivodship, the directors from the Ministries, especially GDDKIA and the Biebrza NP, as well as local representatives were given the floor to summarise their views on the project.

As some NGO's were present in the audience, they were also invited to comment or answer questions. The session included a well attended *press conference*.

In the afternoon the questions of the Bialowieza Forest management and the relations with the protection status of the area were discussed in the presence of the Forest Service General Director and other representatives.

#### **4. Threats to protected nature values and opposed views on route variants**

Coming from the Lithuanian border and Suwalki, the Via Baltica expressway will bypass the town of Augustow, which is surrounded by valuable forests and natural landscapes.

The large Augustowska Forest has no protection status as a whole, but includes 13 Nature Reserves and partly includes the Wigry National Park. Some other parts have a status of Areas of Protected Landscape (this protection status is weaker than a National Park, Landscape Park and Nature Reserve).

Therefore we were visiting a wooded part of the area (near Rospuda valley) to discover the problem of different route variants avoiding the town (and especially its Sanatorium). The variant IV L has been chosen to cross the Rospuda; this is still a technical difficulty because of peat soils. The Rospuda valley has been planned to be protected as a Nature Reserve because of its extended peatlands and adjacent forests. We did not visit this marshy habitat but were informed about the plan to construct a passage through the valley, unless the problem of thick peat soils.

The route of the Via Baltica in this section west of Augustow also needs to be subject of discussion in the light of the EU-requirements and the Bern convention, as valuable nature elements will be touched. The Wigry National Park may be potentially affected, as the expressway passes close to the boundaries, affecting its buffer zone.

Southwest of Augustow, two route variants to reach Warsaw have been under consideration:

##### **A. The Bialystok variant N° 2**

The case being introduced by the NGOs at the Bern Convention secretariat and Standing Committee is related to the expected negative effects on nature and landscape values when the Via Baltica is constructed as an expressway via Bialystok, as this variant N° 2 will crosscut or at least touch several valuable nature areas and their buffer zones.

- The national park which is really cut by the planned Bialystok variant is the Biebrza National Park at Sztabin (bridge) and its buffer zone up to Suchowola (over 18 km length).
- The Narew River National Park may be potentially affected, as the expressway passes close to the boundaries, touching its buffer zone over a considerable length as well about 5 km).
- The Knyszynska Forest with its valuable primeval forest parts has a status of landscape park, including a number of Nature Reserves, but this complex would be mainly bypassed, except the westernmost buffer area. The forest includes also a European Bison's refuge.
- All areas mentioned above are surrounded by buffer zones; together with the core areas (whether protection status they might have) these integrated areas are designated as *Important Bird Areas* (see Heath and Evans 2000, Grimmet and Jones 1989). They will belong to the future EU network of NATURA 2000 and thus deserve already to be protected in this accession period of Poland into EU.

(Delimitations on overview maps for NE Poland are available: see references).

##### **B) The Lomza variant N° 1**

This variant would avoid the above-mentioned areas of outstanding value.

However some conflicts will have to be solved as well.

- As the authorities seem to consider this variant especially important as a *touristic route*, this implicates that some functions of this sector are to be taken into account in both SEA and EIA, including studies on the compatibility with increasing heavy lorry traffic.
- Special analysis is needed in relation to possible secondary effects of this route construction on the *hydrological conditions* of the Biebrza National Park, being dependent (at what scale? quality?) of water inflow from the wetland systems near Rajgrad.

- Crossing the Narew river valley near Lomza will need special care for integration new infrastructures at landscape level.

### Comments:

(1) The explicit *supplementary aims* of the Bialystok variant were explained by several authorities during our field visit. Firstly this route would allow the further connection of Via Baltica via Lublin with SE Europe (the N-S axis). Secondly the opening of new border crossings with Belarus were presented as a major opportunity linked with this variant. In that case Bialystok should become an even more important economic and transit centre.

The secondary effects of those supplementary border crossings on environment, nor its impact on the EU-border policy are further discussed here, but this needs to be fully analysed in the SEA and EIA.

(2) During the field visit and sessions afterwards some arguments, technical data and possibilities for *environmental improvements* have been presented by the Ministries' officials (GDDKIA and Ministry of the Environment), both showing a clear preference for the Bialystok variant. This was mostly argued by several *secondary aspects and opportunities*, including existing road improvements, alleviation of hazardous risks, planning of bypasses, possibilities to build fauna passages, forestation of corridors for mammals etc.

In our opinion, many of these potential positive side-effects of road works, however, could be subject of direct planning and realisations, apart from the Via Baltica project and its chosen route variants, in order to alleviate some existing and generally recognised 'black points'.

Thus these arguments are not really strengthening or justifying the choice of either alternative.

## 5. The existing situation along both variants

In this section we try to summarise the facts and opinions, although an official governmental document presenting the context, aims and details of the Via Baltica Project is not available.

Early November some additional and more detailed maps were send at our request by Dr Włodzimierz Supernak, deputy Director, General Directorate for Public Roads & Motorways, Division in Bialystok; we are very grateful for his last-minute efforts. Still some essential information is missing for the Augustow and Bialystok bypasses especially the type of habitats that will be affected. Most relevant contributions and documents distributed by NGOs and scientists are listed in the references (see below), as well as other consulted literature.

The main effects and risks of constructing heavy traffic expressways or motorways in general are to be situated at following levels:

#### **physical environment**

- loss of area with actual functions, such as agriculture, urbanisation, forests and natural habitats
- risks of accidents with hazardous products
- temporary or permanent changes in hydrology (both groundwater and surface water)

#### **environmental quality**

- air pollution
- drainage water quality (oil etc., risks in case of accidents)
- noise and light

#### **biological aspects**

- loss of natural habitats
- loss of breeding grounds for or disturbance of threatened species
- barrier effect for crossings of animals: migrations, normal dispersal movements, etc. (landscape and habitat fragmentation; blocking of ecological corridors)
- disturbance of resident animal populations
- disturbance in distribution of plant seeds, invertebrate organisms (also exotic species risks)

**social aspects**

- increase of traffic intensity and related pollution and risks
- barrier effect in urbanised areas (isolation of scattered housing from settlements)
- loss of drivers' interests for stops in smaller villages (decreasing local economy)
- land-use changes for the benefit of non-local inhabitants (secondary transit roads effects)

A balanced multi-criteria analysis in the context of an EIA must then include a detailed overview following standardised formats and questions : *type of interventions - type of impacts - type of solutions*. This is needed for each route variant, based on quantitative data.

The Lomza variant is 35 Km shorter in total but needs more bypasses (32,4 km compared with 25,7 km for variant N° 2). Some of these could cause difficulties from eco-hydrological point of view, as the water flow from the north feeding the Biebrza along small rivers and through peat layers could be disturbed. These peat layers do not allow normal road construction in order to meet expressway criteria (but: similar problems crossing the Rospuda river valley?). This variant does not crosscut nature values of (inter)national importance with recognised conservation status, which results in fewer disturbances of 'red list' species.

The Bialystok variant is longer, but the number and length of bypasses around smaller villages is less. The crosscut of the Biebrza National Park is an ecological risk factor.

This variant will require reconstruction of the Biebrza bridge near Sztabin. The single passage of the actual bridge is to be replaced by three spans for separate carriage ways. Plans exist to reduce the road dike to be replaced by a longer bridge, thus allowing the river to flow through the originally broader valley. When a longer span over the river is also taking into consideration the mammal migration, this work could have positive results indeed on the local corridor function, if the expected traffic increase does not disturb animals too much. Moreover, this broadened express road will then follow the buffer area of the Biebrza NP up to Suchowola over a great length.

On its way further to Bialystok this express way variant will cut important corridors for long-distance movements of large mammal populations, especially wolves, lynx, elk, etc. Also expansion potentials for European bison having a refuge in northern part of Knyszynski Forest will be badly reduced (Jedrzejewski 2002, Kurek 2003).

The most important deviation of variant N° 2 is planned to avoid Knyszynski forest, but still touches the buffer zones (we are not informed if this road part is considered as a 'bypass' of which the length is included in the figure of 25,7 km for this variant). After finalising express road works it is the intention that route N° 8 would be reduced to local traffic only, thus decreasing barrier effect on animal movements and impacts on Nature Reserves in this forest complex. However, the northern bypass of Bialystok (the S 19, length not known) presumably will stimulate the use of this old road section and will cross part of this forest area. These side effects are to be included in the EIA and cost-benefit analysis as well.

***Habitat fragmentation is one of the main threats throughout Europe for endangered species. This is to be included in the multi-criteria and cost-benefit analysis and must be discussed also in the light of the Bern Convention by the Standing Committee when all data are available. WWF has mapped and analysed the occurrence of habitats in a strip of 1 km along parts of the Bialystok route variant, so illustrating the risks that also exist for buffer areas.***

Some (mainly ecological) considerations are summarised in following table, without being complete or detailed enough to allow far reaching conclusions:

<b>Lomza variant</b>	
<b>Negative</b>	<b>Positive</b>
<ul style="list-style-type: none"> <li>- possible disturbance of hydro-ecological relations of Biebrza? (water flows from N)</li> <li>- peat soils not allowing simple construction of expressway (criteria of carrying capacity for heavy lorries)</li> <li>- compatibility of heavy traffic with tourism?</li> <li>- length of bypasses 34,2 km (8,5 km longer than for variant 2)</li> <li>- cuts smaller river valleys and peatlands</li> </ul>	<ul style="list-style-type: none"> <li>- 35 km shorter route in total</li> <li>- no crosscutting of National Park or other protected areas</li> <li>- parts of this route already modernised</li> </ul>
<b>Bialystok variant</b>	
<b>Negative</b>	<b>Positive</b>
<ul style="list-style-type: none"> <li>- 30 km longer route</li> <li>- crossing Biebrza National Park at Sztabin, thus separating NE basin of Biebrza NP from core areas in central and SW parts</li> <li>- affecting 3 national park buffer areas and crossing future Natura 2000 sites and IBAs (Biebrza, Knyszynski, Narew)</li> <li>- cutting several vital animal migration corridors important for survival and expansion of populations (e.g. wolves, lynx, elk, potentially bison);</li> <li>- negative effects of habitat fragmentation and population isolation over great distances</li> </ul>	<ul style="list-style-type: none"> <li>- length of bypasses 25,7 km (8,5 km shorter than variant 1)</li> <li>- reducing importance of route N° 8 to local traffic level (after finishing the Knyszynski western bypass): reducing barrier affect?</li> </ul>

A similar table is to be included for the Augustow bypass, being independent from the chosen route variants N° 1 or N° 2) when the SEA and EIA are prepared, because of the crosscutting of the Wygri NP buffer zones and IBA's . Especially the future nature reserve 'Rospuda river valley', with habitats included in the EU Habitat Directive 1992 is a matter of great concern (see Save Wetlands Association 2003). We could not assess the differences in impacts of the 4 route variants proposed for the Augustow bypasses, but we consider the chosen alternative (IV L) still being very harmful for the Ropuda marshes an nature reserve indeed.

An annex of the EIA will have to analyse the supplementary effects when the variant N°2 will be used for further connection of Via Baltica to the south (Slovakia, Hungary)

## **6. Experts' view and advice**

Several publications and plans have already stressed the (inter)national values of NW Poland, both for wetlands and primeval forests. Among others we mention: Szkiruc Zdzislaw. 1991 'Les Poumons Verts de la Pologne'; Institute of Environmental Protection. 2001 'Protected areas in Poland'. (see more cited literature in the final paragraph 'References').

The realisation of the Via Baltica will heavily increase the traffic intensity of trucks and tourism. This will have both direct and secondary effects on biodiversity, wildlife and natural habitats, their survival and ecological functioning. Also landscape transformation and deterioration through changes in land use and increasing pressure of transport sector needs for infrastructure and other side effects. Disturbances by noise and air pollution and increasing risks with hazardous chemicals along express ways are well known features.

The presentation of some route variants and bypasses was argued as if the avoidance of natural areas was the main aim indeed. However, we have no details on the secondary developments that could be planned and combined with such bypasses (concerning changes in land-use, housing, industrial development etc., especially in the Bialystok region).

Especially the western road along Knyszynski Forest (S 19 and 65) seems to have many more motives than just avoiding this green area. It will function as the connection with Warsaw without touching the city of Bialystok (which is positive for economic and social aspects). At the same time, however, a northern ringroad (S 19) seems to cut parts of the same forest. We are not informed on this item but we are afraid that due to this ring road it will be difficult to close the former route n° 8 for transit passage as it was put forward.

Even more, when also the opening of more border passages with Belarus is aimed, the Via Baltica via Bialystok will need connecting roads eastwards through the forest and protected landscapes as well. These side-effects have not been discussed as to environmental impacts.

It is our view that many of the environmental conflicts and bottlenecks mentioned along both route variants could or should be solved without linking them with the Via Baltica project; e.g. the restoration of the old Biebzra bridge (with minimising risks in case of lorry accidents by catching drainage water), creation of fauna passages, improvement of human living conditions by constructing bypasses around villages (decreasing heavy truck passage at a few meters of houses, decrease of accident risks with hazardous transport). Some improvements on existing roads (N° 61) were already executed with support of the World Bank indeed.

Other positive adaptations mentioned could probably be subject of financial support (from outside Poland) if they are in favour of both economy, ecology and human living and if a balanced EIA is prepared.

**Based on the available information and the field visit, it is our opinion that the Via Baltica variant via Bialystok will cause significantly more ecological problems than the Lomza route. Especially the survival of endangered species needs all measures to secure their undisturbed habitats and to allow the exchange between (relict) populations along long-distance ecological corridors. The Bern Convention (and the EU directives) require also conservation measures outside actually protected areas.** Moreover, the pan-European Biological and Landscape Diversity Strategy stresses the need for ecological corridors as well.

(see Kuijken & De Blust 2002)

Following scientific research (Jedrzejewski 2002, Kurek 2003) the Bialystok variant will hinder much more the vital movements and expanding potentials of large mammals than the Lomza route. The optimal maintenance of the most important core area of these species at European level requires that the barrier effects of the roads are minimised. Fauna passages -even at close distances- never can fully compensate the risks resulting from significant traffic increase over broadened expressways.

It is important to stress that four areas - the Biebrza NP, the Narew NP, Knyszynska Forest and Augustowska Forest (incl. Wigry NP and the Rospuda valley) - have been recognized as IBAs and are listed as proposed SPAs/SACs. Regarding their buffer zones the legal status and restrictions are set individually for each National Park and Landscape Park.

The Bialowieza National Park is not directly affected by the Bialystok route. However, the Bialowieza complex together with the four areas in question forms a network of forest patches supporting interconnected populations of big mammals. In the Bialystok option the expressway will cut the Biebrza from source populations in Bialowieza, Knyszynska and Augustowska Forest. This will impair dispersal of mammals and possible colonization of areas further west incl. western Europe (Jedrzejewski 2002, Kurek 2003).

**Landscape and biological diversity is one of Europe's most important assets. A strategy and code of conduct for the introduction of these considerations into the transport sector is recently worked out and published by the Council of Europe and becomes generally accepted (see Bickmore 2003).**

The future ecological functioning of peatlands, river valleys, forests and (semi-)natural landscapes with high historic, biological and social values may not become endangered by decisions on traffic networks only based on economic or regional interests. Many of such valuable and often endangered habitats risk to be affected by the construction of the Via Baltica, not only in Poland, but presumably in all countries passed by. At present, only in Poland the conservation NGO's reacted officially.

The international importance and legal status of the most valuable natural areas are to be taken into account in the multi-criteria analysis, especially for Ramsar sites, the future NATURA 2000 *Special Protection Areas*, and also referring to the Bern Convention (art.4: habitats, art. 5: species). This analysis must include an overview in the format: ***type of interventions - type of impacts - type of solutions*** (see also table 5.1 in Bickmore 2003).

All possible variants are to be worked out in order to avoid negative impacts on National Parks and all other protected zones. In the light of the international scope of the Via Baltica project, however, the *zero option* presumably can not longer be considered, except as the description of the actual situation. The two main proposals via Lomza or via Bialystok need detailed comparisons that are not yet available for the Standing Committee. Also for other areas crucial information is missing.

**For these reasons, the Strategic Environment Assessment including integrated economic, social and environmental aspects, followed by a detailed Environmental Impact Assessment Report are the essential basic documents before the final route for the Via Baltica express road can be decided. These documents are strictly required before the Standing Committee of the Bern Convention can duly investigate the case (art. 9.2).**

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- WWF. 2003. The habitat types from the Habitat Directive along the national road n°. 8; maps for Augustow Primeval Forest, Biebrza Valley, Knyszynski Primeval Forest. Bialystok 2003

**MAPS from GDDKIA and/or WWF:**

MAP ROAD N°8 + N° 61 +bypasses

NATURE 2000 (NE Poland) Proposal on 10-th December 2002 (map & legend)

PARKS of PODLASKIE VOIVODESHIP (NATIONAL PARKS, LANDSCAPE PARKS, AREAS OF PROTECTED ENVIRONMENT WITH CLEADINGS (map & legend explanations)

TRESTLE BRIDGE OVER BIEBRZA RIVER VALLEY (Cross sections, 3 models)

SPATIAL DEVELOPMENT PLAN OF PODLASKIE VOIVODESHIP (map & legend)

**Annexes to the report: relevant maps**

## **Draft recommendation of the Standing Committee of the Bern Convention on the project 'Via Baltica', conflicting with Polish National Parks (adapted version)**

In order to identify the route variant most compatible with the natural and human environment, the Standing Committee recommends the Government of Poland that

1. a full Strategic Environment Assessment be completed, followed by a detailed in-depth Environmental Impact Assessment Report, considering all alternatives and variants possible, in order to minimise as far as possible any deterioration of important areas, especially in view of the recognised nature values of international importance of the Augustow Forest, the Biebrza National Park and the Knyszynska Forest; the SEA/EIA should take into account potential effects on the Narev and Wigry National Parks as well.

These reports must *-inter alia-* include:

- traffic studies at macro level, giving answer to the question which road connection is most needed actually and in the future: are the main transport destinations at the Budzisko border crossing from Lithuania directed to Lublin (and Ukraine / Slovakia) via Bialystok or to Warsaw (and Germany/Czech Republic) via Lomza (data and priorities at European scale);
- comparison of road development with the railway connection network (Rail Baltica), with consideration of the possibilities of combined transport via the European Transportation Corridor I
- localization of the habitats and the presence of the protected species and their migration corridors (Bern Convention Annexes)
- integrated and detailed ecological impact studies on all Via Baltica variants at Polish territory, including considerations on irreversible direct and secondary loss of nature values in the national Parks and their bufferzones, as well as in IBA's (Important Bird Areas) and in the not yet adequately protected areas (e.g. Rospuda river valley);
- mitigating measures for avoiding or minimising the impacts on hydrology, soils, habitats, flora and fauna (especially migration of large mammals along known corridors): costs and benefits;
- compensation measures if irreversible losses are inevitable;
- predictions on changes in land-use, housing, tourism etc. possibly affecting nature values as a consequence of the new international connection;
- the EIA must also take into account socio-economic aspects such as the barrier effects of the express road for local inhabitants, the possible impact of local economy actually depending on transit traffic, and risks of isolation of the villages that will be bypassed; finally, the quality of life in the scattered housing nearby the modernised route is to be evaluated.]

2. the balanced analysis of the costs-benefits comparing the two main route variants must also include one aspects inherent only to the Bialystok route: the needs and consequences of the opening of five new border crossings between the future European Union and Belarus; (extra traffic and safety border controls, supplementary environmental pressure by increased transport through valuable green areas also serving as wildlife corridors).

3. in the case the old bridge at Sztabin crossing the Biebrza river is to be rebuild (whether or not as an integrated part of the Via Baltica), the removal of the existing dam carrying the road is recommended with construction of a fly-over bridge, in order to maximise the hydro-ecological functions, to enable the restoration of the river valley habitats and especially to increase the corridor function for large mammals (elk, wolf, deer, lynx etc.), which is essential for their survival.

4. to reconsider the planned bypass variants of Augustow in order to avoid the cross cutting of the Rospuda valley with its extremely important nature values (also IBA and to be designated as Natura 2000 site).

5. to ensure that after the construction of the bypass N of Białystok, avoiding the Knyszynska Forest and its buffer area, the old route 8 through this Landscape Park including many Nature Reserves is reduced to only local dimensions indeed, in order to guarantee the optimal integrity of this area with primeval forests, wolves populations and other nature values.
6. to organise adequate monitoring of the effects of the modernised express road and bypasses in view of both ecological and socio-economic consequences (also secondary effects) and to support supplementary mitigating measures to be taken in future when and where needed (e.g. speed limits).
7. to continue the constructive dialogue between the official administrations, the provincial, regional and local authorities and population representatives, the NGOs and the scientific community and to communicate openly about the progress of the decision making process.

## GENERAL DIRECTORATE FOR NATIONAL ROADS & MOTORWAYS DIVISION IN BIAŁYSTOK

### VIA BALTICA

