



Warsaw, 29 January 2016

**Open letter to prof. Mariusz Orion Jędrysek,
Chief Geologist of Poland, Deputy Minister of the Environment**

Dear Minister,

As a result of publication of the “White Book of Protection of Mineral Deposits” by the Polish Ministry of Environment conferences were held on 3rd December in Legnica and on 18th December 2015 in Kościan with the aim to consult local governments, NGOs, experts and residents of the municipalities included in the list of strategic lignite deposits which received the highest rating and were to be covered by legal and planning state protection against any other form of development, which would prevent or significantly hinder their use.

The result of both meetings was a common, strongly critical stance of the participants on the provisions of the White Book, and an appeal to the state authorities. Both documents were sent to the Ministry of the Environment, to the hands of the Minister. Thus far no formal answer to the allegations and the applications made by the representatives of a total of dozens of local authorities and NGOs from all over Poland has been received. We have, however, welcomed the information delivered to the public in the Parliament, that you share our concern and join in the other, equally critical reviews among the 8000 comments submitted to the provisions of the White Book, submitted to the Ministry during consultations. The document has been rightly, by the decision of the Minister, as a whole, thrown "to the bin". Equally important in terms of reassuring the residents of the endangered municipalities is your statement of 15 January, that the White Book we contested is now only of historical value.

In our opinion these declarations, although valuable and mood-calming, do not however close the case, because in no way do they relate to the question of protection of deposits and the possible construction of open-pit lignite mines in the future. They also do not solve the issues that we have raised in the common position and appeal. One can say only they delay them in time - as we can read in the 3-years' statement. Work on protection of mineral reserves is considered strategic from the point of view of state interests, as experience has taught us, and the awareness of the ongoing actions of the lobby for the new open-pit lignite mines will, in due time, again arouse public emotions.

The common position sent on December 14th last year by the Foundation "Development Yes - Mining No" on our behalf to the Ministry of the Environment, states our opinion that: any potential (no matter whether today or at some later time) introduction and implementation of legal and planning protection of lignite deposits against possible development, that prevents subsequent exploitation of these deposits, would be severely detrimental to the socio-economic situation of entire regions and individual municipalities and contrary to the standards and constitutional principles, which underpin the functioning of local government and local communities. Such proposals call into question the very essence and autonomy of local government, constituting unwarranted privileging a single means of land use (ie. surface mining) – depriving municipalities of planning power, failing to protect the constitutionally guaranteed property rights.

We repeat - these concepts are contrary to the standards of a democratic state ruled by law, with respect to planning, and also infringe on the provisions of the Constitution and the European Charter of Local Self-Government. At the same time, in a manner inconsistent with legal standards and modern development trends, they favor the use of land in a manner designed for open-pit lignite mining, that exerts a particularly negative impact on the environment. The proposals presented in the White Book, rejected by the Ministry, ignored the conditions of environmental protection by introducing securing of exploitation of certain lignite deposits "at any price", bypassing environmental, economic and social considerations. It is this type of one-sided approach to the issue in developing new geological and resource policies that we wish to firmly warn against.

Rejecting the document, you have rightly pointed out that it is substantively and methodologically weak – one such important methodological shortcoming and error was the lack of protection requirements for surface water and groundwater resources. Poland has one of the smallest water resources per capita among European countries. Therefore, we believe that if anything should be deemed a strategic resource for our State and be protected - it is the water resources, including the Main Groundwater Reservoirs and Main Groundwater Utility Levels rather than lignite, which, in contrast to the life-giving water, is completely replaceable by other energy sources !

One of a number of weaknesses, of the rejected White Book was to eliminate public participation and local governments in planning procedures. Now would be an excellent opportunity to return to the idea of public participation in the procedures and consultations regarding geological resources or energy policy .

Minister, in the said appeal after a conference in Kościan, we wrote that "open-pit lignite mining is economically, environmentally, culturally and socially completely unjustified. It brings more damage than good, raises unrest and social tensions". Forcing, without any reflection, against the wishes of community, of plans which assume the construction of quarries may result only in completely unnecessary expulsions - and those on a massive scale, irreversible destruction of thousands of hectares of forests, farmlands and giant residential areas, equipped by a great effort of local governments, with a full municipal infrastructure with roads, schools, playgrounds, churches and cemeteries. It is particularly difficult to accept by the local community everywhere where valid and binding referendums were held, or protests have been ongoing for many years, as in Wielkopolska and Lubuskie, against open pits.

We do not believe that the Minister of the Environment did not take into account the fact that construction of new lignite mines, as well as the exploitation of existing reserves, leads straight to disaster, not only social or economic, but also environmental.

Therefore we continue to demand the unequivocal position of the Government of the Polish Republic for an exclusion from the list of minerals considered to be strategic and to be protected, of areas located in the counties of Kościan, Gostyń, Poznań, Rawicz, Szamotuły, Leszno, Śrem, Krosno, Żary, Legnica, Lubin, Zgierz, Sulęcín , Świebodzin, Oborniki, Sieradz, Wieluń and other Polish regions with lignite deposits, as well as the withdrawal of classifying of open-pit lignite mining as a public purpose, because it condemns people to expropriation and displacement due to such investments. Consequently this will provide a sense of stability and safety for the determination of further developments on the part of local district governments and municipal and local economic circles.

We call for a radical change in direction of development of the Polish energy sector - so that the Polish energy security is based not only on the extraction and burning of fossil fuels, tapping into those by the most devastating environmental methods, such as open pits. Our country has so far only been betting on outdated coal technologies, neglecting the innovative energy efficiency sector, renewable and distributed energy resources, becoming uncompetitive and singled out in Europe.

We wish to express our continuous readiness for debate on social and environmental issues, which involve the implementation of plans to build a new lignite mine, or real consequences of placing certain lignite lodes under protection, as well as alternative models of environmental stewardship for energy development.

We look forward to an invitation to frank discussion and dialogue that we have never received from the Ministers' predecessors.

Signed:

- Kościan District Head, Bernard Turcki
- Rawicz District Head, Adam Sperzyński
- Gostyń District Head
- Mayor of rural Community Gubin, Zbigniew Barski
- Mayor of rural Community Gubin Brody, Ryszard Kowalczuk
- „Our Home” Association President , Sylwia Maćkowiak
- EKO-UNIA Association President and vice President of National Coalition „Development YES, Open - Pit Mines NO”

- „No to Open pit” Association President , Anna Dziadek
- „ Center for Sustainable Development” Association, Zbigniew Tynenski
- Foundation Greenpeace Poland , dr hab. Leszek Pazderski
- Foundation „Development YES, Open - Pit Mines NO” President, Tomasz Wasniewski

(on behalf of the signatories to a common position following the “White Book of protection of mineral deposits - a challenge for local governments " conference, dated 03.12.2015).

Attn: Minister of the Environment Jan Szyszko, regional and national media.