

ISOR.6220.4.2020.PP

## **DECISION**

Pursuant to Article 104 of the Administrative Procedure Code Act of 14 June 1960 (Polish Journal of Laws 2020, item 256 as amended) and Article 71(2)(2), Article 75(1)(4) and Article 84(1)(2) and Article 85(1)(2)(2) of the Act of 3 October 2008 on publishing information about the environment and its conservation, public participation in the environmental protection and environmental impact assessment (Polish Journal of Laws 2020, item 283 as amended) and Clause 3(1)(67) of the Regulation of the Council of Ministers dated 10 November 2019 on projects that can significantly affect the environment (Polish Journal of Laws of 2019, item 1839), the types of projects that may potentially have a significant impact on the environment include: flood protection structures, within the meaning of Article 16(1) of the Water Law Act of 20 July 2017, excluding the reconstruction of floodbanks consisting in sealing the embankment body and subsoil in order to limit the possibility of their washing away and interruption during flood wave passage, as well as water control. Having considering the application submitted by Państwowe Gospodarstwo Wodne Wody Polskie requesting a decision on environmental constraints for the implementation of the project entitled: "Flood protection of Ognica as part of Contract 1A.2: Flood protection of Gryfino, Ognica, and Piasek upon the Odra. Improvement of Marwice Polder, Stage III: modernization of Krajnik pump station" located in the following plots of land: 3, 9, 10, 11/2, 12, 13, 14/3, 15, 20, 34, 39/3, 40/1, 40/2, 76, 82, 633, 634, 688, Ognica 0008 cadastral district.

### **I hereby conclude that**

- I. there is no need for the environmental impact assessment procedure for the planned project**
- II. I prescribe the following relevant preconditions for use of the environment during the implementation stage of the project:**

1. Heavy duty equipment (excluding light construction tools) must be refuelled outside wetlands or areas in close vicinity of open surface water. Vehicles used for the project must be refueled only at gas stations.
  2. The construction machinery and equipment must be repaired and cleaned outside the construction site and facilities, in locations equipped with proper infrastructure (washes, repair workshops).
  3. Suitable quantity and types of sorbents must be readily available in site service areas and construction sites.
  4. The construction machinery and equipment used for implementing the project must be in good technical condition and must be regularly maintained.
  5. After completion of the works equipment and vehicles must be stored in a designated location outside the river channel and must be protected against oil spills.
  6. Sanitary facilities in the form of portable toilets (to be regularly emptied by appropriate services) must be provided.
  7. When performing earthworks in the river channel, light equipment should be used whenever possible and the duration of those works should be minimized.
  8. The works must be suspended if protected species are identified. Their specimens must be relocated to a safer location.
  9. In case of considerable water turbidity downstream of the project, the works must be suspended for a period at least twice as long as the turbidity period.
  10. Vegetation clearance material must be stored in a manner preventing it from being washed away (also due to rainfall or high water).
- I. The documentation required to issue relevant decisions (as specified in Article 72(1) the Act of 3 October 2008 on access to information on the environment and its protection, public participation in environment protection and environmental impact assessments (Polish Journal of Laws 2020, item 283 as amended)) must incorporate the following requirements in terms of environmental protection:**

1. An environmental supervision team must be established, consisting of specialist naturalists (ornithologist, herpetologist, botanist), who will verify (at the construction stage) the actual threat to valuable species of fauna, indicate and take appropriate measures to prevent negative environmental impacts and exercise appropriate supervision over the works being carried out, including:

- before the construction works commence, the team will inspect the investment area for presence of protected plant and animal species (particularly including birds and amphibians).

On the basis of the visual inspection, the team will determine the scope of the necessary derogations from the prohibitions applicable to the protected plant and animal species,

- before starting the construction works, the team will determine a safe timing for the work (especially respecting the amphibian migration period and bird breeding period) and necessary precautions for limiting the adverse impact of the works on the identified plant and animal species (e.g. appropriate protection of anthropogenic traps for animals or fencing to prevent wildlife migration into the construction site; fencing and protection of plants and trees not intended for clearance),

- during the construction works the team will monitor the efficiency of the applied mitigating measures and take appropriate action to address any situations that may have an adverse impact on natural elements.

2. Clearances of trees and shrubs must be kept to a minimum and carried out outside the bird breeding period. If clearance is reasonably necessary during the bird breeding season, a detailed visual inspection by an ornithologist and chiropterologist must be carried out immediately before starting the works. If bird or bat habitats are identified in the trees and shrubs to be cleared, appropriate derogations from the prohibitions applicable to protected fauna species must be obtained.

## **II. Project specification is appended to the environmental constraints decision.**

### **STATEMENT OF REASONS**

On July 17, 2020, Państwowe Gospodarstwo Wodne Wody Polskie, duly represented by Mr. Jerzy Siwicki, mailing address: Sweco Consulting Sp. z o.o., ul. Łyskowskiego 16, 71 - 641 Szczecin, submitted an application for issuing a decision on environmental constraints for the following project: "Flood protection of Ognica upon the Odra as part of Contract 1A.2: Flood protection of Gryfino, Ognica, and Piasek upon the Odra. Improvement of Marwicki Polder, Stage III: modernization of Krajnik pump station." The project will be carried out on the following plots of land: 3, 9, 10, 11/2, 12, 13, 14/3, 15, 20, 34, 39/3, 40/1, 40/2, 76, 82, 633, 634, 688, Ognica 0008 cadastral district.

The following documents were appended to the application:

- project information sheet incl. appendices,
- copy of a cadastral map covering the project site, certified-true by a relevant authority,
- a large-scale paper and electronic map of the project area; the anticipated area referred to in Article 74(3)(a) is properly highlighted,
- power of attorney incl. proof of stamp duty payment,
- proof of stamp duty payment for filing the application.

Pursuant to Article 75(1)(4) the Act of 3 October 2008 on access to information on the environment and its protection, public participation in environment protection and environmental impact assessments (Polish Journal of Laws 2020, item 283 as amended), hereinafter referred to as the EIA Act, the mayor of the municipality is the body in charge of considering the application.

Having investigated the nature, size and location of the project, it was found that the planned project consisting in flood protection of Ognica upon the Odra as part of Contract 1A.2: Flood protection of Gryfino, Ognica, and Piasek upon the Odra. Improvement of Marvice Polder, Stage III: modernization of Krajnik pump station, pursuant to the Regulation of the Council of Ministers dated 10 November 2019 on projects that can significantly affect the environment (Polish Journal of Laws of 2019, item 1839), may potentially have a significant impact on the environment as it constitutes a water control project within the meaning of Article 3(1)(67) of the said regulation, which reads: flood control structures within the meaning of Article 16(1) of the Water Law Act of 20 July 2017, excluding the reconstruction of floodbanks consisting in sealing the embankment body and subsoil in order to limit the possibility of their washing away and interruption during flood wave passage, as well as water control.

By letter dated August 4, 2020, the Mayor of Widuchowa Municipality informed the parties about the initiation of administrative proceedings in the present case. In the course of the proceedings, the interested parties were informed about the possibility of reviewing the documentation and submitting comments and motions. Mayor of Widuchowa Municipality, in the letter No. ISOR.6220.4.2020.PP of August 04, 2020, pursuant to Article 77(1)(1) of the EIA Act, applied to the Regional Directorate of Environmental Protection in Szczecin for determination of the project implementation conditions.

The Regional Director of Environmental Protection in Szczecin, having analyzed the received documents and the information contained therein, issued the decision No. WONS-OŚ.4220.262.2020.AW of 18.08.2020, defining the project implementation conditions.

By letter dated August 04, 2020, pursuant to Article 77(1)(4) of the Act the Mayor of Widuchowa Municipality applied to the Director of the Regional Water Management Board in Szczecin / Państwowe Gospodarstwo Wodne Wody Polskie for determination of the project implementation conditions. However, the authority competent to handle water law assessments for the said project is the Ministry of Maritime Economy and Inland Navigation in Warsaw, to which an application was duly

submitted on August 10, 2020. The above applications were accompanied *inter alia* by the project information sheet and a photocopy of the application for the decision on environmental constraints. By letter dated May 9, 2020, ref. No. DOK.DOK2.9750.1.31.2020.ASL, the Ministry of Maritime Affairs and Inland Navigation requested the Mayor of Widuchowa Municipality to provide missing information to the project information sheet. Subsequently, in a letter dated September 23 the Mayor of Widuchowa Municipality requested the investor to provide missing information to the project information sheet. By letter dated October 8, 2020, ref. No. ISOR.4.1.2020.PP. the Mayor of Widuchowa Municipality forwarded the additionally provided information to the project information sheet.

Having received and analyzed the necessary documents, the Director of the Department of Administrative Decisions and Water Management Control at the Ministry of Maritime Economy and Inland Navigation in Warsaw, issued on October 22 an opinion stating that no environmental impact assessment procedure is required for the planned project.

On August 4, 2020, pursuant to Article 77(1)(2) of the Act the Mayor of Widuchowa Municipality applied for determination of the project implementation conditions to the body in charge of sanitary controls, i.e. the County Public Health Inspector in Gryfino. The above applications were accompanied by the project information sheet and a photocopy of the application for the decision on environmental constraints.

On August 10, 2020 the County Public Health Inspector in Gryfino issued the opinion No. ZNS. 9022.2.1.29.2020 stating that there was no need for an environmental impact assessment and concluding that the project would not adversely affect human life or health.

Pursuant to Article 10(1) and Article 49 the Administrative Code Act of 14 June 1960 (Polish Journal of Laws of 2020, item 256, as amended) in connection with Article 85(3) and Article 79(1) of the Act on access to information on the environment and its protection, public participation in environment protection and environmental impact assessments of 3 October 2008 (Polish Journal of Laws 2020, item 283 as amended), on November 5, 2020 the Mayor of Widuchowa Municipality announced that all documents had been collected, as necessary for issuing the decision on environmental constraints for the following project: "Flood protection of Ognica upon the Odra as part of Contract 1A.2: Flood protection of Gryfino, Ognica, and Piasek upon the Odra. Improvement of Marwice Polder, Stage III: modernization of Krajnik pump station" located in the following plots of land: 3, 9, 10, 11/2, 12, 13, 14/3, 15, 20, 34, 39/3, 40/1, 40/2, 76, 82, 633, 634, 688, Ognica 0008

cadastral district. The announcement was posted at [bip.widuchowa.pl](http://bip.widuchowa.pl) and displayed on the notice board in the Municipal Office in Widuchowa. All interested parties were informed about the possibility of reviewing the documentation and submitting comments and motions within 14 days after the date of the announcement.

Within the said period none of the parties to the proceedings or the public made any comments or requested access to the collected materials.

The aim of the task is to protect the village of Ognica against flooding by, among other things, training a 342 m section of the Kanał Rynica-Ognica. As a result of the planned works the trained section will be shortened 247 m, by reprofiling the channel from meandering to straight. In a straight channel water flow velocity will increase. As a result, the nearby village of Ognica will not be flooded in case of high water levels. Currently it is regularly flooded. The works carried out so far, including mowing plants from the riverbed, failed to effectively reduce the flood risk. According to the calculations presented by the Investor, the project in question will not change the classification of the water body (Dopływ z Rynicy) from natural to heavily modified.

The project will also involve redevelopment of a circular cross-section culvert under the municipal public road No. 4150003Z made of concrete pipes. The culvert will be replaced with a steel metal sheet pipe-arch culvert with vertical clearance. The goal is to improve water flow at high water levels in order to prevent flooding. Immediately upstream of the culvert inlet, an approximately 2 m long section of Kanał Rynica-Ognica will be reinforced with paving made of cobblestones filled with cement mortar. The reinforcing paving will be surrounded with a piled wall made of pressure impregnated, turned wooden stakes, 12 cm in diameter and 2 m high. Upstream, the watercourse channel will be strengthened with riprap made from broken stone, restricted with a piled wall from wooden stakes. A 3.0 m outlet section downstream of the culvert will be reinforced using the same technique. The length of the section reinforced with riprap downstream of the culvert will be 5 m. As part of the task, a section of the above-mentioned road will also be redeveloped so as to align its grade

line with the culvert. The planned works will be carried out within the watercourse channel. In the place where the culvert will be constructed, water will be drained by a temporary pipeline or a by-pass canal. The excavated earth will be used to back-fill the old channel and other earth works.

Taking into account the scope and expected impact of the investment, it has been concluded that the project will not adversely impact the climate (no emissions of harmful substances or greenhouse gases).

The investment will not significantly affect the surrounding landscape. The existing natural channel of the Kanał Rynica-Ognica will be slightly transformed. The new parameters will be adjusted to the flood control functionality. There are no particularly valuable landscapes in the analyzed area. It is located outside protected landscape zones and landscape parks.

Taking into account the location of the project in relation to the areas valuable in terms of nature, including the borderlines of conservation areas referred to in Article 6(1) of the Nature Conservation Act of 16 April 2004 (Polish Journal of Laws of 2020, item 55) the analyzed project is located within the border of two Natura 2000 sites: Lower Odra PLH32037 and Lower Odra Valley PLB320003.

In accordance with the Order of the Regional Director of Environmental Protection in Szczecin of March 31, 2014 (Plan of Conservation Tasks for the Lower Odra Natura 2000 area PLH320037) and amendments thereto (Order of the Regional Director of Environmental Protection in Szczecin of December 10, 2015 and December 6, 2016), the following natural habitats are protected in the said sites: 2330 – Inland dunes with open *Corynephorus* and *Agrostis* grasslands; 3140 - Hard oligo-mesotrophic waters with benthic vegetation of *Chara spp*; 3150 - Oxbow lakes and natural eutrophic lakes with *Nympheion* and *Potamion* communities; 3260 Water courses of plain to montane levels with the *Ranunculion fluitantisand* and *Callitriche-Batrachion* vegetation; 3270 Rivers with muddy banks; 4030 Dry heath communities (*Calluno-Genistion*, *Pohlio Callunion*, *Calluno-Arctostaphylion*), 6120 Thermophilic inland grasslands(*Koelerion glaucae*), 6210 Xeric grasslands *Festuco-Brometea* and thermophilic grasslands with *Asplenion septentrionalis Festucion pallentis* communities; 6410 Molinia meadows *Molinion*, 6430 Hydrophilous tall herb fringe communities *Adenostylion alliariae* and *Convolvuletalia sepium*; 6510 Lowland hay meadows *Arrhenatherion elatioris*, 6440 Alluvial meadows *Cnidion dubii*, 9110 *Luzulo-Fagetum* beech forests,



9130 *Dentario glandulosae* Fagenion, *Galio odorati*- Fagenion beech forests; 9160 Sub-Atlantic oak-hornbeam forests *Stellario Carpinetum*; 9170 and Medio-European and sub-continental oak-hornbeam forest *Galio-Carpinetum*, *Tilio-Carpinetum*; 9190 Old acidophilous oak woods *Quercion robori-petraeae*; 91D0 Bog woodland (*Yaccinio uliginosi Betuletum pubescentis*, *Yaccinio uliginosi Pinetum*, *Pino mugo-Sphagnetum*, *Sphagno girgensohnii-Piceetum*) and birch and pine boreal forests, 91E0 Alluvial birch, poplar, alder and ash forests (*Salicetum albo-fragilis*, *Populetum albae*, *Alnenion*, *glutinoso-incanae*) and alder swamps, 91F0 Riparian mixed forests of *Quercus robur*, *Ulmus laevis* and *Ulmus minor*, *Fiacario-Ulmetum*; 91L0 Illyrian oak-hornbeam forests *Quercetalia pubescenti petraeae*. Furthermore, the following animal species are also protected: 1318 Pond bat *Myotis dasycneme*, 1324 Greater mouse-eared bat *Myotis myotis*, 1337 European beaver *Castor fiber*, Otter *Lutra lutra*, Wolf *Canis lupus*, 1166 Northern crested newt *Triturus cristatus*, 1188 European fire-bellied toad *Bombina bombina*, 6144 White-finned gudgeon *Gobio albipinnatus*, 1130 Asp *Aspius aspius*, 1149 Spined loach *Cobitis taenia*, 1083 European stag beetle *Lucanus cervus*, 1084 Hermit beetle *Osmoderma eremita*, 1088 Great capricorn beetle *Cerambyx cerdo*, 4056 Lesser ramshorn snail *Anisus vorticulus*. In accordance with the available data, the above protected habitats and species are not present within the boundaries of the analyzed area of the PLH320037 Lower Odra Natura 2000 site. Therefore no negative impacts in this regard are expected to be caused by the investment.

The Order of the Regional Director of Environmental Protection in Szczecin of April 30, 2014 (Plan of Conservation Tasks for the Lower Odra Valley Natura 2000 area) and its amendment (Order of the Regional Director of Environmental Protection in Szczecin of April 27, 2017, the following bird species are protected in the said Natura 2000 site: Eurasian bittern *Botaurus stellaris*, Great egret *Ergetta alba*, Black stork *Ciconia nigra*, Whooper swan *Cygnus cygnus*, Smew *Mergus albellus*, European honey buzzard *Pernis apivorus*, Black kite *Milvus migrans*, Red kite *Milvus milvus*, White-tailed eagle *Haliaeetus albicilla*, Western marsh harrier *Circus aeruginosus*, Montagu's harrier *Circus pygargus*, Osprey *Pandion haliaetus*, Peregrine falcon *Falco peregrinus*, Spotted crane *Porzana porzana*, Little crane *Porzana parva*, Corn crane *Crex crex*, Common crane *Grus grus*, Eurasian oystercatcher *Haematopus ostralegus*, Lapwing *Vanellus vanellus*, Ruff *Philomachus pugnax*, Wood sandpiper *Tringa glareola*, Mediterranean gull *Larus melanocephalus*, Little gull *Larus minutus*, Common tern *Sterna hirundo*, Little tern *Sterna albifrons*, Black tern *Chlidonias niger*, Eurasian eagle owl *Bubo bubo*, Short-eared owl *Asio flammeus*, Common kingfisher *Alcedo atthis*, Bluethroat *Luscinia svecica*, Savi's warbler *Locustella luscinioides*, Aquatic warbler *Acrocephalus paludicola*, Barred

warbler *Sylvia nisoria*, Bearded reedling *Panurus biarmicus*, Mute swan *Cygnus olor*, Taiga bean goose *Anser fabalis*, White-fronted goose *Anser albifrons*, Greylag goose *Anser anser*, Eurasian wigeon *Anas penelope*, Gadwall *Anas strepera*, Mallard *Anas platyrhynchos*, Common pochard *Aythya ferina*, Tufted duck *Aythya fuligula*, Common merganser *Mergus merganser*, Eurasian coot *Fulica atra*, Great cormorant *Phalacrocorax carbo sinensis*, Northern pintail *Anas acuta*, Greater scaup *Aythya marila*, Common shelduck *Tadorna tadorna*, Eurasian teal *Anas crecca*, Common goldeneye *Bucephala clangula*. According to the reference materials used to prepare the above mentioned Order, there are no habitats of the above mentioned species within the investment area. Nevertheless, both the Odra river bank strip together with riverbank reed beds and wet meadows provide potential habitat sites for amphibians and birds. Taking into account the biology of bird species protected in the PLB320003 Lower Odra Valley Natura 2000 site, the analyzed area can be used by bird species associated with reed beds and wet meadows. Birds' presence here may vary between different vegetation seasons. Therefore, it is necessary to apply appropriate measures to minimize the adverse environmental impact of the works. For that purpose, an environmental supervision team must be established, consisting of specialist naturalists (ornithologist, herpetologist, botanist). At the construction stage, the team will verify the actual threat to valuable animal species. The team will also indicate and take appropriate measures to prevent negative environmental impacts and exercise appropriate supervision over the works. The land use in the area in question must be confirmed by means of a wildlife inventory to be carried out in a period of animal activity. The obtained results should be the basis for obtaining appropriate permits for activities normally prohibited with regard to protected animal species in accordance with Article 56 of the Act on Nature Conservation and for determining a safe timing for the commencement of works (especially by excluding the amphibian migration period and bird breeding period) as well as applying the necessary precautions for limiting the adverse impact of the works on the reported species of fauna and flora. Environmental supervision is also required at the construction stage. During the construction works the team will monitor the efficiency of the applied mitigating measures and take appropriate action to address any situations that may have an adverse impact on natural elements. To minimize the adverse environmental impacts of the project, clearances of trees and shrubs must be kept to a minimum and carried out outside the bird breeding period. If clearance is reasonably necessary during the bird breeding season, a detailed visual inspection by an ornithologist and chiropterologist must be carried out immediately before starting the works. If bird or bat habitats

are identified in the trees and shrubs to be cleared, appropriate derogations from the prohibitions applicable to protected fauna species must be obtained. Proper implementation of the prescribed requirements should prevent potentially adverse impact of the project on the natural environment, including the PLB320003 Lower Odra Valley Natura 2000 site.

The information on the planned project submitted at the stage of the administrative proceedings, as well as data on the conditions observed on-site and in its vicinity, made it possible to estimate the direct and indirect consequences of the project's environmental impacts, as well as to determine the conditions that must be complied with to protect different components of the environment against those impacts.

This decision has been issued on the basis of Article 80(1) of the EIA Act, taking into account the following:

- requirements specified by: Regional Directorate of Environmental Protection in Szczecin, Director of the Department of Administrative Decisions and Water Management Control at the Ministry of Maritime Economy and Inland Navigation in Warsaw, County Public Health Inspector in Gryfino; the said requirements were addressed and fully included by reference;
- provisions contained in the project information sheet and its supplement,

The project site is not covered by a local zoning plan.

## NB

This decision can be appealed against at the Self-Government Appeal Court in Szczecin. Appeals must be submitted via the Mayor of Widuchowa Municipality within 14 days following the receipt of the decision.

According to Article 72(3) of the Act on Access to Information on the Environment and its Protection, Public Participation in Environmental Protection and Environmental Impact Assessments of October 3, 2008, the decision on environmental constraints is appended to the application for the decisions referred to in paragraph 1 and to the notification referred to in paragraph Ia. The application or notification shall be submitted within 6 years from the date on which the decision on environmental constraints became final, subject to paragraphs 4 and 4b.



WÓJT  
*[Signature]*  
mgr Paweł Wróbel

### Appendix:

1. Specification of the project

### Sent to:

1. Jerzy Siwicki, authorized representative of PGW WP, mailing address: Sweco Consulting Sp. z o.o., ul. Łyskowskiego 16, 71-641 Szczecin,
2. Państwowe Gospodarstwo Wodne Wody Polskie, ul. Żelazna 59A, 00-848 Warszawa.
3. Parties to the procedure - by way of announcement,
4. files

### Carbon copy:

5. Minister of Maritime Economy and Inland Navigation, Department of Administrative Decisions and Water Management Control, ul. Nowy Świat 6/12, 00-400 Warszawa;
6. Regional Directorate for Environmental Protection, ul. Teofila Firlika 20, 71-637 Szczecin,
7. Państwowe Gospodarstwo Wodne Wody Polskie, Regional Water Management Board (RZGW) in Szczecin, ul. Tama Pomorzańska 13A, 70 - 030 Szczecin

## SPECIFICATION OF THE PROJECT

### 1. Project name

"Flood protection of Ognica upon the Odra as part of Contract 1A.2: Flood protection of Gryfino, Ognica, and Piasek upon the Odra. Improvement of Marwicki Polder, Stage III: modernization of Krajnik pump station."

### 2. Investor.

Państwowe Gospodarstwo Wodne Wody Polskie, ul. Żelazna 59A, 00-848 Warszawa.

### 3. Venue.

The project will be carried out on the following plots of land: 3, 9, 10, 11/2, 12, 13, 14/3, 15, 20, 34, 39/3, 40/1, 40/2, 76, 82, 633, 634, 688, Ognica 0008 cadastral district.

### 4. Key project parameters.

The works will be carried out in two stages. First, a culvert under the road will be constructed. Subsequently, a section of the Kanał Rynica-Ognica will be redeveloped. The slopes of the new channel will be stabilized with double fascine bundles (20 cm in diameter). The bundles will be installed manually. First, wooden stakes will be driven at the bottom of the slopes, and then the fascine bundles will be intertwined between them. Reinforcements will be made using brushwood fascine. The implementation works are planned for about 60 working days, including 10 days of reconstruction of the culvert under the road. For the duration of the culvert works, water will be by-passed through a temporary by-pass canal or pipeline.

Construction works will be carried out using mechanical equipment. During the works, surface drainage will be provided using an engine pump set. The construction stage will involve deliveries of the necessary building materials, assembling the delivered elements and performing the works using construction equipment. The emission of noise and pollutants into the air resulting from the operation of vehicles in the investment area and the construction equipment will continue for a short time only and will be limited to the investment site and its immediate vicinity. Waste generated in the implementation stage is classified as group 17 - waste from construction, repairs and dismantling of buildings and road infrastructure.

Excavated soil and ground will be the largest component of the generated waste. All the waste will be stored selectively on-site and then collected for disposal by operators holding the relevant waste management permits.

  
mgr Paweł Wróbel

Widuchowa, November 25, 2020

ISOR.6220.4.2020.PP

### **ORDER**

Pursuant to Article 108(1) and (2) of the Administrative Procedure Code of 14 June 1960 (Polish Journal of Laws 2020, Item 256 as amended), having considered the application No. POPDOW-5.3-ZPT.070.3.2020 submitted on July 16, 2020 by Państwowe Gospodarstwo Wodne Wody Polskie, ul. Grzybowska 80/82, 00-844 Warszawa, represented by Mr. Jerzy Siwicki, acting on behalf of Sweco Consulting Sp. z o.o., ul. Łyskowskiego 16, 71-641 Szczecin,

### **The Mayor of the Municipality**

#### **hereby orders to:**

**render the following decision immediately enforceable:** decision on environmental constraints for the project: "Flood protection of Ognica upon the Odra - part of Contract 1A.2 - Flood protection of Gryfino, Ognica, and Piasek upon the Odra. Improvement of Marwice Polder, Stage III: modernization of Krajnik pump station", municipality of Widuchowa, powiat of Gryfino, Zachodniopomorskie Voivodeship, issued on November 25, 2020.

#### **Statement of reasons**

On November 25, 2020, the Mayor of Widuchowa Municipality issued a decision on environmental constraints for the following project: "Flood protection of Gryfino, Ognica, and Piasek upon the Odra - part of Contract 1A.2 - Flood protection of Gryfino, Ognica, and Piasek upon the Odra. Improvement of Marwice Polder, Stage III: modernization of Krajnik pump station", municipality of Widuchowa, powiat of Gryfino, Zachodniopomorskie Voivodeship.

On July 16, 2020, this Authority received an application submitted by Państwowe Gospodarstwo Wodne Wody Polskie, ul. Grzybowska 80/82, 00-844 Warszawa, represented by Mr. Jerzy Siwicki, acting on behalf of Sweco Consulting Sp. z o.o., ul. Łyskowskiego 16, 71-641 Szczecin, requesting issuance of a decision on environmental constraints, to be rendered immediately enforceable bearing in mind important public interest, as well as the interest of the requesting party. Immediate enforceability

is required due to the need to commence works in flood risk areas in the catchment of the Odra in the village of Ognica. Prompt commencement of the works will allow the newly selected Contractor to prepare a schedule of flood control works, thus preventing the property of the local residents in times of flood risk. The Investor will carry out the task with the help of international financial institutions, including the International Bank for Reconstruction and Development (the World Bank) and the Council of Europe Development Bank. A decision on environmental conditions issued as immediately enforceable will make it possible to use the funds allocated for this purpose.

## NB

The interested parties have the right to appeal against this decision to the Self-Government Appeal Court in Szczecin. Appeals must be submitted via the Marshal of Zachodniopomorskie Voivodeship within 7 days following the receipt of the decision.

Z-ca WÓJTA  
mgr Andrzej Stachura  
Z-ca WÓJTA

### Appendix:

1. Specification of the project

### Attention of:

1. Jerzy Siwicki, authorized representative of PGW WP, mailing address: Sweco Consulting Sp. z o.o., ul. Łyskowskiego 16, 71-641 Szczecin,
2. Państwowe Gospodarstwo Wodne Wody Polskie, ul. Żelazna 59A, 00-848 Warszawa.
3. Parties to the procedure - by way of announcement,
4. files

### Carbon copy:

5. Minister of Maritime Economy and Inland Navigation, Department of Administrative Decisions and Water Management Control, ul. Nowy Świat 6/12, 00-400 Warszawa;
6. Regional Directorate for Environmental Protection, ul. Teofila Firlika 20, 71-637 Szczecin,
7. Państwowe Gospodarstwo Wodne Wody Polskie, Regional Water Management Board (RZGW) in Szczecin, ul. Tama Pomorzańska 13A, 70 - 030 Szczecin