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## Development of environmental protection infrastructure in a rural commune after Poland's accession to the European Union – case study

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**Abstract:** *Development of environmental protection infrastructure in a rural commune after Poland's accession to the European Union – case study.* The process of European integration required the harmonization of the Polish law with EU legislation and the physical implementation of the new regulations. One of the areas in which these activities were carried out was environmental protection. The aim of the study was to assess the impact of the Europeanisation process on environmental investment, ecology policy and the practice of environmental protection in rural communes using the example of the Wysokie Mazowieckie rural commune. The study have shown that the impact of the EU integration process was significant. This influence can be most clearly observed in the following two areas: the growing importance of environmental protection in commune policy and the acquisition of external financial resources for pro-ecological investments. Thanks to this, it was possible to solve many important environmental problems in the commune, especially regarding water and wastewater management as well as waste management.

*Key words:* environmental investments, EU funds, rural commune, Europeanisation

### INTRODUCTION

Since 1991, one of the principles of national environmental policy has been the principle of subsidiarity according to which competence in the field of environmental protection should be trans-

ferred to the levels of management at which these problems arise (MŚZNiL 1991). Therefore, since the beginning of the 1990s, the competences of communes regarding environmental protection have been consistently expanded, and commune heads have become important environmental protection authorities. They are responsible, among others, for the condition of green areas, water and sewage management, waste management or air quality [Announcement... 2017].

The European integration process has brought new challenges to local governments. The condition for obtaining membership was in fact ensuring that Poland would harmonize its legislation in the field of environmental protection and then physically implement all the requirements of the “Acquis Communautaire”. The fact that at the end of the 1990s only 10% of Polish regulations were in line with EU regulations, as well as the very high cost of adapting Poland to EU requirements, estimated at PLN 120 billion (Jentzen et al. 1998) demonstrated how difficult and demanding the process was. The consequence of the principle of subsidiarity was that a significant part of these costs had to be borne at the lowest level of the admin-

istration. The implementation of new environmental protection requirements was particularly difficult for rural communes where in the 1980s and 1990s the infrastructure for environmental protection was far more underdeveloped than it was in municipalities (Radziejowski et al. 2002).

From the date of adoption of the Polish National Strategy for Integration from 1997 – the document, which set the lines of actions leading to Poland’s accession to the European Union by signing the Treaty of Accession in Athens from 2003 that defined the terms of the membership, EU environmental policy had a dominant influence on the practice and management of environmental protection in Poland. At that time, a great effort was made to ensure the coherence of Polish environmental law with EU legislation and to ensure the physical fulfilment of new requirements. However, by the day of acquiring the membership, it was not possible to complete all necessary investments. Therefore, the so-called adjustment periods were introduced for 15 EU directives. In those periods, Poland had to implement all the requirements of the Treaty – Accession from 2003. The last of these periods (concerning urban wastewater treatment in agglomerations above 15,000 PE<sup>1</sup>) ended in 2015.

As it seems, the implementation of environmental protection requirements resulting from the Treaty of Accession 2003 did not limit the impact of EU on the Polish environmental policy. From the beginning of the 21st century, the EU’s environmental policy has been developing dynamically, new regulations

and requirements are being introduced, and the existing regulations – such as air quality, waste management or climate protection – are being significantly amended. The new regulations are much more demanding than the previous ones. In accordance with EU law, the new requirements have to be implemented by the Member States as well. Therefore, it can be assumed that the process of Europeanisation has been one of the main factors affecting the development of environmental protection infrastructure in Poland. However, there are not enough test results confirming this hypothesis.

The concept of Europeanisation in this article has been used in the sense that is known as “governance by hierarchy” or “positive integration” (Bulmer and Radaelli 2004). It means that the EU institutions have a considerable power delegated to them. In particular, the European Commission enjoys a pre-eminent role through its right of policy initiative. Additionally the Commission has to ensure that legislation is properly implemented, and it can (where necessary) refer a non-compliant state to the ECJ. Because of its right of initiative and its special role as the “guardian of the EU treaties” the Commission exerts significant influence on the environmental policy of the EU (Laffan 2001, Koch and Lindenthal 2012).

The aim of the research was to assess the extent and importance of the Europeanisation process on the practice of environmental protection and development of environmental infrastructure in Polish rural communes using the example of Wysokie Mazowieckie rural commune. This impact was assessed in relation to the practice of environmental protec-

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<sup>1</sup>PE – population equivalent.

tion (implementation of pro-ecological investments), directions of the local environmental policy and in relation to the management of environmental protection in the commune.

## STUDY AREA

The research was conducted in the rural commune of Wysokie Mazowieckie. The commune is located in north-eastern Poland, in the south-western part of the Podlaskie Voivodeship (the figure).

forests and forest land – 3,800 ha (22.9% of the total area). The remaining lands constitute about 5% of the total area of the commune.

The plant cover is typical for this region of Poland, there are no areas of great natural value that would be protected by law. Nevertheless, the local landscape has the character of a harmonious cultural landscape. The factor shaping the landscape is agriculture, hence the level of forest cover is significantly lower than in the rest of Poland. The occurring spe-

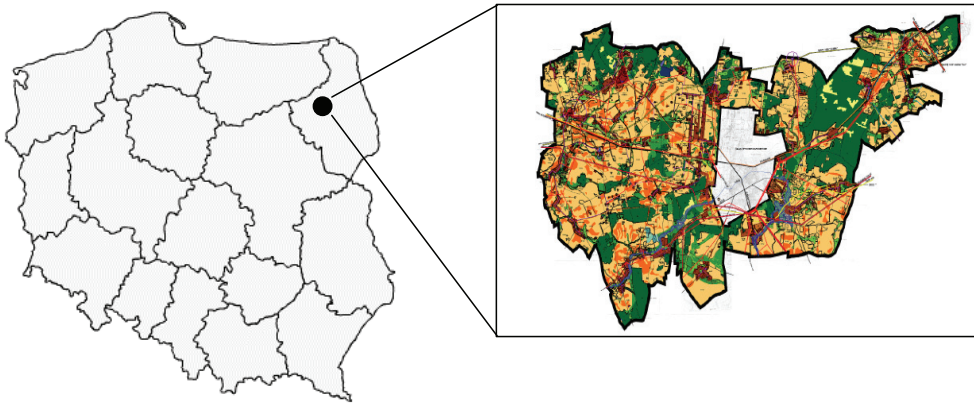


FIGURE. Geographical location of Wysokie Mazowieckie commune  
Source: [http://www.wikiwand.com/pl/Wysokie\\_Mazowieckie\\_\(gmina\\_wiejska\)](http://www.wikiwand.com/pl/Wysokie_Mazowieckie_(gmina_wiejska)).

Considering the physico-geographical division, the commune of Wysokie Mazowieckie is located in the macroregion of the North Podlasie Lowland, in the Physico-Geographical Mesore of Wysoczyzna Wysokomazowiecka (Kondracki 2000). The commune covers the area of 166.11 km<sup>2</sup>. The settlement network contains 54 villages. The region is characterized by a large share of agricultural land. Arable land covers 10,038 ha, which constitutes 60.4% of the total area of the commune, meadows and pastures – 1,829 ha (11% of the total area), and

cies of plants and animals are typical for areas with a dominant agricultural function.

In 2016, there were 5,597 citizens, the number of inhabitants is generally stable, since 2003 it has increased only by 36 people. Share of 64% of residents are of working age. Most of them work in agriculture and agricultural processing. In the commune, there are no enterprises that are particularly burdensome to the natural environment. Trade and service activities as well as agricultural processing prevail here. In 2016, about

320 business entities were registered, only one of them employed more than 10 people (Baza Danych Lokalnych GUS. Retrieved from <https://bdl.stat.gov.pl/BDL/dane/teryt/kategoria/2687> [accessed: 23.03.2018]).

## METHODS

The research applied the case study method which, according to many researchers, is an effective way to both verify existing hypotheses as well as construct a theory (Eisenhard 1989, Yin 1994). According to Kennedy (1979) theory can be built on the basis of a single case study. The study was based on the approach proposed by Yin (1994) and, therefore, three complementary research techniques were used i.e.:

- Critical analysis of documents related to the examined case. First of all, the following documents prepared by the commune were analysed: environmental protection programs, waste management plans, municipal development strategies, materials related to local spatial planning. Data obtained from the Local Data Base of the Central Statistical Office and information on state environmental monitoring were used as additional materials.
- Questionnaire based interviews. According to the suggestion of Żelazo (2013), a questionnaire containing 5 identical questions was used for interviews. These questions were asked to all respondents. However, interviews were not treated as closed ones, so additional explanatory questions could be asked during the interviews as well. In total, interviews were con-

ducted with 6 respondents, including the current head of the commune, head of the Department of the Municipal Property, representatives of the current and previous Commune Councils and members of non-governmental organizations operating in the Podlaskie Voivodeship.

- Own observations. Their aim was to verify information and data obtained during the analysis of documents and interviews.

The research was conducted in two rounds:

- In spring 2017, interviews with the head of the commune and with the head of the Department of the Municipal Property, an analysis of the basic documents of the commune and own observations were conducted.
- At the turn of 2017 and 2018, the remaining interviews were conducted and quantitative data regarding the state of the environment and the effectiveness of activities in the field of environmental protection were collected.

## RESULTS

According to the representative of the NGO-PKE “Podlasie” Circle<sup>2</sup>, before Poland’s accession to the EU, environmental protection was not a priority for either the authorities or the local community. In his opinion, this was mainly due to the relatively good state of the environment and the absence of significant threats caused by the industry. The local authorities explained their lack of action to solve the existing problems with in-

<sup>2</sup>Interview of 17/11/2017.

sufficient financial resources. However, in the respondent's opinion, the real reason was the low ecological awareness of the local community. The pressures exerted on the environment by agricultural activities, for example as a result of burning stubble, application of fertilizers and pesticides in improper periods and dosages or improper handling of waste, including hazardous ones, occurring on farms, were not treated as a significant issue. Similarly, the existence of illegal landfills, the lack of sewage system and improper wastewater management or the poor condition of waterworks were considered irrelevant.

Nevertheless, at that time the commune did not have sufficient funds to implement a broader environmental protection program. According to the first communal Environmental Protection Program adopted in 2004 (IZR 2004) the lack of financial resources had been a significant barrier to pro-ecological activities. In 2004, total income of the commune amounted to approximately PLN 7 million, of which only PLN 30,000 was spent on environmental protection. Necessary investments could not be financed from the funds of the communal Fund for Environmental Protection and Water Management, because its revenues in the years preceding Poland's accession to the EU ranged from PLN 2 to 6 thousand per year only. Although in the following years, the commune's income increased (in 2016 it amounted to PLN 17.6 million), the amount of funds that the commune could spend on environmental protection from its own resources was still insufficient to implement effective environmental programs (in 2016 funds allocated to these objectives con-

stituted about 5.2% of the commune's own income, or some PLN 350,000). This was due to the fact that the costs of social programs increased sharply, only in 2016 Wysokie Mazowieckie allocated 37.5% of its budget to them (US Białystok 2017).

According to the head of the commune<sup>3</sup>, the process of European integration changed the earlier approach to environmental protection. Not only because new regulations were introduced, but also because this process enabled obtaining additional financial resources from EU funds. He told: "the EU legal requirements were translated into Polish law. Communal investments in the field of environmental protection had to be larger and faster. And it was possible thanks to the funds that Poland received from the EU". In his opinion, the membership in the EU also influenced the directions of the commune's ecological policy. Emphasis was placed on the implementation of these programs and investments, which ensured the implementation of obligations imposed on Poland by EU regulations. It mainly concerned two areas: improving the efficiency of water and sewage management and increasing the level of recycling of raw materials contained in waste and achieving the obligatory level of their recovery.

His opinions are confirmed by the analysis of subsequent environmental protection programs defining the objectives of the local ecological policy, which were adopted by the Commune Council after 2004. The first of these documents, developed for the years 2004–2011 (IZR 2004), did not refer directly to the

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<sup>3</sup>Interview of 11.05.2017.

priorities of European policy and did not predict a significant increase in environmental protection issues in the management of the commune. The purpose of this program was as follows: “harmonious, comprehensive and sustainable economic growth of the Wysokie Mazowieckie commune ensuring the quality of life of the residents, while maintaining the values of the natural environment”. Therefore, it could be stated that approach to ecological issues at that time was passive in character, and environmental protection objectives were to be subordinated to the need for rapid economic development of the commune.

Soon it turned out that the program had to be updated. This need stemmed from two reasons: firstly, the pressure of the voivodeship authorities and environmental protection services forcing the commune to implement the requirements of EU law faster and more effectively, and secondly, the possibility of obtaining funds for pro-ecological investments from the EU funds. Therefore, in 2007 the local ecological policy was updated and new activities were designated for 2008–2011 (IZR 2007). The new objectives were aimed at ensuring that the commune would fulfil its obligations resulting from Poland’s membership in the EU and would effectively use EU funds earmarked for supporting investments in environmental protection.

This approach was maintained in the next program, developed for the years 2012–2020 (Wacław 2012). The document clearly indicates that it: “fully reflects the tendencies and objectives of European environmental policy, and the proposed directions of activities would be in line with the principles of European

environmental policy”. It was expected that the implementation of the objectives of this program could ensure that the commune of Wysokie Mazowieckie in 2020 would meet all the requirements arising from EU membership.

The increase of the effectiveness of the local environmental policy was possible thanks to the acquisition of external financial resources, mainly from EU funds. After 2004, Wysokie Mazowieckie acquired about PLN 4 million from these sources (the table). These funds mainly financed investments in water management: modernization of water and water treatment plants, construction of retention reservoirs, improvement of stormwater management and modernization of the commune green areas.

In the opinion of the majority of respondents other programs financed both from commune’s own resources and funds obtained from national environmental funds, received financial support mainly because they served to implement the requirements of the European Union. The main focus was on the construction of household sewage treatment plants. Until 2016, as many as 375 buildings (30% of all properties in the municipality) were equipped with this type of installations (due to the agricultural character of the commune and dispersed settlement, the construction of the sewage system was considered economically ineffective). The cost of these investments amounted to over PLN 4 million, of which 70% was supported by the Voivodeship Fund for Environmental Protection and Water Management. In the opinion of the commune head<sup>4</sup>, these

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<sup>4</sup>Interview of 11.05.2017.

TABLE. Programs co-financed from EU funds in Wysokie Mazowieckie

Project title and description	Start date	End date	Total cost (PLN)	EU funds (PLN)
Development of water reservoir in Tybory Kamianka	2009	2010	84 247,98	51 948,00
Reconstruction of the water treatment plant in Jabłońce Kościelna, Kalinów Czosnów and Mazury, together with the accompanying infrastructure and the construction of an individual sewage treatment plant at the School Complex in Jabłonka Kościelna	2009	2011	6 561 991,85	2 545 507,00
Development of three retention tanks	2010	2010	378 442,10	154 212,00
Development of the centre of 5 villages	2010	2011	455 690,18	277 671,00
Development of the village centre in Buczyno Mikosy	2011	2012	37 651,00	21 532,11
Development of public space in village Sokoły Jaźwiny	2011	2012	45 251,09	24 969,40
Regulation of the water and water supply system through the construction of rainwater drainage and reconstruction of a part of the water supply system in the town of Mystki Rzym – Stage I	2013	2014	507 259,77	313 704,00
Regulation of the water and water supply system through the construction of storm water drainage and reconstruction of a part of the water supply system in the town of Mystki Rzym – Stage II	2014	2015	775 887,92	474 364,00
Construction of storm water drainage in Brzóska-Falki	2014	2015	107 993,95	65 989,00

Source: Own data based on the information of Urząd Gminy Wysokie Mazowieckie.

activities significantly reduced the pressure on water and soil in the commune. Obtaining funds was possible because these measures were implemented by the provisions of the EU directive on municipal sewage treatment. Nevertheless, it cannot be said that the activities undertaken to protect waters against pollution have been sufficient. In his opinion, it would be necessary to build a similar amount of household sewage treatment plants in following years to ensure effective water protection.

The second area of intensive investment and organizational activities has been waste management. In 2002, there were 15 illegal landfills in the commune, where more than 2,000 Mg of waste was collected. In the municipality there was no waste management system at that time, property owners were only required to sign contracts with companies authorized to take waste (or they should take waste to legal landfills of the municipal waste themselves). Because the commune did not conduct any controls in this

area, only a small part of the households carried out proper waste management, the rest disposed of the waste in an illegal way. All waste collected from the local residents was deposited in landfills.

The first attempt to improve the situation was made in the second half of the first decade of the 21st century. Over 270 containers were purchased for separate waste collection, which were set up at various locations in the commune. Efforts were also undertaken to eliminate illegal landfills. Unfortunately, these works were only partially effective. Waste segregation containers set up in public places did not fulfil their role effectively, still most of the waste was deposited in landfills. The liquidation of illegal landfills improved the situation in individual locations, but a significant amount of waste was still stored illegally.

The situation was solved in 2012 by introducing of new national waste management rules and transfer of responsibility in this regard to municipalities (The Act of 14 December 2012 on waste). Thanks to this, in 2013, the commune of Wysokie Mazowieckie introduced a general “waste” tax (Resolution No 206/XXII/12), which on one hand generated financial resources for the creation of a waste management system, and on the other hand deprived inhabitants of the stimulus for illegal waste disposal. A sack system for collecting waste in households was introduced, each household received 5 bags of different colours for segregated waste; mixed waste is collected by households in the containers with a capacity of 110 l. As all households in the commune have their

own composting facilities, biodegradable waste has not been collected.

This system has been effective. Since 2013 no new, illegal landfills have been created, the commune is complying with the obligation to obtain the determined levels of recycle of the raw materials. In 2016, about 175 Mg of raw materials were recycled, which accounted for 33.8% of all waste collected from the commune’s area. The waste is segregated by almost 75% of commune’s households. The created system is self-financing. The annual maintenance costs in 2016 amounted to PLN 324,980 of which PLN 270,350 were the costs of waste collection and management, and PLN 54,640 costs of administrative service. Proceeds from the “waste” tax amounted to PLN 349,630 (Urząd Gminy Wysokie Mazowieckie 2017).

## SUMMARY

The conducted research has clearly shown that the process of European integration was one of the main factors which in recent years has influenced the directions and effectiveness of the ecological policy in the analysed rural commune. This impact is most clearly seen in two areas.

- The increased importance of environmental protection in the commune’s policy. In the 1990s, as well as at the beginning of the 21st century, Wysokie Mazowieckie did not implement any wider environmental activities, and environmental protection objectives were overshadowed by the need for rapid economic growth. The



environmental policy was focused primarily on maintaining the existing infrastructure rather than on its development. The necessity to implement new ecological requirements resulting from the membership in the EU resulted in the implementation of a significant number of programs and projects for environmental protection. An indicator that illustrates this change is the increase in expenditure on environmental protection: in 2016, the commune allocated 11 times more own funds for these purposes than in 2004 (at the same time the income of the municipality increased 2.5 times).

- Acquiring external financial resources for pro-ecological investments. After 2004, Wysokie Mazowieckie implemented 9 projects co-financed from the EU funds, and the amount of the obtained funds amounted to approximately PLN 4 million. The works that were carried out focused mainly on water and storm wastewater management and the implementation of the EU legislation in this area. Other investments involved the modernization of green and blue infrastructure. Funds obtained from other sources – national environmental funds – were spent primarily on investments related to the implementation of the EU requirements. Similar processes can be observed throughout Poland. As stated by Barczak and Kowalewska (2014), funds transferred by the EU are currently one of the basic sources of financing environmental investments in Poland.

Also, the solution to the most difficult problem of environmental protection in

the commune – proper waste management was applied as a result of the process of Europeanisation. In 2012, in fear of financial penalties that the European Commission could impose on Poland for the lack of progress in this area, new provisions were adopted allowing municipalities to create self-financing local systems. Thanks to this solution, the studied commune was able to create a waste management system used by all residents which made it possible for the commune to achieve the required indicators in the field of recovery of raw materials (resulting from the EU regulations) contained in waste.

The main conclusion is that the analysed example confirmed the hypothesis that the process of European integration and the need to implement environmental protection requirements resulting from the EU membership was one of the main factors affecting the environmental policy of the examined commune. The studied example shown as well that Polish communes can benefit from the process of Europeanisation. Whether it will happen or not depends mainly on the ability to raise funds from the EU funds earmarked for these purposes.

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**Streszczenie:** *Rozwój infrastruktury ochrony środowiska w gminie wiejskiej po wstąpieniu Polski do Unii Europejskiej – studium przypadku.* Proces integracji europejskiej wymagał harmonizacji prawa polskiego z legislacją UE oraz fizycznego wdrożenia nowych przepisów. Jednym z obszarów, w których działania te były prowadzone, była ochrona środowiska. Celem badań była ocena wpływu procesu europeizacji na politykę ekologiczną i praktykę ochrony środowiska polskich gmin wiejskich na przykładzie gminy Wysokie Mazowieckie. W opracowaniu proces europeizacji jest rozumiany jako przeniesienie części uprawnień w zakresie ochrony środowiska na instytucje Unii Europejskiej. W szczególności takimi uprawnieniami dysponuje Komisja Europejska, która z jednej strony ma prawo inicjatywy legislacyjnej, z drugiej stoi na straży prawidłowości i kompletności wdrażania tych wymagań w krajach członkowskich. Proces integracji postawił gminy wiejskie przed obowiązkiem fizycznego wdrożenia nowych wymagań w zakresie ochrony środowiska, które były efektem harmonizacji krajowego prawa ochrony środowiska z przepisami unijnymi. Gdyby nie zostało to uczynione, Komisja Europejska mogłaby pozwać rząd Rzeczypospolitej Polskiej przed Trybunałem Europejskim za brak implementacji prawa unijnego. Obawa przed takim scenariuszem była znaczącym bodźcem wymuszającym działania w zakresie ochrony środowiska podejmowane przez Polskę po 2004 roku. Przeprowadzone badania wykazały, że wpływ procesu europeizacji na politykę ekologiczną w badanej gminie był znaczący. Wpływ ten najbardziej wyraźnie moż-

na zaobserwować w następujących dwóch obszarach: we wzroście znaczenia ochrony środowiska w strategii gminy, co przejawiało się przede wszystkim wzrostem udziału inwestycji w tym obszarze w wydatkach z budżetu gminy, oraz w pozyskiwaniu zewnętrznych – pochodzących przede wszystkim z funduszy Unii Europejskiej – środków finansowych na inwestycje proekologiczne. Dzięki temu możliwe było rozwiązanie wielu istotnych problemów ochrony środowiska w gminie, szczególnie z zakresu gospodarki wodno-ściekowej oraz zagospodarowywania odpadów. Potwierdza to wyniki innych autorów wskazujące na rolę funduszy unijnych w realizacji inwestycji ochrony środowiska i rozwoju infrastruktury temu służącej.

*Słowa kluczowe:* polityka ekologiczna, fundusze unijne, gmina, europeizacja

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