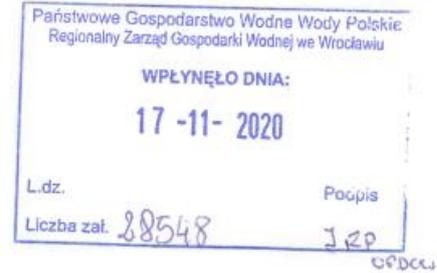




**REGIONAL DIRECTOR FOR
ENVIRONMENTAL PROTECTION
IN WROCLAW
AL. JANA MATEJKI 6
50-333 WROCLAW**



WOOŚ.420.8.2020.AP.19

Wrocław, 12 November 2020

DECISION

Pursuant to Article 71(2)(2), Article 75(1)(1i), Article 82 and Article 85(1)(2)(1) of the Act of 3 October 2008 on access to information on the environment and its protection, public participation in environmental protection and environmental impact assessment (i.e. Journal of Laws of 2000, item 283, as amended), and also § 3(1)(67) and § 3(2)(2) in conjunction with Article 3(1)(69c) of the regulation of the Council of Ministers of 10 September 2019 on the investments that may significantly affect the environment (Journal of Laws of 2019, item 1839) and art. 104 and 108 § 1 of the Act of 14 June 1960, the Code of Administrative Procedure (i.e. Journal of Laws of 2000, item 256, as amended), after examination into the application submitted by the investor - the State Water Holding Polish Waters, acting through the intermediary the State Water Holding Polish Waters Regional Water Management Authority in Wrocław, on behalf of which acts Ms Alicja Borowska for issuing the decision on environmental conditions,

I establish

environmental conditions for the project entitled: “Task 2B.2/1 Flood protection of Biała Łądecka River valley and Morawa River (passive protection)) - Łądek Zdrój Facility” in scenario 1a.

I. I determine:

1. The type and location of project implementation:

The planned project consists in the construction, reconstruction and reinstatement of regulatory structures together with the facilities connected with them technically and functionally. The investment will cover the section of the Biała Łądecka river from km approx. 21+000 to km approx. 25+350 and at km approx. 26+414, where the ichthyological flow improvement of the stream and the estuary of the following streams is planned: Wiosennik, Wądół, Przyrwa and Rudawka. The valley of the Biała Łądecka River covered by the activities is located entirely in the Commune of Łądek-Zdrój, Kłodzko Powiat, Lower Silesia Province.

2. Significant conditions of using the environment in the implementation and operation stages, with special emphasis on the necessity to protect natural values, natural resources and monuments, and to restrict nuisance to neighbouring areas:

- 2.1 Machinery and vehicle parking areas must be adequately protected after the works are completed against the penetration of contamination into the soil and water (in the event of leakage, breakdown of vehicles and machinery), including appropriate sorbent stands.
- 2.2 In the case of emissions of petroleum-based pollutants into water, immediate action must be taken to prevent the spread of the pollutants and remove the pollutants from the water surface without delay.
- 2.3. The wastes generated during the implementation of works should be categorised and stored separately in tight containers or at places being enclosed and adapted for this purpose, under conditions which prevent dusting and dispelling light fractions, and their negative effects on the environment.
- 2.4. Segregation and storage of hazardous waste to be conducted in designated sealed containers set up on hardened, marked and secured against access by third parties, until they are handed over to entities authorised to further manage such waste.
- 2.5. The disposal and transport of wastes containing asbestos shall be carried out only by licensed operators.
- 2.6. Construction sites' operating backyards, process yards, construction material and humus storage areas should be located on hardened area on area provided with protective measures against spillage of oil derivatives to the soil and water environment. Store oils, greases and other hazardous substances in sealed containers, in a place protected from access by third parties.
- 2.7. Construction and regulatory works in riverbeds and on bank slopes shall be carried out in such a way that the front of works advances with the river current (excluding bridges, works within and in the surrounding of the weir and construction of ramps, fish pass and bypass channel).
- 2.8. Reduction of dust from construction sites and roads to be implemented through:
 - systematic cleaning of the construction site,
 - spraying dusty road surfaces,

- use of sealed tarpaulins on cars transporting materials that may cause dust during transport.
- 2.9. Works carried out in the vicinity of acoustically protected areas shall only be carried out between 6.00 a.m. and 10 p.m., any exceptions to this rule must be based solely on the technological specifics for the execution of the given type of works and must be related to ensuring the adequate quality of the works.
 - 2.10. Works to be carried out under the current nature supervision of the following experts: phytosociologist/botanist (protected natural habitats and protected species of plants, including aphids), dendrologist (principles of care and protection of trees), entomologist (protected species of invertebrates, macrozoobenthos), ichthyologist (fish and lampreys), herpetologist (amphibians and reptiles), ornithologist (birds), chiropterologist (bats), theriologist (mammals other than bats).
 - 2.11 Works shall carried out with "from the land" technology. It is allowed to carry out works in the riverbed only if it is not possible to carry out works from the bank, in the case of e.g. existing infrastructure, buildings, trees, collisions with the sites of protected species and natural habitats and naturally valuable trees.
 - 2.12. Limit the duration of conducting the works within the riverbeds and the inflow of suspended matter into the waters.
 - 2.13. It is advised to carry out works in riverbeds in the period from 1 June to 30 September (except for the period of spawning and incubation of stream trout eggs and spawning of other fish and lampreys).
 - 2.14. It is permitted to carry out works in the beds of watercourses in the period from 1 October to the end of February after prior consultation with the ichthyologist responsible for nature supervision. If the ichthyologist identifies spawning grounds, egg incubation sites, shelters for larvae or fry of fish and/or lampreys - in sections of watercourses where ongoing works are planned - follow the ichthyologist's instructions. In the period from 1 March to 31 May, do not carry out works in watercourses.
 - 2.15. If the water temperature of 18° is exceeded, it is recommended to stop working until the temperature is lowered. The water temperature should be measured in the sections covered by the works (one measurement point per 500 m of river section), at least once every 3 days, and during the period of high air temperatures (over 25°) - measurements should be taken daily.
 - 2.16. Measure the suspended solids concentration in water on a daily basis. Measurement points should be located approx. 200 m below the site of the earthworks in the riverbed or on the bank slopes. Measurements should be taken at least 3 hours after the start of works on the given day. If a concentration of suspended solids above 40 mg/l is found, works must be stopped. Works can be restarted 3 hours after the suspended solids have fallen below 40 mg/l. If a concentration of suspended solids above 60 mg/l is found, works must be stopped by the end of the day. They can only

be restarted after remeasurement and when the suspended solids concentration is below 40 mg/l. It is recommended to use automated suspended solids measuring equipment to obtain readings directly during or after the measurement.

- 2.17. If dead fish or such showing the signs of hypoxia (movement impairments - swimming on the side) are observed in the river in the area of the works carried out, it is absolutely necessary to stop the works and immediately inform the expert ichthyologist about this fact.
- 2.18. In the sections intended for the construction of a temporary cofferdam in the riverbed, immediately after fencing off the work zone (before the water is pumped out), fish and lampreys should be caught under the supervision of an ichthyologist (by means of a three-fold follow-up electrofishing carried out at 1-hour intervals). The technology of performing works under the cofferdam cover is to ensure the flow of water in the part of the bed. During electrofishing, special attention should be paid to catching larvae of European Brook Lamprey *Lampetra planeri* from the outwashes of silt and detritus inhabited by them and specimens of European Bullhead *Cottus gobio* and Alpine Bullhead *Cottus poecilopus*, which use hiding places under rocks and in the patches of dense water vegetation. If foreign species are found, listed in the *Regulation of the Minister of the Environment of 9 September 2011 on the list of plants and animals of foreign species which, if released to the environment, may threaten native species or natural habitats (Journal of Laws of 2011, No. 210, item 1260)* - e.g. Topmouth Gudgeon *Pseudorasbora parva* - they must not be reintroduced into the river (they should be humanely killed). Collect also the larger invertebrates observed during catching. The caught organisms shall be transferred to another part of the bed, outside the area of works in the river's upstream region. The transport should take place as soon as possible (after each of the repeated electrofishing), in suitable containers with aerated water or foil sleeves with water and oxygen and at the lowest possible temperature. The same catching of fish and lampreys should be made immediately prior to the start of works on the sections where the removal of mud and gravel outwashes is foreseen.
- 2.19. Fish and lampreys should be caught (by means of a three-fold follow-up electrofishing method carried out at intervals of 1 hour) immediately before the start of works within the riverbed in the area up to 50 m above and below the planned works consisting in the reconstruction of weirs and barrages into ramps.
- 2.20. Back-up facilities of construction sites, roads and technological yards shall be located:
 - outside the areas covered with high greenery (trees, bushes) intended to be preserved in the construction design;
 - outside the area of identified natural habitats and outside the area of habitats and places of occurrence of protected species intended to be preserved in the construction design.

The access roads to the work sites shall first be designated on the basis of existing roads.

- 2.21. In zone "A" of the spa protection, felling of forest and park trees is forbidden with the exception of tending cuttings, and in zone "B" of the spa protection, felling of forest and park trees is forbidden with the exception of tending cuttings and felling specified in the forest management plan.
- 2.22. Trees and bushes felling in the period of 15 March to 15 August to be performed under the supervision of the ornithologist expert, who, directly before performing it, will inspect trees and bushes for presence of birds, and if such are found - will indicate the permitted felling performance time. In the remaining period (from 1 September to the end of February), the above-mentioned supervision is not required.
- 2.23. Trees with a breast height of more than 40 cm should only be felled if they have been inspected in advance by ornithologist, entomologist and chiropterologist experts to ensure that they are not a habitat of protected species of animals - birds, saprophytic beetles, bats. The inspection should be carried out no more than 7 days before the scheduled felling date. If protected animal species are found to be present, the date and conditions of felling should be agreed with the above experts. The felling should be carried out under the supervision of the above-mentioned experts.
- 2.24. The scope of felling should include only trees and bushes growing in the areas directly colliding with the project implementation. Do not cut down trees and bushes which do not threaten the construction of regulatory walls and occur outside the boundaries of facilities planned for construction and renovation and outside the areas necessary for occupation due to the performance and technology of works (e.g. necessary technological roads, exits from bank slopes to work sites). In any case, the possibility of removing tall vegetation on one bank only should be considered (ideally on the north-eastern, northern or north-western bank, while trees growing on the south-eastern, south and south-western bank should not be removed as far as possible by land and technology). In addition, the possibility of cutting the tree or removing parts of it instead of the whole tree should be considered each time.
- 2.25. Technological roads and yards, stopping and parking places for machinery and equipment and storage of earth masses (including humus) and building materials shall be located at a distance of not less than 2 m from the boundary of the crown projection of trees and bushes not intended for felling to protect areas under tree and bush crowns.
- 2.26. The works conducted within the root systems of trees and bushes perform manually only, according to the following conditions: do not cut the coarse roots, excavations should be carried out not closer than 1.5-2 m from the trunk, minimise the time of exposure of roots to drying.

- 2.27. During the performance of works, ongoing supervision by an expert dendrologist must be ensured, who will determine the detailed handling and protection of trees not intended for felling, whose root system may be exposed to damage as a result of the works carried out.
- 2.28. Prior to commencement of any construction works, the stumps of the trees exposed to mechanical damage should be protected with wooden boards to a height of 2-3 m from the ground level (bottom of the boards is to be based on the substrate). Between the boards and the surface of the tree trunk, place the flexible material (e.g. thick straw mats), protecting the stump against abrasion by boards. Boards must be attached to the stump (e.g. with the bands of wire or steel tape), in a manner that does not damage the tree. During the period of works performance, the condition of the safety measures should be systematically checked and any damage should be removed. If valuable species of bryophytes and/or lichens are found on the trunk, the trees shall be protected in a way that does not endanger the protected species under the supervision of an appropriate nature supervision expert.
- 2.29. Boughs and branches not intended for felling - exposed to damage in connection with the performance of works should be cut off prophylactically or trimmed under the supervision of and as recommended by an expert dendrologist, but if possible, those boughs which form shaded zones in the riverbed should be left.
- 2.30 Should any aerial parts of trees or bushes become damaged during the performance of works, appropriate care measures must be taken immediately under the supervision of and as recommended by an expert dendrologist.

- 2.31. The patches of natural habitats in area adjacent to work areas, but not intended to be removed (in accordance with the design documentation) should be visibly marked and effectively protected against damage under the supervision of an expert phytosociologist (before the commencement of works).
- 2.32. Immediately before starting works within the existing retaining walls, footbridges and bridges, these facilities should be inspected for bird nests and bat shelters. In case of finding bird nests and bat shelters within the objects to be covered by the works, the works should be carried out according to the recommendations and under the current supervision of an expert ornithologist and/or chiropterologist.
- 2.33. If new amphibian migration sites are identified during the period of performing the works, such areas should be adequately protected to reduce the mortality of amphibians that may result from the works. Safeguards shall include the installation of herpetological hurdles, regular inspection of amphibian trapping containers to be installed along the hurdles and the movement of individuals of amphibians out of work sites into areas with suitable habitat conditions. The works shall be carried out under the supervision of an expert herpetologist.
- 2.34. Prior to the commencement of the works, an inventory should be made of protected plant species, including aphids, in the Biała Łądecka riverbed and its direct neighbourhoods in the sections where the works are planned. Next, plants/stones inhabited by the above-mentioned species should be moved from the areas at risk of destruction, where the presence of the above-mentioned species was found, under the supervision of an expert botanist, and then deposited in other sections, not covered by the works, in places suitable for the habitat, upstream of the river above the works implementation site.
- 2.35. In the area where the works are being carried out, the identified specimens of invasive plant species should be removed during the works. The works should be carried out under the ongoing supervision of an expert phytosociologist who will indicate the most effective method of control for each plant species in a given location.
- 2.36. Prior to the commencement of the works on the watercourse, protect against damage by appropriate marking of the patches of the natural habitat 3260 Lowland and foothill rivers with white water-crowfoot communities (*Ranunculion fluitantis*) and in case of incipient destruction - after obtaining the relevant permit, transfer the plants forming the above habitat to a section of the watercourse which will not be covered by the works. The works shall be carried out under the supervision of an expert phytosociologist.

2.37. Do not move earth, gravel and stones by pushing them through beds of watercourses. No material can be extracted from the bottom of the beds for the execution of works.

3. Requirements concerning the environmental protection required to be considered in the documentation requirements to issue a decision, specified in article 72, clause 1 of the act on provision of information on the environment and its protection, public participation in environmental protection and environmental impact assessments:

3.1 In the renovated and new retaining walls, leave horizontal niches with square-shaped inlet dimensions of 11x11 cm and a depth of up to 25 cm, at a height of about 1-2 m above the average water level (depending on the wall height), not less than 0.3 m from the upper edge of the wall. Make no less than 40 such niches over the entire working area, distributed as evenly as possible. The works shall be carried out under the supervision of an ornithologist.

3.2. Technical solutions for the barrage planned for conversion to a ramp at km 26+414 of the Biała Łądecka River should ensure free migration of fish and other aquatic organisms. The ramp design is to be agreed with an expert ichthyologist experienced in designing fish passes.

3.3. The technical solutions of the renovated barrages and the constructed fish pass at the mill race at km 23+685-23+800 of the Biała Łądecka River should ensure free migration of fish and other aquatic organisms. The technical designs of these facilities should be agreed with an expert ichthyologist experienced in designing fish passes. The fish pass design must take into account the following requirements:

- length not less than 39 m;
- longitudinal gradient equal to 5.5%
- basins with dimensions of 2x4 m and depth of 0.6 m;
- in each of the spandrel beams, a gap of 0.5 m wide and 0.6 m high, gaps in adjacent spandrel beams located alternately;
- boulders forming spandrel beams with the dimensions of 0.5x0.5 m and elevated 0.6 m above the fish pass bottom;
- a rip-rap of various sizes in the bottom of the basins.

3.4 To strengthen slopes and the bottom of the watercourse, use only natural materials, as the main building block, i.e. fascine, fascine hurdle, rip-rap. Other materials should be used only to secure bridges and to make elements of the ramps. Use rip-rap of the stone of different sizes for bottom revetment. On the other hand, for structures which are concrete structures (control walls, lying walls), their finish on the visible surface should be made of natural stone.

3.5. Do not use gabion mattresses or baskets.

3.6. Do not remove boulders or stones from the watercourse bed. In the regulated,

homogeneous parts of the riverbed, solutions should be introduced to increase the diversity of habitats, e.g. introduce boulders and large stones with a diameter of 30-50 cm in groups of 3-5 pcs, serving as shelters for fish.

II. I state it necessary:

1. To perform natural compensation consisting of the following measures:

- 1.1 If it is necessary to carry out works in the period from October to the end of February, which will result in losses of stream trout eggs in the spawning grounds below the site of the works performance, stocking with stream trout should be carried out annually during the works performance period in cooperation with an expert ichthyologist. For stocking, stocking material from the Biała Łądecka or Nysa Kłodzka catchment area must be used and the size of the stocking density must be based on an assessment of the real losses in the species population and the amount of stocking material introduced by the fishing user. In addition, the expert ichthyologist, in consultation with the fishing user of the waters, may indicate the need for additional stocking in the year following the completion of the works, in order to maintain the species abundance until the spawning conditions in the section covered by the works are restored.
- 1.2. In cooperation with a dendrologist expert, plant medium and high vegetation in a ratio of not less than 1:1 (one tree planted per one felled tree; the area of planted bushes is equal to the area of felled bushes). Only native species adapted to local habitat conditions should be used. Planting should be done first of all in the city of Łądek Zdrój, along the river channels.
- 1.3. In the area of the town of Łądek-Zdrój - under the supervision of an expert ornithologist - hang 5 nesting boxes for White-Throated Dipper *Cinclus cinclus* and 5 nesting boxes for Grey Wagtail *Motacila cinerea* under bridges. If there are no suitable places for hanging the boxes under bridges, boxes should be installed on retaining walls, at a height of not less than 0.3 m from the upper edge of the wall. Individual boxes should be hung from each other at a distance of not less than 100 m. The type of nesting boxes should be agreed with an expert ornithologist.

2. Monitoring the impact of the project onto the environment:

- 2.1. For at least 3 years after the completion of the works, carry out with participation of an expert phytosociologist (in accordance with the methodology of the State Environmental Monitoring of the Chief Inspectorate of Environmental Protection) annual monitoring of habitat patches of 3260 Lowland and foothill rivers with white water-crowfoot communities (*Ranunculion fluitantis*) and 91E0 Willow-poplar-alder-ash forests (*Salicetum albae*, *Populetum albae*, *Alnenion glutinosoincanae*), large bittercress for the quality of the parameter "structure and functions of the habitat".
- 2.2 In the first and third year after the completion of the works - with the participation of an expert ichthyologist, the occurrence of fish and lampreys as well as macro-

vertebrates should be monitored by means of fishing on 4 sites located in the Biała Łądecka: 1) above Łądek-Zdrój, in the area of the ramp with improved flow capacity at km 26+350, 2) and 3) along the section covered by the works, above and below the fish pass, 4) below the section covered by the works (above the estuary of the Wiosennik stream).

- 2.3 In the case of replanting at the stage of implementation of the works of specimens of protected plant species, in the first and third year after the completion of the works with the participation of an expert botanist, carry out monitoring of the success of replanting of protected plant species.
- 2.4. In the first, third and fifth year after the completion of the works - with the participation of an expert ichthyologist - carry out the monitoring of the functioning of ramps and fish pass in the context of migration of aquatic organisms. Monitoring studies should, among other things, take into consideration the catching of fish in the ramp, during spring and autumn migration.
- 2.5 During the first 4 years of the investment's operation, in the autumn period, the success of the planting of trees and bushes is checked with the participation of an expert dendrologist. Replace dead or substantially damaged trees and trees with new plantings.
- 2.6 For each stage (year) of the monitoring carried out, referred to in clause II, section 2.4, submit a written report to the issuing authority of this decision, containing photographic documentation and an assessment of the functioning of the ramp and the fish pass as a bi-directional fish migration facility, within one month of the completion of the given monitoring stage in the year concerned. If irregularities are found in the functioning of the ramp or the fish pass, plan and implement (after agreement with the above authority), at the investor's expense, appropriate measures aimed at eliminating or minimising the factors influencing these irregularities.
- 2.7. The results of the monitoring referred to in clause II, section 2.1 to -2.3 and 2.5 shall be submitted to the local authority within 30 days of the end of the season.

III. I do not impose an obligation to conduct an environmental impact assessment for the project and the proceedings in the scope of the cross-border impact on the environment under the proceedings on issuing the decision as specified in Article 72, clause 1 of the act on the provision of information on the environment and its protection, public participation in environmental protection and environmental impact assessments.

IV. An Appendix 1 - Project description - forms integral part of the decision.

V. The decision is made immediately enforceable.

R e a s o n s

With the application of 13 February 2020 (date of receipt: 14 February 2020) the investor - the State Water Holding Polish Waters, acting through the intermediary of the State Water Holding Polish Waters the Regional Water Management Authority in Wrocław, on behalf of which Ms Alicja Borowska acts, applied to the Regional Director of Environmental Protection in Wrocław for issuing a decision on environmental conditions for the above-mentioned project and for making it immediately enforceable.

The planned project is classified as a project likely to have significant impact on the environment, as specified in § 3(1)(67), and § 3(2)(2) in conjunction with § 3(1)(69)(c) of the regulation of the Council of Ministers of 10 September 2019 on the types of projects which can significantly affect the environment, for which an environmental impact report may be required (Journal of Laws of 2019, item 1839).

The investment will be implemented pursuant to the act of 8 July 2010 on special rules on preparing to investment implementation within the scope of flood control structures (*i.e. Journal of Laws of 2019, item 933, as amended*).

Pursuant to Article 75(1)(1i) of the Act of 3 October 2008 on access to information on the environment and its protection, public participation in environmental protection and environmental impact assessment (i.e. Journal of Laws of 2020, item 283, as amended), hereinafter the EIA Act, the Regional Director for Environmental Protection in Wrocław is the competent body responsible for issuing a decision on environmental conditions for this project.

The application was formally completed on 13 March 2020, in accordance with the scope indicated by the local authority in the letter dated 18 February 2020, ref.: WOOŚ.420.8.2020.AP.

Data on the application for issuing a decision on environmental conditions are included in the publicly available list of data on documents containing information on the environment and its protection (<http://www.ekoportal.gov.pl/>) under the number: 84/2020.

Due to the fact that the number of parties to the proceedings exceeds 10, acting on the basis of Article 74(3) of *the EIA Act*, in conjunction with Article 49 of *the Act of 14 June 1960 on the Code of Administrative Procedure (i.e. Journal of Laws of 2020, item 256 as amended)*, hereinafter referred to as CAP, the local authority notified the parties to the proceedings of all actions taken in the case by way of a notice published in the Public Information Bulletin on the website of the Regional Directorate for Environmental Protection in Wrocław.

The Regional Director for Environmental Protection in Wrocław, by the notice of 16 March 2020, ref.: WOOŚ.420.8.2020.AP.3, informed the parties to the proceedings, among others: on initiating the administrative procedure on issue of the decision on environmental conditions for the above-mentioned investment, the authority competent to issue the decision

and the authorities competent to issue an opinion on the necessity to conduct an environmental impact assessment, the possibility to familiarise oneself with the case files and submission of comments and applications at each stage of the procedure, the place where the case files are kept and the possible form of submission of comments and applications, the authority competent to examine those comments and applications.

In the course of the proceedings, the Regional Director for Environmental Protection in Wrocław, in a letter of 16 March 2020, requested an opinion on the necessity to assess the impact of the planned project on the environment, and if such a need is identified, on the scope of the environmental impact report to: the Minister of Maritime Economy and Inland Navigation, in accordance with Article 64(1)(4) of the EIA Act, the State Poviát Sanitary Inspector in Kłodzko, in accordance with Article 64(1)(2) of the EIA Act. The State Poviát Sanitary Inspector in Kłodzko in a decision of 02 April 2020. (date of receipt: 07 April 2020), ref.: NS-ZNS-72-13/AZ/20, expressed an opinion on the lack of need to conduct an environmental impact assessment.

The Minister of Maritime Economy and Inland Navigation, in a letter dated 02 April 2020 (date of receipt: 07 April 2020), ref.: DOK.DOK2.9750.1.10.2020.SL, stated the substantive deficiencies in the submitted Project Information Sheet entitled: "Task 2B.2/1 Flood protection of Biała Łądecka River valley and Morawa River (passive protection) - Łądek-Zdrój Facility" prepared under the direction of Mr Wojciech Lewandowski, March 2020, hereinafter referred to as PIS, and requested the local authority to call the applicant to supplement the evidence. In view of the above, the local authority by letter of 08 April 2020, ref.: WOOŚ.420.8.2020.AP.9, called the investor's representative to supplement the PIS to the extent indicated by the Minister of Maritime Economy and Inland Navigation. With the letter of 30 April 2020 (date of receipt: 30 April 2020), the representative submitted the supplementation of the documentation.

In connection with supplementation of the documentation, the Regional Director for Environmental Protection in Wrocław, with the letter of 04 May 2020, ref.: WOOŚ.420.8.2020.AP.10, furnished the supplementation of the above-mentioned evidence to the Minister of Maritime Economy and Inland Navigation. With the letter of 18 May 2020, ref.: WOOŚ.420.8.2020.AP.11, the local authority also applied for a new opinion on the necessity to conduct the environmental impact assessment of the planned project, and in case of finding such a need, on the scope of the environmental impact report, or to maintain the above-mentioned position to the State Poviát Sanitary Inspector in Kłodzko.

The Minister of Maritime Economy and Inland Navigation, in his opinion of 20 May 2020 (date of receipt: 25 May 2020), ref.: DOK.DOK2.9750.1.10.2020.SL, stated that there is no need to prepare an environmental impact assessment of the -mentioned project, indicating at the same time the necessity to include the following conditions and requirements in the decision on environmental conditions:

- 1) The works interfering with the riverbed and river banks should be carried out only within the designated sections where the project implementation is planned.
- 2) The removal of natural morphological elements, such as mid-bed and bank outwashes, is only acceptable if it is necessary from the point of view of technology and organisation of works.
- 3) No materials should be recovered from the bottom of the riverbed for the purpose of the works.
- 4) When carrying earthworks and works within the bed, the surface run-off and sediment turbidity resulting in the inflow of suspended matter to waters must be kept to a minimum.
- 5) During the execution of the works in the riverbed, the flow of water and conditions for the migration of organisms must be ensured by means of an appropriate method of work.
- 6) The works planned for implementation should be carried out under the current supervision of an expert ichthyologist.

- 7) In order to ensure proper protection of water against pollution, the equipment used during construction should be fully technically operational and meet the requirements for its use.
- 8) If harmful substances penetrate into the aquatic environment, in particular as a result of equipment failure due to leakage of fuels, greases and oils, it is necessary to use appropriate sorbents for capturing these contaminants, and the used materials after neutralisation should be handed over to authorised recipients.
- 9) Operating backyards of the construction site must be located at a suitable location away from the riverbed so that any pollution from the site does not enter the soil and water.

After analysing the conditions of using the environment in the phase of implementation and operation of the project in question, imposed by the body competent to issue a legal water assessment, the Regional Director for Environmental Protection in Wrocław considered it justified to take into consideration in the conclusion of this decision the condition no. 3-6, no. 8-9 (prescribed, successively, in the conditions of cl. I sec. 3.6, cl. I sec. 2.11-2.14, cl. I sec. 2.18, cl. I sec. 2.10, cl. I sec. 2.1 and cl. I sec. 2.6 of this Decision). At the same time, the local authority considered that the provisions of condition no. 1, no. 2 and no. 7 refer to the characteristic features of the investment and technology of carrying out the works, which were included in the justification of this decision and are an element of the characteristics of the project in question or were formulated in a too general way or result from separate legal regulations which the investor is obliged to comply with in the case of undertaking the execution of the investment in question.

The State Poviát Sanitary Inspector in Kłodzko issued a position after the statutory deadline, which according to the current regulation of Article 78(4) of *the EIA Act*, is considered to constitute the lack of objections.

The Regional Director for Environmental Protection in Wrocław has analysed the collected documentation in the context of the provisions of Article 63 Clause 1 of the cited act. In consideration of the information included in the project information sheet, the local authority has found that the said investment project may have a significant environmental impact and it is therefore required to carry out an environmental impact assessment. In connection with the above, on 25 June 2020, the local authority issued the decision ref. WOÓŚ.420.8.2020.AP.12 on the obligation to conduct the environmental impact assessment and determined the scope of the environmental assessment report for the project. The parties had the right to lodge a complaint with the General Director for Environmental Protection through the authority that issued it within 7 days of service. The authority informed the parties to the proceedings of the above-mentioned fact by the notice of 25 June 2020, ref.: WOÓŚ.420.8.2020.AP.13. The data about the above-mentioned decision were included in the publicly available list of data about the documents containing information about the environment and its protection under the sheet number: 170/2020, of which the authority informed in the above-mentioned announcement.

No complaint has been filed against the above-mentioned decision of the Regional Director for Environmental Protection in Wrocław.

With the letter of 30 June 2020 (date of receipt: 6 July 2020), the investor's representative

submitted the "The environmental impact report for the project. "Task 2B.2/1 Flood protection of the valley of Biała Łądecka River and the Morawa stream (passive protection) - Łądek-Zdrój Facility" (hereinafter Report) prepared under the direction of Mr Wojciech Lewandowski [SWECO Consulting Sp. z o. o., Wrocław, July 2020]. The data about the above-mentioned decision were included in the publicly available list of data about the documents containing information about the environment and its protection under the sheet number: 209/2020.

After analysing the Report and the submitted documentation, the Regional Director for Environmental Protection in Wrocław with the letter of 21 August 2020, ref.: WOOŚ.420.8.2020.AP.15, summoned the applicant to supplement its content. The documentation submitted in the case, including the Report, was finally supplemented on 15 September 2020.

In accordance with Article 79 of *the EIA Act*, before this decision is issued, the local authority provided the opportunity for public participation in the proceedings as part of the environmental impact assessment. In accordance with Article 33 of the cited act, the Regional Director for Environmental Protection in Wrocław, with the announcement of 23 September 2020, ref.: WOOŚ.420.8.2020.AP.16, made information about the planned project publicly available, i.e. about:

- commencement of the proceedings;
- commencement of the environmental impact assessment for the project;
- the subject of the decision to be issued in the case;
- an authority competent to issue the decision and the authorities competent to issue the opinion;
- the possibility of familiarising oneself with the necessary case documentation and about the place in which it is made available for reading;
- possibility of submitting comments and applications;
- the method and place of submitting comments and applications, indicating at the same time the period of 30 days for their submission;
- an authority competent for consideration of comments and applications.

The notice was made public from 24 September 2020 to 26 October 2020. (inclusive). The documents were made available for viewing in the registered office of the Regional Directorate for Environmental Protection in Wrocław. Comments and applications regarding the planned project could be submitted in writing at the above-mentioned address, verbally for the record or in the electronic version without having to provide a safe electronic signature from 25 September 2020 until 26 October 2020 (inclusive). An authority competent for consideration of comments and applications was the Regional Director for Environmental Protection in Wrocław. The authority informed the society in the announcement that comments and applications filed after the established time limit will not be considered. No one has filed any obligations in the established time limit. No comments were received after the deadline for submitting comments and requests, either.

Pursuant to Article 3 Clause 1 point 11 of the *EIA Act*, information about the planned

project was made publicly available by:

- announcing on the notice board in the office of the authority competent in the case, i.e. on the notice board of the Regional Directorate for Environmental Protection in Wrocław, publishing the information on the website of the Public Information Bulletin of Regional Director for Environmental Protection in Wrocław (rdos.wroclaw.gov.pl),
- announcing the information in the place of investment execution, i.e.: on the notice board of the Łądek-Zdrój Town and Commune Office and on the notice board located at Ogrodowa Street near the bed of the Biała Łądecka, on the notice board located at Rynek Street near the bed of the Biała Łądecka, near the bridge located on the Biała Łądecka river in the precinct of Młyńska Wyspa and near the bridge located on the Biała Łądecka River within the Stojków registration area,
- announcing the information about the planned project by means of a notice in the manner customary in the town competent for the subject matter of the proceedings by displaying the notice on a notice board and making it public the of in Łądek-Zdrój Town and Commune Office,

No comments or applications from the society were received by the local authority within the deadline set for the conducted public participation. No comments were received after the deadline for submitting comments and requests, either. The Regional Director for Environmental Protection in Wrocław, fulfilling the statutory disposition of art. 10 § 1 of the CAP, informed the parties to the proceedings by way of a notice dated 25 September 2020, ref.: WOOŚ.420.8.2020.AP.18, that all the evidence was collected and about the possibility to read it and submit explanations and comments on the considered case before issuing this decision. None of the parties have commented on the evidence assembled in the case.

Pursuant to the statutory provisions of Article 59 (1)(2) and Article 3(1)(8) of *the EIA Act*, the local authority verified the Report, applied to the State Poviast Sanitary Inspector in Kłodzko and the Minister of Maritime Economy and Inland Navigation for the required statutory opinions and provided the opportunity for public participation in the proceedings.

The Regional Director for Environmental Protection in Wrocław has evaluated impacts and potential environmental hazards connected with project implementation and operation by analysing the collected evidence. The analyses presented in the Report have allowed to define conditions of land use in the implementation and operation phase, and environmental protection requirements which need to be considered in the documentation required for issuing the decision, mentioned in Article 72(1) of the EIA Act.

As per Article 66 of the *EIA Act*, the investment scenarios were analysed in the Report submitted for evaluation. The report included:

1. the description of the scenario proposed by the applicant and a rational alternative scenario;
2. the description of the scenario most favourable for the environment;
3. definition of the expected environmental impact of the analysed scenarios;
4. a justification of the scenario proposed by the applicant together with an outline of its

environmental impact.

As per Article 66 of the EIA Act, investment scenarios and scenario without the investment were analysed in the Report submitted for evaluation.

The scenario 3, the so-called "zero" scenario, assumed that no works related to the reinstatement, construction and renovation of regulatory structures would be performed. In the opinion of the authors of the Report, this would result in the fact that the hitherto flooded areas of the commune would still remain in the hazard zone and the fragmentation of the riverbed for aquatic organisms would be maintained. In the applicant's opinion, failure to implement the project would therefore have a significantly negative impact and this scenario was therefore rejected.

The physical scope of the investment scenarios considered in both cases included the modernisation of the existing regulatory structures of the Biała Łądecka River.

The scope of works under Scenario 1 included inter alia: reprofiling of the existing regulatory walls and of revetment slopes, the sectional demolition of destroyed regulatory walls, reconstruction of the regulatory walls in the place and along the route of the existing walls, reinforcement of the existing walls, strengthening of the slopes on the banks, execution of ichthyological flow capacity improvement by converting the fish pass in the channel of the former mill race, renovation of three barrages, increasing the flow capacity of the riverbed by removing locally the deposits of debris from the riverbed and by renovating the outlet of the three streams: Wiosennik, Wądół, Przyrwa and Rudawka. Scenario 1 was one of the two scenarios analysed at the PIS development stage. Changes were introduced in the course of the conducted analyses related to the potential impact of this scenario on the environment, concerning the scope of works in scenario 1, which made it possible to develop the target project execution scenario, i.e. scenario 1a.

Due to the modernisation of scenario 1, the total length of the sections covered by the works has decreased. The activities described for scenario 1 are identical for scenario 1a. Moreover, the activity was broadened by improving the flow capacity of the barrage for the migration of ichthyofauna between the facilities Stronie Śląskie and Łądek Zdrój at km approx. 26+414. The total length of the section covered by the works only on the left bank of the Biała Łądecka is approx. 2,450 m. The total length of the section covered by the works only on the right bank of the Biała Łądecka is approx. 3,550 m. The length of the section where the works will be carried out parallel on both banks is approx. 6,000 m.

The scenario 2 (alternative scenario) was considered to be the scenario where the works involve, in particular: reprofiling of the existing stone bank wall, demolition of the existing stone bank wall and its reconstruction, reconstruction/rebuilding/construction of the set-off of the wall foot, construction of the new stone bank wall, reprofiling of the existing stone bank revetments, shaping (regulation) of the bank line and construction of the slope revetment, adjustment of the bank line in the form of stone laid on the concrete, flow capacity improvement of the channel existing on the left bank as a by-pass, demolition of three barrages constituting a cascade of weirs in the riverbed of the Biała Łądecka river and the adjustment of the bottom formation line by reducing the slope of the bottom by building a cascade of bottom weirs together with removal of mudslides in the channel, demolition of the existing permanent bottom weir and the adjustment of the bottom formation line along the entire distance of the bed of the former mill race without constructing a fish pass in connection with the change of the bottom level of the headwater and tailwater station of the structure (river bottom adjustment), renovation of the estuary sections with reprofiling the stone bank revetments of the following ditches and streams: Wiosienik, Rudawka, Wądół, Przyrwa, on the estuary sections of each stream.

When analysing the impact on the acoustic climate, monuments, material goods or issues related to extraordinary environmental threats, it can be concluded that both scenarios are identical in this respect. The impact of the two scenarios on the abiotic part is similar, but they differ in terms of impact in the biotic part. The scenario developed as a result of field reconnaissance and environmental analyses, scenario 1a, was selected to be implemented on the Biała Łądecka river. Its aim is to carry out repair and reconstruction works and to keep the existing regulatory structures in good technical condition while taking into account the existing conditions resulting from the need to achieve the environmental objectives set for the JCWP and the objectives of protection of the Biała Łądecka Natura 2000 area PLH020035. Scenario 2 is characterised by a significant negative impact, including the further fragmentation of the river by regular weir development (while meeting investment objectives and targets for improving flood protection). Initially, two scenarios of the project implementation were analysed: scenario 1 and scenario 2. The environmental analyses indicated that Scenario 1, despite the limited scope of works compared to Scenario 2, still generates significant negative impacts on the objects of protection of the Biała Łądecka Natura 2000 area PLH020035. In view of the above, further analyses related to the elaboration of the target scenario of the investment execution were started. Thus, the most environmentally conflicting solutions were abandoned,

creating the target scenario of investment implementation, i.e. Scenario 1a. The environmentally beneficial impact of the planned works in scenario 1a will be related to the flow capacity improvement of 3 weirs for the migration of fish and other aquatic organisms (by-pass through the mill race channel and the fish pass), which will increase the river's flow capacity in the transformed urban section. In addition, the flow capacity of the weir in the riverbed at km approx. 26+414 will be improved, which currently constitutes a barrier to the migration of species such as European Bullhead and Alpine Bullhead and brook lamprey. Along with the flow capacity improvement measures for ichthyofauna defined for the Stronie Śląskie facility, the activities will contribute to improvement of the PLH020035 site's integrity and its connection with the neighbouring Natura 2000 sites. The Regional Director for Environment Protection in Wrocław, after having analysed the solutions proposed above and based on scenario validation, accepted the investor's request, i.e. to implement the project according to scenario proposed by the applicant, which at the same time is the scenario most beneficial for the environment.

The protection of the soil and water environment is linked to the proper organisation of the construction site and technical roads at the stage of construction.

The soil planned for storage of materials should be secured with non-permeable material to protect the surface layer of soil and the further part of soils and ground water against pollution (by infiltration). In order to protect the soil and water environment, all repairs, maintenance procedures and other activities connected with building equipment operation should be conducted in the intended places such as repair workshops, service outlets, the civil works contractor's permanent base. The construction site and its operating backyard will be equipped with waste containers and sanitary facilities. Periodical unfavourable impacts on surface water may exist at the implementation stage of the planned project. Earthworks related to the modernisation and restoration of regulatory structures will cause a periodic change of the existing soil structure (humus removal) and periodic rainwater runoff from the area (uncovered soil) to the river. As a consequence, water may be drained periodically polluted with an organic suspension, but this will not pose a considerable threat to the receivers of such water, because the suspension will undergo sedimentation. In determining the conditions of this decision, the authority considered the results presented in the Report of the analysis of assessment of the project's impact on environmental objectives of part of the waters within the boundaries of which the project is implemented and on which it has impact.

In accordance with the Plan of water management on the Odra River basin area, adopted by the regulation of the Council of Ministers of 18 October 2016 (Journal of Laws of 2016, item 1967), hereinafter referred to as PGW, the planned project is located within the boundaries of planning surface water bodies JCWP Biała Łądecka from Morawka to Nysa Kłodzka with the code PLRW60008121699. JCWP Biała Łądecka from Morawka to Nysa Kłodzka was assessed as a natural body of water with a poor status threatened by the failure to achieve the environmental objectives. The environmental objective is to achieve a good ecological status, ensure the possibility of migration of aquatic organisms in the section of the significant stream -

Biała Łądecka from Nysa Kłodzka to Orliczka and maintain good chemical status. The JCWP is subject to a derogation until 2027 due to lack of technical possibilities.

When analysing the impact of the investment on environmental objectives, considering the position of the Minister of Maritime Economy and Inland Navigation, it should be pointed out that the project in question, in accordance with the PGW, was identified as likely to threaten the achievement of environmental objectives for three JCWPs *Biała Łądecka from Morawka to Nysa Kłodzka*, JCWP *Biała Łądecka from Kobyla to Morawka, with Morawka to Kleśnica* and JCWP *Morawka*.

It should be noted here that the scope of planned works in relation to the measures presented in the PGW and in the Flood Risk Management Plan for the Odra River Basin (Regulation of the Council of Ministers of 18 October 2016 on the adoption of the Flood Risk Management Plan for the Odra river basin (Journal of Laws of 2016, item 1938)), hereinafter referred to as FRMP, has been significantly reduced both spatially and in relation to the scope of activities. Initially, the scope of works in the FRMP comprised the activities on all three of the above-mentioned JCWPs. The evidence shows that the project in question covers only the flood protection of Łądek-Zdrój and will be implemented within the area of one JCWP, i.e. *Biała Łądecka from Morawka to Nysa Kłodzka*. Finally, the works were limited mainly to built-up areas of Łądek-Zdrój.

It was concluded on the basis of the analyses carried out that no lasting and negative impact on the elements of the water status evaluation is expected. Short-term or medium-term impacts on biological elements of water status evaluation such as phytobenthos, macrophytes and benthic macro-vertebrates were identified. They will be associated with the local destruction of the habitats of these organisms and an increase in the concentration of suspended matter in the sections covered by the works. With regard to ichthyofauna, similar impacts have been identified in relation to possible mechanical destruction of habitats and the negative impact of an increase in suspended matter concentration. The works planned in the bed, especially at the implementation stage as a result of separating the parts of the bed, may cause temporary deterioration of water flow conditions and riverbed processes. Natural morphological elements will be eliminated, e.g.: outwashes. This is a reversible impact because during the operation phase the removed fragments will be restored as a result of erosive-accumulation water activity. Permanent changes relate only to the sections where the shape and the sectional revetment of the banks are planned, as well as the works related to the flow capacity improvement of the river (construction of the ramp and the fish pass). Moreover, the conversion of the permanent water barrage into the ramp and the use of the former mill race bed to serve as a cascade of weirs will have a positive impact on the continuity and flow capacity of the river and will be conducive to the achievement of the environmental objective set for the JCWP *Biała Łądecka from Morawka to Nysa Kłodzka*. As far as physicochemical elements are concerned, a significant impact concerns an increase in the concentration of suspensions and biogenic substances. However, due to the nature of the works, this will be related only to the stage of project implementation. In order to minimise the above-mentioned effects, in the conclusion of

this decision, the local authority has formulated a number of conditions necessary to be undertaken at the stage of investment implementation and operation.

Part of waters is an area designated for the protection of habitats or species referred to in the provisions of the Nature protection act of 16 April 2004 (i.e. Journal of Laws of 2020, item 55, as amended), where the maintenance or improvement of the status of water is an important factor in their protection. The project is located entirely within the boundaries of the Biała Łądecka Community PLH020035. Moreover, the investment is located in the buffer zone of the Śnieżnicki Landscape Park, which was designated to protect the Park against external threats resulting from human activity. The environmental objective for these areas is the protection of natural values - the vegetation unique in the Sudetes, with numerous Carpathian, Carpathian-Alpine, calcite and endemic species, as well as inanimate nature and karst phenomena. The implementation of the project in compliance with the conditions laid down in the conclusion of this Decision should not affect the value of the above-mentioned areas.

The area under consideration is situated within the groundwater body JCWPd No 126, code PLGW6000126. According to PGW, its quantity and chemical condition is considered as good. JCWPd is not threatened by the failure to achieve the environmental objectives set for it. The designated JCWPd is designated as a body of water intended for water intake for securing the drinking water supply for human consumption. The JCWPd was evaluated as not threatened with failure to achieve the environmental objective of maintaining the good chemical status and good quantitative status. The investment implementation does not generate impacts which may deteriorate the quantitative and qualitative condition of this water body, and therefore will not deteriorate its condition.

Hazardous wastes containing asbestos and mercury will be produced at the project implementation stage, coming from insulation and construction materials resulting from demolition works, wastes containing residues of hazardous substances and wastes other than hazardous and neutral wastes, including: concrete waste and concrete rubble from demolitions and repairs, wastes from renovation and reconstruction of roads, wastes resulting from the operation of machines and equipment, as well as municipal wastes. The waste generated during the implementation and operation of the project will be selectively collected in designated, properly secured places, in tight containers adapted to the consistency and properties of the stored wastes, and then transferred to authorised recipients for further management.

The environmental impact at the investment implementation stage will be limited to the stage of carrying out the works, discontinuous and concentrated along the place of investment implementation. Periodic atmospheric pollution will occur during the implementation works, mainly related to the operation of equipment and means of transport driven by internal combustion engines. The investment will require the use of heavy construction equipment. These machines will generate noise and emissions to atmospheric air, but these impacts will only occur during the investment implementation. In particular, an increase in the emission of gaseous pollutants (mainly NOx) contained in the exhaust fumes of machines and vehicles working on the site should be expected in the construction phase, as well as an increase in the

emission of dusts associated with the transport and use of powdery and dusty materials on the site and more intensive vehicle traffic in the project area. Vehicles will be parked on hardened surface. Earthworks will uncover the land surface in the part not protected with plants. Weather erosion may occur on the uncovered land during strong wind breezes (typical especially for autumn and the end of winter) and air dusting may increase locally. The noise nuisance in the construction phase will be generated by working machines and traffic of vehicles. The quantified nuisances will be temporary and transient in nature, however. The impact on noise will be limited to the stage of works performance and, in the meanwhile, certain transient related nuisances may occur, they will be short-term according to the advancing front of works.

At the stage of the investment operation, the main source of emission of pollutants into the air and noise will be the vehicles driving in the area of the investment in question. As per the presented acoustic analysis enclosed in the documentation of the case, the project should not excessively affect the acoustically protected areas located in the vicinity of the investment in accordance with *the Regulation of the Minister of the Environment of 14 July 2007 on the permissible noise levels in the environment (Journal of Laws of 2014, item 112)*. The investment should also not have a significant negative impact on the condition of atmospheric air, either.

Part of the planned undertaking is located in close proximity to the sites entered in the register of monuments and covered by the conservatory protection zone, and these are, notably: St. John's Bridge on the Biała Łądecka River and the Central Park in the part adjacent to the riverbed. The undertaking of earthworks on the area designated for the investment will be preceded by obtaining the position of the relevant conservator of monuments for conducting earthworks. It is the authority's opinion that a position of the monuments conservator is a sufficient guarantee that appropriate measures to protect such sites are taken.

The project implementation period is associated with changes in the structure of the local landscape. The direct negative perception in the visual sense may be the presence and movement of heavy vehicles and the presence of portable building structures. However, this impact is limited to the stage of investment implementation and after the completion of the works the area will be cleaned up. During the implementation of the investment it is also possible that the visual quality of the landscape will diminish (temporary occupation of land for construction sites, storage yards and others). The spatial range of the impact on the landscape will relate to the area of the project implementation and the area from which particular works will be visible. It should be emphasised here, however, that the project consists in the construction, reconstruction and renovation of the existing regulatory structures, and therefore at the operation stage it will not contribute to changes in the structure of the local landscape.

Due to its nature and scale of implementation, the analysed project will not have a significant impact on the climate on a regional and local scale. Its implementation does not involve the generation of significant amounts of pollution or a significant change in spatial conditions that may result in impacts on the climate. The impact on climate change stems from factors such as: greenhouse gas emissions, direct and indirect emissions related to energy demand, the effectiveness of the solutions applied. The planned project is not a source of large-scale greenhouse gas emissions. During the construction phase, combustion of fuels in cars and machines will result in the emission of gases classified as greenhouse gases. During the investment implementation, there may be a slight energy demand associated with e.g. the functioning of the construction facilities. The scope of works and changes in the existing state is only local and short-term. There will be no significant changes in the scale of green areas that shape the local climate, such as: the surface of the water table, water, or the way the river banks are managed. The anticipated environmental protection measures in the form of minimising tree felling, greening of slopes or the required protection of adjacent areas will be conducive to not deteriorating biodiversity conditions and air standards in the investment area.

No need for specific measures to minimise the climate impact is expected. The project, during the operation phase, due to its static rather than dynamic character, does not cause any emissions of gases, dusts, heat, other types of energy or harmful substances. There will be no impact of the investment on: temperature fluctuations, light radiation, atmospheric pressure, air movement or humidity. No climate change will occur in connection with the implementation, exploitation and possible liquidation of the project due to the microscale of the investment in question. The project has been designed in a way guaranteeing resistance to the negative phenomena accompanying climate change. Its implementation is necessary to protect against the effects of the surges. The planned project will be designed on the basis of existing legal regulations and will therefore be implemented in a way that considers extreme environmental phenomena related to climate change. It should also be stressed that the investment itself is one of the elements increasing the safety of the inhabitants against the effects of extreme floods. Remedial measures to eliminate the impact of the project on climate change will be the proper organisation of works, the use of low-emission devices and taking measures to minimise the

negative impact of the project on the environment at the stage of investment implementation.

The cumulative impact of the investment may concern mainly increased concentration of suspended matter in water. Most of the analysed projects, whose impacts could accumulate with those of the project in question, are located at a considerable distance from this plan planned to be implemented in the area of Łądek-Zdrój. Taking into account the minimisation measures indicated in the decision will limit the potential cumulative negative impacts to a moderate level, the following will provide the protection, inter alia: measurements of suspended solids concentration taken during the works and planned breaks in the works in case of exceeding the threshold values. With regard to regulatory and maintenance works, it should be pointed out that they will be carried out only in places where such intervention is required.

The investment, in terms of the type, category and quantity of hazardous substances, is not classified as a facility likely to be a source of serious failure as mentioned in Article 248 of the Act of 27 April 2001 *Environmental Protection Law* (i.e. Journal of Laws of 2020, item 1219, as amended). There are no grounds, either, due to the investment type, to assess the necessity of establishing a limited use area as mentioned in Article 135 Clause 1 of the Environmental Protection.

The catchment area of Biała Łądecka is a border catchment area (border with the Czech Republic). This catchment area is separated from the state border by the peaks of the Złote Mountains, the Bialskie Mountains and the Śnieżnik Massif. Due to the lack of impacts, no transboundary environmental impact can occur in the upper parts of the watercourse, as the run-off of the water takes place inside the country, which eliminates the possibility of transboundary environmental impact.

Based on the submitted documentation taking into account the assessment of impacts and potential environmental hazards associated with the implementation and operation of the investment, a number of necessary actions was indicated in order to secure and minimise the potential negative impacts, the body decided to impose conditions on project implementation, which are listed in the conclusion of the decision. The conditions determined in the conclusion of the decision were imposed also to limit the impact of the planned investment on the natural environment, including the objects of protection of the Natura 2000 sites and on the objectives of nature and landscape protection.

The impact of the planned project on the soil and water environment was analysed in the course of the proceedings conducted. The condition of cl. I, section 2.1 and 2.2 will provide protection against the leakage of hazardous substances from machinery and vehicles on the site and will ensure protection of the soil and water environment against oil pollution during emergency situations involving the spillage of hazardous substances and immediate removal of the resulting pollution.

Wastes generated at the stage of investment implementation will be managed in accordance with the applicable legal regulations. However, in order to ensure this, the conclusion of the present decision imposes the conditions of clause, section 2.3 to 2.5.

The condition of clause I, section 2.6 ensures the creation of an appropriate and safe storage place for materials intended for the investment implementation, process yards, construction material and humus storage areas.

The conditions of clause I, section 2.8 - 2.9 were imposed in order to limit nuisance in the scope of the project's impact on the sanitary condition of ambient air and acoustic condition of protected areas.

The obligation imposed in clause I, section 2.10 to perform nature supervision is to guarantee that performance conditions of works are met, which require expertise, and the presence of specialists is to guarantee appropriate response in sudden cases, not anticipated at the investment planning stage, which will minimise the risk of negative impact on the natural elements existing within the region or in direct neighbourhood of the conducted works.

The conditions of clause I, section 2.7 and clause I section 2.11 to 2.19 are primarily intended to protect ichthyofauna. During the performance of works it is necessary to ensure continuity of water flow in the watercourse and proper living conditions of ichthyofauna. The control of suspended solids concentration in the water and the introduced breaks in the works are to minimise the negative impacts associated with the implementation stage - this is to prevent changes in the physicochemical conditions of the water and the habitat conditions for the river fauna. During the works in the bed it is necessary to carry out ichthyological supervision, as this will prevent the negative impacts resulting from the lack of natural expertise of persons performing the construction works. The task of the ichthyologist will be to indicate the proper way of carrying out the works and then to control the correctness of their execution, as well as to observe the behaviour of the ichthyofauna and ensure the implementation of adequate actions in situations threatening it. Moreover, it is necessary to protect the watercourse against pollution at the stage of investment implementation. The deadline defined in clause I, section 2.13, recommended for carrying out the works, is aimed in particular at the protection of larvae of European Brook Lamprey *Lampetra planeri*, which is protected under the Regulation of 16 December 2016 on the protection of animal species (Journal of Laws of 2016, item 2183, as amended) and at the protection of European Bullhead *Cottus gobio* during the breeding season (subject of protection of the Natura 2000 Biała Łądecka site), Alpine Bullhead *Cottus poecilopus* (also listed in the above-mentioned regulation) and Stream Trout *Salmo trutta*.

The condition of clause I section 2.20 aims at minimising damage within green areas

(especially trees and bushes) and within natural habitats.

The condition of clause I, section 2.21 results from the provisions of Article 38a(1)(10) of the Act of 28 July 2005 on health resort treatment, health resorts and areas of health resort protection and on health resort communes (i.e. Journal of Laws of 2020), item 1662), *which stipulates that in zone "A" of health resort protection it is forbidden to cut down forest and park trees, with the exception of nursing cuts and the provisions of Article 38a(2)(2) of this act*, which provides that in zone "B" of health resort protection it is forbidden to cut down forest and park trees, with the exception of nursing cuts and felling specified in the forest management plan.

The conditions of cl. I, section 2.22 and 2.23 are intended to protect animal species associated with trees and bushes, i.e. insects, birds and bats from the destruction of their breeding, developmental forms and the killing of adults or juveniles during the breeding season or developmental cycle.

The condition of clause I, section 2.24 is aimed at limiting the scope of cutting down trees and bushes during the investment implementation. The areas directly conflicting with the investment execution include places planned for the construction and renovation of facilities (e.g. regulatory walls, bank slope revetments, debris flow dams) as well as technological roads, yards and technological facilities, which are directly related and necessary for the execution of the investment.

The conditions of clause I, section 2.25 to 2.30 are intended to protect tall greenery, exposed to mechanical damage during the works, in particular by minimising the risk of damage to tree branches, trunks and roots and preventing excessive soil compaction in the immediate vicinity of the trees and reducing soil aeration within the root systems during the works.

The condition of clause I, section 2.31 aims at minimising the negative impact of the project on the natural habitat listed in the Regulation of the Minister of the Environment of 13 April 2010 on natural habitats and species of Community interest and the criteria for the selection of areas eligible for recognition or designation as Natura 2000 sites (Journal of Laws of 2014, item 1713), located within and in the immediate vicinity of the investment, *i.e. 91E0* Willow-poplar-alder-ash forests (Salicetum albofragilis, Populetum albae, Alnenion glutinoso-incanae)*, large bittercress, which is the subject of protection of the aforementioned Natura 2000 site Biała Łądecka.

The condition of clause I section 2.32 is intended to protect birds and bats that may use cracks in walls and bridges as nesting places and shelters.

The condition of clause I, section 2.33 is intended to protect amphibians during the breeding period and migration to and from breeding sites.

The condition of clause I, section 2.34, was imposed in order to prevent the destruction of sites of protected plant, aphid and red algae species listed in *the Regulation of the Minister of the Environment of 9 October 2014 on the protection of plant species (Journal of Laws of 2014, item 1409)*, occurring within the area of works.

The condition of clause I, section 2.23 was imposed to eliminate and prevent the spreading of foreign species of plants along the river valley, which are often expansive species, eliminating native species. This condition is especially important due to the fact that works are to be carried out in the riverbed and its direct neighbourhood, which may greatly facilitate the spreading of expansive species of plants.

The condition of clause I, section 2.36 was imposed to prevent the destruction of the habitat patches of lowland and foothill rivers with white water-crowfoot communities (*RANUNCULION FLUITANTIS*). In the local authority's judgement, it is necessary to protect as many plants forming the habitat as possible (not only species under legal protection), because this habitat - being the most important object of protection of Natura 20000 site Biała Łądecka PLH020035 - is of key importance for the functioning of the Biała Łądecka ecosystem and also constitutes the first link in the food chain and is the habitat of invertebrates which provide food for fry and fish.

The condition of clause I, section 2.37 was imposed to minimise the transformation within the watercourse during the works phase.

The condition of clause I, section 3.1 aims at improving the habitat conditions for birds (e.g. *Motacilla sp.* Wagtail species protected under *the Animal Species Protection Regulation*) in the sections of the watercourse enclosed by stone walls. These niches can be used as breeding and shelter sites.

The necessity defined in clause I, section 3.2 and 3.3, to agree with an expert ichthyologist the technical designs of the facilities being rebuilt and renovated in the river bottom and the indicated requirements for the fish pass were imposed in order to improve the migration conditions of aquatic organisms, in particular fish, in the section of the Biała Łądecka river covered by the project.

The conditions of clause I, section 3.4 and 3.5 were imposed to limit the introduction of non-natural materials into the watercourse which could adversely affect the water chemistry and habitat conditions. In addition, the use of mesh and stone mattresses and gabion baskets is not allowed, as they can be dangerous traps for animals. The use of stones of varying sizes is intended to increase the roughness of the bottom and create better habitat conditions for ichthyofauna.

The condition of clause I, section 3.6 was imposed to increase the diversity of habitat conditions within the bed area and to initiate fluvial and biological processes through the

presence of boulders and stones in the watercourse bottom.

The performance of monitoring tests referred to in clause II, section 2.1 - 2.3 will allow to obtain information on the actual impact of the investment on the brook lamprey and on the subjects of protection of the aforementioned Natura 2000 site Biała Łądecka, the natural habitats: 3260 and *91E0 and European Bullhead, as the ecological elements of the watercourse. The results of the monitoring studies are also to facilitate forecasting of the impacts that may occur in the case of executing similar works in other sections of the Biała Łądecka River and will be the basis for the possible implementation of additional measures to eliminate the negative impact of the project on the environment.

The condition of clause II, section 2.5 is aimed at permanent maintenance of planting trees and bushes under the planned investment.

The conditions of clause II, section 2.4 and 2.6 set the requirement to conduct - by an appropriate expert - the monitoring of the functioning of ramps and fish passes and that reports on its implementation be submitted to the local authority.

The condition of clause II section 2.7 will allow the local authority to obtain information on the effectiveness of the applied solutions - and will confirm the participation of the specialist during monitoring studies.

Due to the nature of the project, it is not possible to completely minimise the negative impacts on natural elements occurring within and in the immediate vicinity of the project in question. The provisions of conditions of clause II, section 1.1 are intended to compensate for losses due to the destruction of stream trout eggs in spawning grounds. However, the condition of clause II, section 1.2 is intended to compensate for the loss of trees and bushes felled in connection with the investment. Furthermore, the provisions of the condition of clause II, section 1.3 are intended to compensate for the possibility of destruction of nesting sites of White-Throated Dipper *Cinclus* and Grey Wagtail which are protected as species under the above-mentioned Regulation on the *protection of animal species*. The imposed compensating measures are not the compensation in the meaning of Article 34 and 35 of the above-mentioned nature protection act but result from the provisions of Article 75(3) of the act Environmental Protection Law, and their application will contribute to faster recovery of the population of the above-mentioned species of animals.

While implementing the conditions specified above, the implementation of the investment will not have a significant negative impact on the natural elements, including the above-mentioned Natura 2000 site and the Biała Łądecka river valley ecological corridor, as well as on the biodiversity, understood as

intra-species variability (gene diversity), inter-species variability (species diversity) and super-species variability (diversity of ecosystems and landscapes).

In the event of a collision (which cannot be eliminated during works) with sites of plants, animals or fungi of the species protected pursuant to resolutions of the Minister of the Environment on protection of plant species, on protection of animal species and of 16 October 2014 on protection of fungus species (Journal of Laws, item 1408), in relation to which bans apply as defined in the aforementioned resolutions, prior to commencing the works the investor should obtain a separate permit from the appropriate body for actions prohibited in relation to these species, in accordance with Article 56 of the aforementioned environmental protection act, and once that permit is obtained - the works are to be conducted taking into consideration the conditions stemming from the permit.

In the authority's judgement, the data on the project, possessed at the stage of issuing the decision on environmental conditions, allow for an exhaustive assessment of the project's environmental impact and there is no need to conduct the assessment of the impact of the project on the environment as part of the procedure for issuing the decision referred to in Art. 72(1) of *the EIA Act*. The data obtained on the project were sufficient to determine the conditions of project implementation.

Together with the application for issuing a decision on environmental conditions, the applicant requested that the decision be immediately enforceable. Pursuant to the statutory provisions of Article 108 § 1 of the CAP, it is only possible to make a decision immediately enforceable if it is necessary for the goods and values set out in this provision, namely "for the protection of human health or life, or to protect the national farm from heavy losses, or for any other public interest or a party as exceptionally important interest". The enforcement of the decision will be "indispensable" in a situation where "it is not possible to act at a given time and in an existing situation without exercising the rights or obligations decided upon in the decision, because a delay in their enforcement threatens the protected goods. This threat must be real and not just theoretically probable" (J. Borkowski [in:] B. Adamiak, J. Borkowski, Code of Administrative Procedure. Commentary, 8th Issue. C.H. Beck Publishing House, p. 524).

The application was justified by an overriding reason relating to the public interest. The aim of the task is to improve the flood protection system in the town of Łądek-Zdrój, i.e. to protect human health and life and to protect the national farm from heavy losses (flooding). Floods in the mountain basins in the Kłodzko area are characterised by a very violent course. The time of the formation of the flood wave from the moment of the occurrence of intense or prolonged rainfall is very short. The rapid runoff of rainwater from the steep mountain slopes and then their runoff through streams and mountain rivers is associated with the occurrence of high velocities, which results in the formation of a large corridor-forming force. This force lifts and transports huge amounts of rock rubble, washes away and captures trees, causes local landslides, devastates the bed structures, especially in the form of bank walls and bottom sills, washes away bridge abutments and, in some cases, piles up water as a result of the resulting blockage on the bridge structures, which in turn contributes to the breaking of the bridge or its surrounding. The project

implementation area in the Biała Łądecka valley is characterised by compact residential, commercial and communication areas located mainly along rivers. The Biała Łądecka river network together with its tributaries forms a fan-shaped system. Such an unfavourable catchment system causes the water level to rise very quickly due to the inflow of water from mountain areas. The effects of such floods can be observed in Kłodzko Land not only in case of floods with a probability of exceeding $p=1\%$ (once every 100 years). Their occurrence is accompanied by flooding of vast areas in the entire width of the river valley. In the analysed area, high water velocities and significant forces destroying the bed structures appear more often in the form of a surge close to the flows with the probability of exceeding of $p=10\%$ (once every 10 years). For the proper protection of the Kłodzko Land in the Flood Risk Management Plan for the Odra River Basin (*Regulation of the Council of Ministers of 18 October 2016 on the adoption of the Flood Risk Management Plan for the Odra river basin (Journal of Laws of 2016, item 1938)*), hereinafter referred to as FRMP, technical activities, including the construction of dry reservoirs on the tributaries of the Nysa Kłodzka River, as well as the performance of activities supporting flood protection of the Kłodzko Land, i.e. undertaking works within the watercourses, such as flood capacity enhancement, regulatory and maintenance works. The following is planned, in particular: 2A.1/1 construction of the "Boboszów" dry flood control reservoir on Nysa Kłodzka River, 2A.1/2 construction of the "Roztoki Bystrzyckie" dry flood control reservoir on the Goworówka stream, 2A.2/1 construction of a dry flood protection reservoir on the Duna stream, 2A.2/2 Construction of "Szalejów Górny" dry flood control reservoir on Bystrzyca Dusznicka River, 2B.1/1 Flood Protection of the Nysa Kłodzka River (facilities: Międzylesie, Bystrzyca Kłodzka and Kłodzko), 2B.2/2 flood protection of the Bystrzyca Dusznicka River and the Kamienny Potok River (facilities: Duszniki-Zdrój, Polanica-Zdrój and Szczytna) and 2B.2/1 Flood protection of the valleys of the Biała Łądecka River and the Morawka River (facilities: Łądek-Zdrój and Stronie Śląskie). Therefore, there is no doubt that the planned undertaking is part of the task covering supra-local flood protection of the Kłodzko Land, which is also confirmed in the above-mentioned document. On the basis of the above, the Regional Director for Environmental Protection in Wrocław has decided that it is necessary to make this decision immediately enforceable and has approved the investor's application. Hence, in accordance with the foregoing, this Decision shall be immediately enforceable.

During the proceedings on issuing the decision in question, the environmental protection body allowed all evidence which might have contributed to a correct determination of the case, and the determination was made on the basis of the entire evidence collected during the proceedings, by which the body met the requirements of Article 75 § 1 and Article 80 of the *Code of Administrative Procedure act*.

In view of the foregoing, it has been decided as in the conclusion of the Decision.

Notice

The parties are entitled to appeal against this decision to the General Director for Environmental Protection through the Regional Director for Environmental Protection in Wrocław within 14 days of its receipt.

Pursuant to Article 127a of the Code of Administrative Procedure, a party may, within the time limit for lodging an appeal, waive the right to lodge an appeal against the decision of the public administration body which issued the decision. The decision becomes final and binding on the day of delivering a statement waiving the right to appeal by the last of the parties to the proceedings to the public administration body.

Regional Director for
Environmental Protection in Wrocław

Wojciech Rejman

/signed with a qualified electronic signature/

Recipients:

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through:
The State Water Holding Polish Waters
Regional Water Management Authority in Wrocław
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represented by:
Alicja Borowska
ul. C. K. Norwida 34
50-950 Wrocław
2. Parties to the proceedings pursuant to Article 49 of the CAP

Cc:

1. State Powiat Sanitary Inspector in Kłodzko, 16 Stefana Okrzei Street, 57-300 Kłodzko - dispatch by ePUAP
2. Minister of Climate and Environment, 52/54 Wawelska Street, 00-922 Warsaw - dispatch by ePUAP

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Document identifier	96076.325348.357901
Name of the document	19 - decision Łądek Zdrój facility.pdf
Document Title	19 - decision Łądek Zdrój facility
Document reference	WOOŚ.420.8.2020
Document date	12.11.20 13:21:58
Document abbreviation	3B56CBC33815A7B4E9C64AF3690845A784C 68407
Document version	1.1
Signature date	12.11.20
Signed by	Wojciech Rejman; RDOŚ in Wrocław REGIONAL DIRECTOR
Type of certificate	Qualified certificate for electronic signature card
	EZD 3.9K.1.1.7409
Print date:	12.11.20 13:23:15
Author of printout:	PAWLAK ANASTAZJA



**REGIONAL DIRECTOR FOR
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IN WROCLAW**

**AL. JANA MATEJKI 6
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Appendix to the decision of the Regional Director for Environmental Protection in Wrocław of 12 November 2020, ref. No.: WOOŚ.420.8.2020.AP.19, for the project titled: “Task 2B.2/1 Flood protection of Biała Łądecka River valley and Morawa River (passive protection)) - Łądek Zdrój Facility”.

PROJECT CHARACTERISTICS

The investment will be located in the commune of Łądek-Zdrój, Kłodzko Powiat, Lower Silesia Province.

The planned project will be implemented within the Biała Łądecka riverbed and within the estuary of streams: Wiosennik, Wądół, Przyrwa and Rudawka. The sections covered by the project in question include the Biała Łądecka river at the Łądecka section from km approx. 21+000 to km approx. 25+350 and at km approx. 26+414, where the ichthyological flow improvement of the watercourse is planned.

The following works are planned to be executed under the project:

- reprofiling the existing regulatory walls and revetment slopes by cleaning and supplementing the joints, filling in the losses of stone, levelling (raising) the wall crest level, reinforcing the wall body by executing a band (set-off), consisting of excavating a trench in the bottom of the bed and then a concrete screed under the foot of the wall;
- the sectional demolition of destroyed regulatory walls,
- reconstruction of the regulatory walls in the place and along the route of the existing walls;
- strengthening of the slopes on the banks with regulation of the bankline with a rip-rap;
- ichthyological flow capacity improvement by converting the fish pass in the channel of the former mill race (section at km approx. 23+685 - 23+800 of the Biała Łądecka), without changing the bottom level of the headwater and tailwater station of the structure,

- ichthyological flow capacity improvement of the Biała Łądecka bed at km approx. 26+414 by building a ramp,
- renovation of three barrages as regards their overflow crest and bottom revetments in the Biała Łądecka riverbed from km approx. 23+685 km to km approx. 23+800,
- increasing the flow capacity of the riverbed by removing locally the deposits of debris from the riverbed, notably: in the clearance of bridges,
- renovating the outlet of the streams: Wiosennik, Wądół, Przyrwa and Rudawka.

The total length of the section covered by the works only on the left bank of the Biała Łądecka is approx. 2,450 m. The total length of the section covered by the works only on the right bank of the Biała Łądecka is approx. 3,550 m. The length of the section where the works will be carried out parallel on both banks is approx. 6,000 m.

The scope of the above measures comprises:

1 Biała Łądecka River

a) Left bank

- shaping of the bank line and construction of the slope revetment at km approx. 21+650 - 31+945. Reconstruction of the water outlet from the sewage treatment plant at km approx. 21+842 and the trench outlet at km approx. 21+920;
- reprofiling of the existing stone bank wall (or sectional reconstruction) at km approx. 21+945 - 22+422;
- shaping of the bank line and construction of the slope revetment at km approx. 22+425 - 22+640;
- reprofiling of the existing bank wall with a set-off to the cross-section of the footbridge M-23 at km approx. 22+640 - 22+904;
- reprofiling of the existing bank wall at km approx. 22+905 - 22+955;
- reprofiling of the set-off of the wall which is the foundation of the building at km approx. 22+955 - 22+980;
- renovation of the Rudawka stream's estuarial bed;
- reprofiling of the existing bank wall with a set-off at km approx. 22-980 - 23+090;
- reprofiling of the existing bank wall to the bridge M-24 at km approx. 23+090 - 23+200;
- dismantling and reconstruction of the section of the bank wall above the Bridge M-24 at km approx. 23+213 - 23+240;
- construction of a new wall between the buttresses of the building in the river at km approx. 23+240 - 23+260;
- demolition and reconstruction of the bank wall with removal of the deposit at km approx. 23+260 - 23+400;

- reprofiling of the existing bank wall with a set-off at km approx. 23+400 - 23+440;
- construction of a new section of the wall about 4 m long together with drainage of the area behind the wall at km approx. 23+455;
- demolition and reconstruction of the bank wall with removal of the deposit at km approx. 23+440 - 23+506;
- demolition and reconstruction of the bank wall at km approx. 23+511 - 23+620;
- reprofiling of the existing bank wall with a set-off at km approx. 23+620 - 23+685;
- reprofiling of the existing bank wall with a set-off at km approx. 23+800 - 23+900;
- extension of the riverbed section within the Bridge M-27 to increase its flow capacity through: demolition of the bank wall and construction of a wall with stairs and reinforcement of the valley wall structure at the foundation level and its reprofiling at km approx. 23+900 - 24+030;
- reprofiling of the existing bank wall together with the set-off and reconstruction of stairs at km approx. 24+030 - 24+350 and reprofiling of the valley wall to km approx. 24+200;
- construction of a bank wall with the shaping of the bankline at km approx. 24+675 - 24+760;
- reprofiling of the existing bank wall with a set-off at km approx. 24+760 - 24+890;
- shaping of the bank line and construction of the slope revetment at km approx. 24+890 - 25+065. Construction of stairs to the bed at km approx. 24+950 and 25+000;
- reinforcement of the slope at full height at km approx. 25+065 - 25+150.

b) Right bank

- reprofiling of the existing stone bank revetments (slopes) with removal of tree and shrub growth at km approx. 22+830 - 22+845;
- renovation of the outlet section of the Wiosennik stream at km approx. 22+850;
- reprofiling of the existing bank wall with a set-off at km approx. 22+850 - 23+000;
- reprofiling of the existing bank wall with the removal of bushes at km approx. 23+000 - 23+200;
- demolition of the existing stone wing of the bridge and construction of the bank wall above the Bridge M-24 at km approx. 23+213 - 23+265;
- reprofiling of the existing shore wall together with the draining and removal of bushes and shrubs at km approx. 23+265 - 23+506;

- reprofiling of the existing bank wall with a set-off at km approx. 23+511 - 23+685;
- reprofiling of the existing bank wall at km approx. 23+800 - 23+927;
- renovation of the outlet section of the Wądół stream channel at km approx. 23+865;
- reprofiling of the existing bank wall (in sections with a set-off) and removal of the outwash in the bed together with bushes and construction of stairs to the bed at km 23+927-24+350;
- renovation of the estuary section of the Przywra stream bed at km approx. 24+350;
- reprofiling of the existing bank wall with a set-off and sectional removal of the outwash in the bed at km approx. 24+386 - 24+658;
- reprofiling of the existing bank wall with a set-off and sectional removal of the outwash in the bed at km approx. 24+667 - 25+100;
- shaping of the bank line and construction of the slope revetment at km approx. 25+100 - 25+200.

c) The entire bed

- footbridge M-22: carrying out works to remove the deposit along the left bank in order to unblock the footbridge clearance at km approx. 22+422 - 23+425;
- footbridge m-23: execution of works for removing the deposit from the outcrop of the rock along the left bank in order to unblock the footbridge clearance and reconstruction of the foundation of the pillar and the supporting structure of the pillar at km approx. 22+904 - 22+905;
- bridge M-24: execution of works to unblock the clearance of the right span of the bridge at km approx. 23+200 - 23+213;
- bridge M-25: execution of works to unblock the clearance of the right span of the bridge - removal of the deposit and lichen at km approx. 23+506 - 23+511;
- construction, reconstruction, reprofiling and renovation of the existing water junction facilities at km 23+685 - 23+800, including:
 - construction of a fish pass within the existing bypass channel,
 - reprofiling of the existing walls on both banks of the bypass canal,
 - renovation of the bottom sill of the overflow crest,
 - renovation of the indirect sill in scope of the overflow crest, renovation of the weir body in scope of the upper sill crest,
 - reprofiling of the existing walls on both banks of the riverbed with set-offs and construction of stairs within the water junction;
- bridge M-27: execution of reinforcement of the bottom revetments in the current foot at km approx. 23+927-23+942;

- bridge M-28: execution of works to remove debris deposits from the headwater and tailwater in order to unblock the bridge clearance, including the left clearance, and reinforcing the revetments of the bottom pillar and abutments at km approx. 23+350 - 24+386;
- bridge M-30: execution of works to remove debris deposits from the headwater in order to unblock the left bridge clearance and reprofiling of the left stone wings from the headwater and tailwater of the bridge at km approx. 24+658 - 24+667;
- ichthyological flow capacity improvement by converting the fish pass in the channel of the former mill race (section at km approx. 23+685 - 23+800 of the Biała Łądecka), without changing the bottom level of the headwater and tailwater station of the structure;
- ichthyological flow capacity improvement of the Biała Łądecka bed at km approx. 26+414 by building the ramp.

Regional Director for
Environmental Protection in Wrocław

Wojciech Rejman

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Document identifier	96076.325347.357899
Name of the document	19a - CHARACTERISTICS - appendix to the decision, flood protection Łądek-Zdroj facility.pdf
Document Title	19a - CHARACTERISTICS - appendix to the decision, flood protection Łądek-Zdroj facility
Document reference	WOOŚ.420.8.2020
Document date	12.11.20 13:21:39
Documentary abbreviation	E20D3EE770C81987A4510C48C7A1E5326AF31 CED4
Document version	1.1
Signature date	12.11.20
Signed by	Wojciech Rejman; RDOS in Wrocław REGIONAL DIRECTOR
Type of certificate	Qualified certificate for electronic signature card
	EZD 3.08.1 7-109
Print date:	12.11.20 13:22:57
Author of printout:	PAWLAK ANASTAZJA