

DECISION
on environmental conditions

In accordance with Article 104 of the Act of 14 June 1960, *Code of Administrative Procedure* (consolidated text: Journal of Laws of 2022, item 2000, as amended - hereinafter - *CAP*), Article 71(2)(2), Article 73(1), Article 75(1)(4), Article 84, Article 85(1) and (2)(2) of 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* (consolidated text: Journal of Laws of 2022, item 1029 as amended - hereinafter referred to as the *EIA Act*) and § 3(2)(2) of the Regulation of the Council of Ministers of 10 September 2019, *on projects which may significantly affect the environment* (consolidated text: Journal of Laws of 2019, item 1839, as amended), having considered the application of Wodociągi Kłodzkie Sp. z o. o., 14 B Piastowska Street, 57- 300 Kłodzko, after conducting a procedure on issuing a decision on environmental conditions for the implementation of the project and after obtaining the opinions required under Article 64(1) of the *EIA act* of: the Director of the State Water Holding Polish Waters Drainage Basin Administration in Nysa, of the Regional Director for Environmental Protection in Wrocław and the State Poviats Sanitary Inspector in Kłodzko,

I conclude as follows

- 1. There is no need to conduct an environmental impact assessment for the project titled "The removal of the old and construction of a new water supply network for Task 2B.1/1. Flood Protection of the Nysa Kłodzka Valley"** planned to be implemented on the area of plot no. 12/6, plot no. 12/5, plot no. 9/5, plot no. 2/5 precinct 0001 Zagórze and plot no. 2/5, plot no. 69/2, plot no. 3 precinct 0012 Stadion in the town of Kłodzko.
- 2. I establish the following significant conditions of using the environment at the stage of implementation and operation or use of the project:**
 - a) the area of the construction site back-up facilities and technological roads and yards should be located outside the boundaries of protection zones of groundwater intakes, at a distance of not less than 100 m from existing water reservoirs, riverbed and wetland sites, on the sealed and hardened ground;
 - b) the area of land occupation for the location of construction site back-up facilities and yards should be limited to the necessary minimum;
 - c) construction sites and construction site back-up facilities should be equipped with technical and chemical means for minimising the spread of, for removal of or for neutralisation of petroleum contaminants. In the event of leakage of petroleum products, they must be removed or neutralised immediately;
 - d) before starting works from places where the existing layer of topsoil (fertile soil) could be degraded, a layer of topsoil should be collected and then stored properly (protecting it from damage, disintegration, contamination due to the performance of works and the possibility of run-off into river beds and reservoirs), and after completion of construction works, the topsoil should be used to reinstate the layer of fertile soil;
 - e) at the stage of project implementation, particular attention should be paid to the tightness of fuel systems and no servicing works should be undertaken on the site;



- f) conduct a systematic inspection of the technical condition of vehicles and equipment that are potential sources of ground and water pollution by petroleum substances;
- g) at the stage of project implementation, limit the performance of works to daytime, from 6.00 am to 10.00 pm;
- h) at the stage of construction, workers should be provided with access to sanitary facilities equipped with sealed receptacles (e.g. TOI-TOI type);
- i) perform the works at the stage of implementation with particular care so as to exclude the possibility of contaminating the groundwater environment;
- j) in areas where construction works will be carried out near watercourses, introduce solutions to prevent them from being backfilled or contaminated with chemical substances;
- k) the wastes produced during construction works should be collected separately in places adapted for this purpose and then should be transferred to companies with appropriate waste management permits for recovery or neutralisation;
- l) at the stage of project implementation, conduct the works under the permanent nature supervision, including specialists in the field of botany and zoology, in particular: ornithology, herpetology, chiropterology, entomology, ichthyology, dendrology. Nature supervision applies in particular to:
 - determining the location of construction site back-up facilities so as not to disturb valuable natural habitats, habitats of protected species, migration corridors and protection zones for bird nesting sites (herpetologist, ornithologist, entomologist, chiropterologist);
 - inspecting the execution and location of temporary fencing and permanent protection and guidance fencing (herpetologist);
 - inspecting the area covered by the project implementation before the commencement of works, in forest areas, wetlands, water-muddy areas, in the valleys of watercourses and other areas selected as being of high natural value, with regard to the presence of breeding birds, breeding habitats and individuals of protected animal species, including amphibians (with the possible relocation of individuals outside the area of the planned works) and migrating animals (ornithologist, herpetologist, chiropterologist, entomologist);
 - inspecting the construction site, in particular places that could be traps for amphibians (buckets, pits, stagnant water, ruts, unprotected elements of drainage systems) for the entire period of activity of the inventoried species. If protected animals are found to be present, individuals should be moved to a habitat appropriate for the species as soon as they are discovered;
 - supervising the works in river valleys and watercourses (herpetologist, ichthyologist);
 - identifying the need to take and indicate additional measures to safeguard or minimise the impact of construction works on protected species of animals, depending on the local conditions identified (ornithologist, herpetologist, chiropterologist, entomologist, ichthyologist);
 - determining whether the removal or relocation of individuals of animals, plants or fungi from the project area concerns protected species;
- f) exposed roots should be covered with straw or jute mats, at temperatures above 20 °C, moistened with water to prevent the roots from drying out, while at temperatures below zero the mats should be dry to prevent the roots from freezing;



- g) cutting down of trees and bushes and earthworks connected with investment implementation in the period of 1 March to 15 October should be performed under the supervision of the relevant expert naturalist, who, directly before performing it, will inspect the area for the presence of birds, and if such are found – will indicate the permitted cutting-down performance time and/or the manner of conducting the works. In the remaining period (from 16 October to the end of February), the above-mentioned supervision is not required;
- h) do not store the soil, solid or liquid waste which can alter the chemical characteristics of soil (e.g. oils, fuels) within the projection of trees and bushes;
- i) the works conducted within the root systems of trees and bushes perform manually,
- j) a pressure test should be made to check the strength of the pipes and the tightness of the joints on the pipeline.

3. Under Article 108 § 1 of the CAP, this decision is made immediately enforceable.

The characteristics of the project is an integral part of this Decision, being appendix no. 1.

Reasons

The Applicant's Representative applied to the Mayor of the Town of Kłodzko on 31.08.2022 for issuing a decision on environmental conditions for the implementation of the project entitled "Removal of the old and construction of a new water supply network Task 2B.1/1. Flood Protection of the Nysa Kłodzka valley", planned to be implemented on the area of plot no. 12/6, plot no. 12/5, plot no. 9/5, plot no. 2/5 precinct 0001 Zagórze and plot no. 2/5, plot no. 69/2, plot no. 3 precinct 0012 Stadion in the town of Kłodzko. A Project Information Sheet prepared by a team of authors led by Wojciech Lewandowski, hereinafter referred to as *PIS*, was attached to the application.

The Applicant also requested that this decision be made immediately enforceable pursuant to Article 108 § 1 of the Code of Administrative Procedure.

A decision on environmental conditions for implementation of a project is issued before obtaining the decision referred to in Article 72(1)(1) of the *Act on access to information on the environment and its protection* - a building permit decision, issued under the Act of 7 July 1994 *Construction Law* (consolidated text: Journal of Laws of 2021, item 2351, as amended).

The Mayor of the Town of Kłodzko, as the authority conducting the proceedings, pursuant to Article 61 § 1 and § 4 of the *CAP Act*, notified the parties to the proceedings (the notice of 07.09.2022, ref.: WI.6220.5.2022.KK), designated under Article 74(3a) of the *EIA Act*, about initiating the proceedings at the request of the party, about the rights of all parties to such proceedings to participate actively in them at every stage and about the possibility to express their opinion on the evidence and materials collected and submitted requests. Since the number of parties to the proceedings exceeds 10 parties, pursuant to Article 74(3) of the *EIA Act*, the parties are notified about the decision and about other activities of the authority, by making the letters available in the Public Information Bulletin of the Town Office in Kłodzko.

The content of the application provides that the planned investment will consist in the implementation of a project listed in § 3(2)(2) of the Regulation of the Council of Ministers of 10 September 2019 *on projects likely to have a significant impact on the environment* (consolidated text: Journal of Laws of 2019, item 1839, as amended).



The investment is classified for the catalogue of projects encompassing the extension, redevelopment or installation of a project being implemented or that has been already implemented, as referred to in § 3(1)(71), i.e.: main water supply systems for the transmission of water and main water supply lines supplying water from treatment stations to distribution water supply pipelines, excluding their redevelopment with the trenchless method.

As the planned project is classified as a project likely to have a significant potential impact on the environment, as per Article 71(2)(2) of the *EIA Act*, it is required to obtain a decision on environmental conditions, and the obligation to carry out an environmental impact assessment may be stated by way of a decision, pursuant to Article 63(1) of the *EIA Act*.

The area of the planned project is located in the catchment area of the Nysa Kłodzka River. The task in question will consist of removing a collision (relocating) a water supply network. The design solutions applied consist of the redevelopment of the existing water supply network (sectional relocation to a new location). This solution will allow for reconstruction of a flood protection embankment protecting the buildings located near the Nysa Kłodzka and Bystrzyca Dusznicka rivers. Dispersed buildings and an embankment protecting the neighbouring properties from flooding in the event of passing high water flows are located to the north of the watercourse bed. There is an undeveloped area to the east of the embankment. The design relating to the flood protection embankment, constructed separately under Task 2B.1/1, provides for extending the existing embankment by constructing a flood protection wall leading to Korczaka Street's roadway. This solution will create a circular embankment reaching Korczaka Street from both sides and will secure the existing residential buildings. The proposed water supply pipelines have been planned with reference to the existing and planned land use and technical infrastructure. All sections of the water supply pipeline retain their existing functions. The planned activities result from the need to extend the flood protection embankment, which will overlap with the existing water supply network. Works connected with the flood protection embankment will be performed using the excavation method at a depth of approx. 1.80 m - 2 m, which may threaten the existing water pipelines, hence their new route is planned (relocation outside the flood protection embankment). The planned works - connected with the water supply network - will also include a section crossing the Bystrzyca Dusznicka river. Works in this place will be executed using the trenchless method - directional drilling/ramming, hence the riverbed structure will not be disturbed. The total length of the section of the water supply pipeline requiring relocation outside the flood protection embankment in the area of Korczaka Street in Kłodzko is approx. 160 m. The length of the drilling (approx. 34 m) will be covered using the DN 630 x 57.2 mm casing pipe.

The area of the planned investment is covered by the provisions of the Resolution of the Town Council in Kłodzko No. XII/100/2007 of 30 August 2007, *on the adoption of a local spatial development plan for the area of the south-eastern part of the town of Kłodzko, covering the housing estate at Wyspiańskiego Street, water-bearing areas, and agricultural and recreational areas on the Nysa Kłodzka River*. In line with Article 80(2) of the *EIA Act*, second sentence, in case of, in particular, projects concerning public water supply facilities, the authority competent to issue a decision on environmental conditions is not obliged to state the compliance of the project with the provisions of the local spatial development plan.

The applicant is a water supply and wastewater treatment company within the meaning of the provisions of the Act of 7 June 2001 *on collective water supply and collective sewage disposal* (Journal of Laws of 2020, item 2028, as amended).



It holds a permit for conducting the activity related to collective water supply and collective sewage disposal (decision of the Mayor of the Town of Kłodzko no. 1/2003 of 14.03.2003), and the water supply network covered by this application is a public facility for supplying the population with water.

In accordance with the content of Article 64(1) of the *EIA act*, the Mayor of the Town of Kłodzko has applied to the Regional Director for Environmental Protection in Wrocław (letter of 12.09.2022, ref.: WI.6220.5.4.2022.KK), the State Poviast Sanitary Inspector in Kłodzko (letter of 12.09.2022, ref.: WI.6220.5.3.2022.KK) and to the Director of the Regional Water Management Authority, the State Water Holding Polish Waters Drainage Basin Administration in Nysa (letter of 12.09.2022, ref: WI.6220.5.2022. KK), with a request for issuing an opinion on the obligation to conduct an environmental impact assessment for the planned project.

The Director of the State Water Holding Polish Waters Drainage Basin Administration in Nysa, in their opinion of 29.09.2022, ref.: WR.ZZŚ.4.435.136.2022.JP, stated that there is no need to conduct an environmental impact assessment for the planned project and indicated the necessity to specify the requirements referred to in Article 82(1)(1)(b) of the *EIA Act* in the decision on environmental conditions.

The Regional Director for Environmental Protection in Wrocław, as a detailed analysis of the evidence is required, has extended several times the deadline for issuing an opinion on the obligation to carry out an environmental impact assessment for the present investment, and on 10.01.2023 issued a decision ref.: WOOŚ.4220.701.2022.ŁCK.4, in which they expressed the opinion that no environmental impact assessment was necessary.

The State Poviast Sanitary Inspector in Kłodzko has not expressed an opinion on the environmental impact assessment for the planned project. Article 78(4) of the *EIA Act* stipulates that if an opinion is not issued by relevant authorities of the State Sanitary Protection referred to Article 64(1)(2), Article 70(1)(2), Article 77(1)(2) and Article 90(2)(2), within the relevant deadline referred to in Article 64(4), Article 70(3), Article 77(6) and Article 90(6), this is considered to constitute the lack of objections.

The Mayor of the Town of Kłodzko has shared the opinion of the Regional Director for Environmental Protection in Wrocław and the opinion of the Director of the State Water Holding Polish Waters Drainage Basin Administration in Nysa. At the same time, before issuing this decision, the Mayor has analysed the conditions referred to in Article 63(1) of the *EIA Act*, and has established the following.

The *stage of investment execution* will be connected with the execution of typical construction and assembly works. Periodic impacts related to dust emissions (earthworks), introduction of substances into the air (combustion of fuels in machinery engines), noise emissions, will occur. Works will be carried out during daylight hours using operable machinery and equipment. The implementation of the said investment will not have a significant impact on the surface of the earth at the stage of construction. These impacts will be related to the need to excavate the ground in order to place a water supply system in the trench. Along the section where the Bystrzyca Dusznicka river has to be crossed, the activities will take place using the trenchless method (directional drilling/ramming), which leads to the project's minimum impact on the ground surface. The construction site will be equipped with measures of neutralising petroleum substances, the formation of which may be associated with emergency situations.

In the event of leakage of petroleum substances to the ground surface, sorbents will be used, and when the substances seep into the ground, they will be immediately collected and handed over for neutralisation to contractors with a regulated legal status in this respect. A condition was imposed in the conclusion of the decision that construction site back-up facilities, in particular the equipment base area, be located on a hardened and sealed ground considering the need to protect the ground from possible contamination by petroleum substances. Once the works are completed, the yards and site facilities and technological roads will be demolished and the ground surface, disturbed during construction and extension of the water supply system, will be reclaimed. It will therefore be a short-term impact and will cease with the completion of works. The scale and type of the project will not cause mass movements of earth at the implementation stage. Waste produced during the works will be transported in accordance with relevant regulations. Domestic wastewater generated on the construction site will be collected in portable, sealed containers (e.g. TOI-TOI type). Passages through watercourses will be made using trenchless methods. After completion of the works, the site will be restored to the original condition and cleared. Mitigation measures will be applied at the stage of construction works to reduce emissions of exhaust gases and dusts, as indicated in the *PIS*. The implementation of the project, due to its nature, method of implementation and lack of environmentally significant emissions, will not cause any additional threat to the environment, its self-purification capacity, natural and landscape values, restoration of natural resources. The areas of works will be inspected on a regular basis. If animals are found in excavations, they will be trapped and released into the natural environment.

The execution of the investment may require the removal of trees and bushes, hence the conditions defined in point 2 of this decision are imposed.

No significant negative environmental impact is expected at the *stage of investment operation*. The use of domestic water is not expected during the operation of the project, and the entire project will not require permanent maintenance. The operation of the project will not cause abnormal emissions of pollutants, noise or electromagnetic fields. The project will not be a source of vibration to the environment. The planned project will not affect the climate and climate change, and will not be a source of greenhouse gas emissions.

The investment is not dependent on the necessity to establish a limited use area as referred to in the provisions of the Act of 27 April 2001, *Environmental Protection Law* (consolidated text: Journal of Laws of 2022, item 2556, as amended - hereinafter *EPL*).

The area of the planned project is located at a considerable distance from the borders of the Republic of Poland. This distance, and the nature of the project, exclude the possibility of a cross-border impact.

The possibility of a major failure, a construction disaster and a natural disaster were analysed for the project. The Environmental Protection Law provides that a *major failure* shall mean in particular an occurrence such as an emission, fire, or explosion emerging in the course of an industrial process, storage and transport involving one or more dangerous substances, leading to an immediate or delayed danger to human life or health or to the environment. A major failure is not expected given the nature of the investment.

The implementation of the project carries a low risk of a construction disaster. The most common causes of a construction disaster are errors when designing a project, during its execution and inadequate operating conditions, as well as random events.



If the project is implemented in accordance with the art of construction, and if proper control is exercised over the equipment during its operation, the consequences of a construction disaster are reduced to a minimum.

A *natural disaster* is understood however as an event associated with the action of natural forces, in particular atmospheric discharges, seismic shocks, strong winds, intensive atmospheric precipitations, prolonged occurrence of extreme temperatures, landslides, fires, droughts, floods, ice phenomena on rivers and the sea, lakes and water reservoirs, the mass occurrence of pests, plant or animal diseases or contagious human diseases, or the action of any other element. Due to the nature of the investment and its location in a flood risk zone, the investment is at risk of flood occurrence.

The planned project has been analysed in terms of its impact on the natural environment, in particular on Natura 2000 sites. The task is not implemented within Natura 2000 sites. The nearest Site of Community Importance, Natura 2000 site - the planned special habitat conservation area PLH020035, is located about 2 km from the project implementation site. In the direct neighbourhood of the project, there are no mountain and forest areas, coastal areas, forest areas adjacent to lakes, health resorts and areas of health resort protection, areas with landscape of historical, cultural or archaeological significance, forms of nature protection, within the meaning of Article 6 of the Act of 16 April 2004 *on Nature Protection*, such as: national parks, nature reserves, landscape parks, areas of protected landscape, Natura 2000 sites, monuments of nature, ecological sites, natural and landscape complexes, documentation sites. The project however is located within areas with shallow groundwater table (including riparian habitats and estuaries of rivers) and within the ecological corridor of the Bystrzyca Dusznicka river valley. One type of a natural habitat listed in Annex I of the Habitats Directive (code 91E0) was identified in the analysed area of project execution and in its impact zone, comprising riparian forests located directly in the zone of river floodplains. A riparian forest occurs on the southern bank of the Bystrzyca Dusznicka, and a part of the water supply pipeline to be relocated will be located in its bank zone. The project implementation area and its immediate surroundings are not located within ecological corridors of national and international importance. The impacts on the integrity of Natura 2000 sites were analysed in particular during the analysis of the project's impact on protected areas, in the context of Natura 2000 sites. With the environmental protection solutions indicated in the *PIS*, the investment, with the anticipated reconstruction of a section of a water supply network resulting from the need to build a flood protection embankment, should not cause a major impact on vegetation and fauna.

When evaluating the scale and type of possible impact, it was concluded that due to the nature of the project, the scope of the planned works and the anticipated minimising measures indicated in the *PIS*, including the performance of works under nature supervision, the investment should not have a significant impact on the natural environment, including the above-mentioned Natura 2000 site, nor should it have a negative impact on biodiversity.

The implementation of the project, due to its nature, method of execution and lack of environmentally significant emissions, will not cause any additional threat to the environment, its self-purification capacity, natural and landscape values, restoration of natural resources.

The planned project is located within the boundaries of a planning unit of water management - the Unified Surface Water Body (USWB): the Nysa Kłodzka from the Biała Łądecka to Ścinawka with the code PLRW6000812199. In accordance with the provisions of the *Water Management Plan for the Odra River Basin* (consolidated text: Journal of Laws of 2016, item 1967, as amended), the USWB Nysa Kłodzka from Biała Łądecka to Ścinawka was assessed as natural with the poor status, threatened with failure to achieve the environmental objective of good ecological status, the possibility of migration of aquatic organisms in the section of a significant watercourse - the Nysa Kłodzka within the area of the USWB together with the Bystrzyca Dusznicka, within this USWB, and the good chemical status. A derogation - an extension of the deadline for achieving the environmental objective (2027) - was established for the USWB, due to a lack of technical feasibility. The area in question lies within the boundaries of the Unified Ground Water Body (UGWB) no. 125 with code PLGW6000125, which is characterised by good quantitative and chemical status. The UGWB was evaluated as not threatened with failure to achieve the environmental objective of maintaining the good chemical status and good quantitative status. The investment is located within the area of the Main Groundwater Reservoir GZWP No. 340 - Dolina kopalna rzeki Nysa Kłodzka (*Mine Valley of the Nysa Kłodzka River*) and in an area at risk of flooding. It is also located within the indirect protection zone of an underground water intake in Kłodzko.

The planned works - encompassing the redevelopment of a water supply network - were necessitated by the construction of a flood embankment in the area of the existing water supply network. They are planned in close proximity to the built-up area, but not directly on this area. The investment is of a local character and, due to the works technology adopted, does not result in negative impacts on the environmental condition and morphological conditions in the riverbed and will thus not adversely affect the possibility of achieving the environmental objectives within the USWB. The investment is not expected to have an adverse impact on the status of unified surface water bodies (USWBs) and unified groundwater bodies (UGWBs) and protected areas, as well as on the possibility of achieving the environmental objectives for USWBs, UGWBs and protected areas.

The above position was also expressed in the opinion of the Director of the State Water Holding Polish Waters Drainage Basin Administration in Nysa of 27.01.2022, ref.: WR.ZZŚ.4.435.3.2022.JP.

In concluding that there was no need to hold an environmental impact assessment, the authority conducting the proceedings took into consideration the type and characteristics of the project, taking into account its local scale, emissions and the presence of other nuisances that will not cause environmental quality standards to be exceeded. The analysis and assessment of the location and scale of the planned project, made on the basis of the documents collected and the regulations in force, allow to conclude that - if measures are applied aimed at preventing or diminishing negative impacts on the environment, as presented in the *PIS* - then due care will be taken for the environment at the stage of project implementation and operation. The investment will not result in occurrence of threats to human health and life. No significant cumulative environmental impacts in terms of emissions are expected to emerge, either.

In the course of the administrative proceedings, the Mayor of the Town of Kłodzko informed the parties to the proceedings each time of a change of the deadline for settling the case, and before issuing the present decision, in accordance with Article 10 § 1 of the *CAP*, the parties to the proceedings were notified that the evidence procedure was finished and about the possibility of becoming acquainted with the collected material and submitting comments within 7 days of receiving the notification (letter of 11.01.2023, ref.: WI.6220.5.14.2022.KK).

In this notification, the authority has also informed the parties about the opinions issued by the Regional Director for Environmental Protection in Wrocław and the Director of the State Water Holding Polish Waters Drainage Basin Administration in Nysa.

The parties filed no comments within the established time limit.

The Mayor of the Town of Kłodzko, after analysing the possibility of the project's environmental impact, taking into consideration collectively all the conditions referred to in Article 63(1) of the *EIA Act*, taking also into account the opinions issued, has found that the planned investment will not have a significantly negative impact on all elements of the natural environment, including the Natura 2000 sites and people.

The Mayor of the Town of Kłodzko has also analysed an application to make this decision immediately enforceable with reference to Article 108 § 1 of the *CAP*.

A decision against which an appeal can be filed, i.e. a decision that is not final, can solely be made immediately enforceable. In accordance with Article 108 § 1 of the *CAP*, a decision against which an appeal can be filed may be made immediately enforceable if it is necessary for the protection of human health or life, or to protect the national holding against serious losses, or because of another social interest or an exceptionally important interest of a party, which is the case here.

The planned project is an investment serving the protection of human health and life, protection of national property from heavy losses (flood), and therefore making the decision immediately enforceable constitutes an important social interest. The implementation of the investment project is necessary to carry out the reconstruction of a flood protection embankment, which will result in a significant improvement in the safety of people and assets in the area of the Bystrzyca Dusznicka river. The planned project is part of the works related to the implementation of the Odra-Vistula Flood Management Project together with the enhancement of flood safety in the Kłodzko Valley.

In view of the above, it should be stated that in the present case the prerequisites arise resulting from Article 108 § 1 of the *CAP*, justifying granting the requested decision the order of immediate enforceability.

In view of the foregoing, it has been decided as in the conclusion of the decision. In accordance with Article 84(2) of the *EIA Act*, appendix no. 1, containing the characteristics of the project, is an integral part of this decision.

Notice

This decision may be appealed against by the party to the Self-Government Appeal Tribunal in Wałbrzych, through the Mayor of Town of Kłodzko, within 14 days from its delivery.

Within the time limit for lodging an appeal, the party may waive the right to lodge an appeal. 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.

The decision on environmental conditions is attached to the application for issuing a decision referred to in Article 72(1) and to the notice referred to in Article 72(1a). The application is submitted or the notice is made within 6 years from the date on which the decision on environmental conditions became final, subject to paragraphs 4 and 4b.



The application can be submitted or the notice can be made within 10 years from the date on which the decision on environmental conditions became final, as far as the party which applied for issuing the decision on environmental conditions or the entity to which the decision on environmental conditions was transferred, received, before the deadline referred to in Art. 72(3) of the EIA Act, from the body which issued the decision on environmental conditions at the first instance, a position that the conditions for the implementation of the project specified in the decision on environmental conditions or the decision referred to in Art. 90(1) of the EIA Act, if issued, are valid.

A position is taken at a request taking into account information on the state of the environment and the possibility of implementing the conditions resulting from the decision on environmental conditions or the decision referred to in Article 90 (1) of the EIA Act, if issued.

The application referred to above is submitted to the authority not earlier than 5 years from the date on which the decision on environmental conditions became final.

As per Article 4 and point I item 45 of the Appendix to the Act of 26 November 2006 on stamp duty (consolidated text: Journal of Laws of 2021, item 1923 as amended), stamp duty in the amount of PLN 205 was paid for the issuance of this decision to the account of the Town Hall in Kłodzko.

Appendices to the decision:

1. The Characteristics of the Project.



MAYOR OF THE TOWN OF KŁODZKO

Mayor of the Town of Kłodzko, Michał Piszko

Recipients:

1. Applicant;
2. Parties to the administrative proceedings, by making the notice of the decision available in the Public Information Bulletin on the page <http://www.um.bip.klodzko.pl>, in accordance with Article 49 §1 of the Code of Administrative Procedure;
3. to files

Recipients:

1. Regional Director for Environmental Protection in Wrocław, al. Jana Matejki 6, 50- 333 Wrocław;
2. Director of the State Water Holding Polish Waters Drainage Basin Administration in Nysa, 4 Ogrodowa Street, 48-300 Nysa;
3. The Lower Silesian State Sanitary Inspector in Kłodzko, 16 Okrzei Street, 57-300 Kłodzko.

Prepared by: Karolina Kociubińska
Environmental and Water Management Inspector
tel. 74 8 65 46 14

Appendix no. 1 to the decision on environmental conditions for the implementation of the project of 06.02.2023, ref.: WI.6220.5.16.2022.KK, issued by the Mayor of the Town of Kłodzko for the project entitled "The removal of the old and construction of a new water supply network for Task 2B. 1/1. Flood Protection of the Nysa Kłodzka Valley" planned to be implemented on the area of plot no. 12/6, plot no. 12/5, plot no. 9/5, plot no. 2/5 precinct 0001 Zagórze and plot no. 2/5, plot no. 69/2, plot no. 3 precinct 0012 Stadion in the town of Kłodzko.

The Characteristics of the Project

The planned project concerns the removal of a collision of a water supply network. The investment is located in the area of the Kłodzko Municipality, in the Stadion and Zagórze precinct areas, in the catchment area of the Nysa Kłodzka River. The project will consist of relocating a water supply network as works are necessary to be performed at a flood protection embankment (works connected with the flood protection embankment will be performed using the excavation method at a depth of approx. 1.80 m - 2 m, which may threaten the existing water pipelines). The proposed water supply pipelines have been planned with reference to the existing and planned land use and technical infrastructure. All sections of the water supply pipeline retain their existing functions. The planned works - connected with the water supply network - will also include a section crossing the Bystrzyca Dusznicka river. Works in this place will be executed using the trenchless method - directional drilling/ramming, hence the riverbed structure will not be disturbed. The total length of the section of the water supply pipeline requiring relocation outside the embankment is approx. 160 m. The length of the drilling will be approx. 34 m, made using the DN 630 x 57.2 mm casing pipe. The project will encompass, in particular:

- redevelopment of water supply system at the section "W1.1 – W1.2";
- redevelopment of water supply system at the section "W2.1 – W2.2";
- fittings of the planned water supply network;
- preparatory works;
- excavations;
- drainage of excavation;
- placement of the planned underground infrastructure;
- leakproof tests.

The beginning of the route of the planned water supply pipeline is at junctions "W1.1" and "W2.1", which are connections to the existing Ø300mm water supply network in the area of the south bank of the Bystrzyca Dusznicka river on plot 12/6 including the installation of concrete wells with configuration of 3 gates valves at the above-mentioned junctions. The water supply pipeline then runs in a north-eastern direction along the riverbank. At the junction "zk1.1" and "zk2.1", there is a slight change of direction of 22.5° and the water supply pipeline continues to run parallel to the riverbank. At the junction "zkl.2" and "zk2.2", there is a change of direction of almost 90°, the water supply pipelines cross the river (directional drilling) and continue to run parallel to the planned flood embankment in the north-western direction. At the junction "zkl.3" and "zk2.3", there is a change of direction of more than 45°. The end of the route of the planned network is at the junctions "W1.2" and "W2.2", which are the connection to the existing Ø300mm water supply network on the plot 69/2, including the installation of concrete wells with configuration of 3 gates valves at the



above-mentioned junctions.

This solution will allow for reconstruction of a flood protection embankment, protecting the buildings located near the Nysa Kłodzka and Bystrzyca Dusznicka rivers.

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