

Wrocław, 22.12.2021

"Nasze Maślice" Association

ul. Suwalska 5
54-104 Wrocław

e-mail: nasze.maslice@o2.pl

Dear Sir or Madame,

The Road Management and Maintenance Authority in Wrocław with participation of the National Management Authority for Polish Waters / the Regional Water Management Authority in Wrocław, in reference to your letter received by e-mail under public consultation of the Draft Environmental Management Plan for Contract 1B.9 *Modernization of the flood embankment along the Ślężoujście Street with road infrastructure*, kindly informs that:

1. At the stage of the project preparation no nature inventory was conducted, because - as indicated in the Draft EMP in Item 3.5 *Current status of the EIA procedure for the Contract* - this Contract has not been qualified to any of the two groups of projects, i.e.:
 - projects which may have a consistently significant impact on the environment or,
 - projects which may have a potentially significant impact on the environment based on the classification derived from the Regulation of the Council of Ministers dated 10 September 2019 on undertakings which may have a significant impact on the environment.

Its scope and scale of impact led the Regional Director for Environmental Protection in Wrocław, **upon the Investor submitted the Project Information Sheet, to issue a decision dated 25.01.2019, ref. no. WOOS.420.202.2018.KK.1 refusing to initiate the proceedings on issuing a decision on environmental conditions** (this decision is attached as Appendix no. 4a to this document). In line with the Polish legislation, the Contract was granted a permit for the implementation of a road investment (pol. *zezwole nie na realizację inwestycji drogowej, ZRID*) with no need to prepare a report, part of which is a nature inventory, which stays in line with the Act of 3 October 2008 on the provision of information on the environment and its protection, public participation in environmental protection and environmental impact assessments (the consolidated text to be found in the Journal of Law of 2021, item 247, as amended) and the Regulation of the Council of Ministers of 10 September 2019 on undertakings which may have a significant impact on the environment (the consolidated text to be found in the Journal of Law of 2019, item 1839).

2. Nevertheless, we would like to assure you that in the course of preparation of the EMP an on-site inspection took place, which contributed to the formulation of a series of recommendations stated in this document which are aimed to protect the natural resources and biodiversity of the area (these measures were formulated in Appendix no. 1 to the Draft EMP). Among these operations it is projected, among others, to perform a one-time nature inventory prior to the start of the works (Appendix no. 1, Item 34) by a multi-discipline team of environmental experts (Appendix no. 1, Item 88). The team will not only perform this inventory under consideration, but will also **inspect the site on an ongoing basis throughout the works**, which will allow for the ongoing implementation of recommendations to minimise the impact on nature.

3. In order to protect birds, the Draft EMP indicates a restriction on the timing of tree and shrub felling (Appendix no. 1, Item 25). This operation may be performed beyond the breeding season and will be assisted by **an ornithologist**.
4. **An entomologist** is projected to join the expert team, who will - in advance of such felling - inspect trees with a diameter at breast height (DBH) of more than 50 cm and participate in such felling. Moreover, Item 42 of Attachment 1 provides for the obligation to obtain the so-called **derogation decisions**, i.e. decisions permitting derogations from the principles of species protection of plants, fungi and animals, which are to be obtained by the Contractor every time when required, e.g. if it is necessary to relocate, for example, eastern egg cocoon, which you mention in your letter.
5. In relation to the works performed within the Ługowina river and the vicinity of local water bodies, **a herpetologist** is also projected to join the expert team, who will supervise the protection of amphibians, inspect the construction site on an ongoing basis and recommend any necessary protective measures.
6. The range of animal migration will not change upon the implementation of the Contract, during the works there will be impacts related to their performance: increased traffic, noise, dust, which will cause scaring, but they are temporary and reversible and will cease upon the completion of such works. The embankment culvert at the Ługowina river to channel its waters from the behind-embankment to the mid-embankment will be thoroughly rebuilt. It will be "open" during low water periods to allow free migration, while during high water periods its flaps will be closed to prevent high water from pouring into the embankment-protected area. A pumping station will be constructed at this culvert and fitted with mobile pumps for flood control operations. They will make it possible, once its flaps are closed, to pump out waters flowing down the Ługowina river onto the Odra mid-embankment.

We would like to assure you that the primary objective of Contract 1B.9 is to improve the flood safety - when under flood waves - of all the areas located in the north-western part of Wrocław (on the left side of the Odra river) between the hydrotechnical structures rebuilt under the Odra River Basin Flood Protection Project, Contracts for Works:

- Maślice - redevelopment of the embankment (WFS structure no. 16)
- Pracze Odrzańskie - redevelopment of the embankment above (WFS structure no. 17), figure 1 in the Draft EMP.

The scale of flood risk to Maślice and Pracze Odrzańskie is shown on the drawing in Appendix no. 7 to the Draft EMP. This problem can be eliminated by rebuilding a section of the embankment which also serves as a public road. Upon this reconstruction, above all you, but also other inhabitants of Wrocław with their property, will be protected against flooding. The value of potential flood losses in this area was estimated at PLN 198 238 590. In view of this, the implementation of the investment under consideration will increase the flood safety of the mentioned housing estates: Maślice and Pracze Odrzańskie. It was assumed that in the investment variant the renovation of the embankment will reduce flood losses to null, i.e. its reconstruction will provide full protection on its part when holding the assumed technical parameters based on the current law.

Importantly, the City of Wrocław has managed to obtain funding for this reconstruction under the Odra-Vistula Flood Management Project (www.odrapcu.pl), which is implemented by the State Water Holding Polish Waters. The estimated investment expenditures are so high that it is of significant relevance for the City's budget for the coming years. Due to the fact that the investment will be co-financed by the International Bank for Reconstruction and Development (the World Bank) and the Council of Europe Development Bank (CEB), not only has it become possible to partially finance the project from the State Treasury's funds, but it is also a guarantee for the city of Wrocław that **high standards of investment implementation, also in the field of environmental protection, will be applied during its realisation**. As part of this, the Road Management and City Maintenance Authority in Wrocław will be required to develop **an Environmental Management Plan**, and at the implementation phase to scrupulously comply with its provisions, as well as to implement a system for monitoring and controlling its application. This solution under the implementation of projects is unique in the Polish legal system. Throughout the implementation of Contract 1B.9, as recommended by the World Bank, a Grievance Redressal Mechanism will also be set up and made available to provide an opportunity to report any concerns or problems on an ongoing basis, which we will endeavour to resolve together.

We would also like to inform you that the Road Management and City Maintenance Authority in Wrocław intends to preserve historical road elements, e.g. stone posts. We also plan to make use of historical paving stones in the construction of Ślężoujście Street. We are currently running talks and arrangements in this regard with the Maślice Estate Council. You are, of course, welcome to participate in these arrangements. The Lower Silesian Provincial Conservator of Monuments has not issued any recommendations in this respect. The opinion which the Authority issued under the administrative proceedings to issue a permit for the implementation of a road investment was attached to the Draft EMP (Appendix no. 4d). Regardless of the above, under Contract 1B.9 the Road Management and City Maintenance Authority, taking into account opinions expressed by the local community, wishes, where possible, to preserve the historical value of Ślężoujście Street.

At the same time, we would like to point out that as part of the road reconstruction, safety will be increased, e.g. thanks to the construction of a pedestrian pavement. The following measures will be introduced: speed and tonnage limits, permissible speed - 30 km/h, slowing-down elements etc.

Your conclusions regarding the preservation of the historical value of Ślężoujście Street and the changes in the environmental impact assessment will be taken into account in the matrix when preparing the final EMP.

Regards,