



**Ministerstwo
Klimatu i Środowiska**

Departament Instrumentów Środowiskowych

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Warszawa, dnia 08-04-2021 r.

**Ms Fiona Marshall
Secretary to the Aarhus Convention
Compliance Committee
United Nations
Economic Commission for Europe
Environment Division
Office: S-429-4
Palais des Nations
8-14 avenue de la Paix
CH - 1211 Geneva 10
Switzerland**

Dear Ms Marshall,

I am writing in reference to your letter dated 11th March 2021 and concerning Communication to the Aarhus Convention Compliance Committee concerning compliance by Poland with the provisions of the Aarhus Convention in connection with the spatial development plan for the Lubuskie voivodeship (ACCC/C/2014/119).

As you requested we prepared translation of appropriate provisions of law that were in force in March 2011 and March 2012. As you asked us to do in your further correspondence we also prepared a translation of amendments of two articles of Spatial Planning and Development Act of 2003 (No. 80, item 717), namely articles 15 and 39. The amendments show the sounding of these provisions as it was before 18th March 2011, when the amendments came into force. In file attached to this letter it is described which sounding is from before and which is from after the 18th March 2011.

Unfortunately, we are not able to send you copies of two requested documents since their size is extending the maximum size of an email attachment. These documents are:

‘The justification for the opinions concerning the draft amendment to the Spatial Plan of Lubuskie Voivodeship’ (PL - Uzasadnienie do opinii do projektu Zmiany Planu zagospodarowania przestrzennego Województwa Lubuskiego);

‘The justification for the suggestions concerning the draft amendment to the Spatial Development Plan of Lubuskie Voivodeship’ (PL - Uzasadnienie do wniosków do projektu Zmiany Planu zagospodarowania przestrzennego Województwa Lubuskiego).

The Copies of these two documents are, however, available on the website of Lubuskie voivodeship together with other documents that are relevant to the case and were published during the process of public consultations. This is the website where they are available:

https://bip.lubuskie.pl/588/Zmiana_Planu_zagospodarowania_przestrzennego_Wojewodztwa_Lubuskiego_2012/ . Since their size is too big for sending them by email I suggest that the Secretariat would copy them directly from the website of the voivodeship.

In your letter you asked us also to provide you with:

- an English translation of all parts of each document that demonstrate how due account was taken of the outcome of the public participation in the decision-making on the 2012 amendment to the spatial development plan of the Lubuskie Voivodeship;

- An English translation of any part of each document that provides:

- (i) The wording of the Voivodeship policy which comments marked “D” were rejected for being contrary to.

- (ii) The reason(s) why the comments marked “G” were not taken into account.

We are still analysing documents and we did not yet pick the fragments that are most suitable to answer your questions. Nevertheless, it would not be possible to translate these fragments by 8th of April and I am afraid probably also not by 16th of April, as we already see that some more correspondence is going to be needed to explain some important issues related to your request. Also the process of translation itself may take some time. Therefore we would like to ask you to prolong the deadline for providing you with translated parts of documents referred to the end of April.

In case you have any further questions please contact Mr. Mielnik – Polish Focal Point to the Aarhus Convention.

Z poważaniem

Maciej Mucha
Dyrektor
Departament Instrumentów Środowiskowych
/ – podpisany cyfrowo/