REGIONAL DIRECTOR
FOR ENVIRONMENTAL PROTECTION
UL. JANA MATEJKI 6
50-333 WROCŁAW

Wrocław, 22.11.2022

WPN.6400.6.2019.MH.2

Decision

Pursuant to art. 155 of the *Act dated June 14th 1960 - Code of Administrative Procedure* (i.e. *Dz. U. [Journal of Laws] of 2022, pos. 2000, as amended),* art. 56, clause 2 and clause 4, item 6 and 7, in relation to art. 51, clause 1, item 1 and 3 and art. 52, clause 1, item 7, 12, 13 and 15 *of the Environmental Protection Act dated April 16th 2004 (i.e. Dz. U.]Journal of Laws] of 2022. pos. 916, as amended), §* 3 and § , clause 1, item 1 and 3 of the Regulation of the Minister of Environment dated October 9th 2014 on protection of plant species *(Dz. U. [Journal of Laws], pos. 1409), §* 2 and 3 and § 6, clause 7 and 12 and clause 12 *of the Regulation of the Minister of Environment dated December 16th 2016 on the fauna species protection (Dz. U.[Journal of Laws], pos. 2183, as amended),* following the application No. 6197/POPDOW/WR/W/2022 dated 19.10.2022 submitted by Mr. Dariusz Figura, acting for and on behalf of the Director Państwowe Gospodarstwo Wodne Wody Polskie Regionalny Zarząd Gospodarki Wodnej [State Water Holding Polish Waters Regional Management Authority in Wrocław] (power of attorney dated 13.01.2022), regarding the change of the decision, file No. WPN.6400.6.2019.MH of March 5th 2019, changed by the decision No. WPN.6400.6.2019.MH.1 of 13.04.2021 on extending the permit expiry date for intentional destruction of specimen, fauna habitats, destruction of habitats or sanctuaries being the reproduction area, raising of the young, rest, migration or breeding, purposeful startling and disturbance in the lodging areas, during the nesting period, in reproduction and breeding areas, as well as in the gathering locations of migrating or wintering birds and purposeful relocation of fauna species from their regular dwelling areas to other locations, with reference to implementation of the investment *Construction of "Boboszow" - a dry flood control reservoir on the Nysa Kłodzka River,*

I hereby decide

to change the decision issued by the Regional Director for Environmental Protection in Wroclaw, No. WPN.6400.6.2019.MH of March 5th 2019, changed by the decision No. WPN.6400.6.2019.MH.1 dated 13.04.2021 in a way that the wording included in the sentence:

„III. The permit expires on December 31st 2022"
Until January 15th, following each calendar year when this permit is binding the Regional Director for Environmental Protection in Wroclaw shall be provided with information about the permit utilization scope, while the last information should be submitted by January 15th 2023".

shall get the following wording:

„III. The permit expires on September 30th 2023.
Until January 15th, following each calendar year when this permit is binding the Regional Director for Environmental Protection in Wroclaw shall be provided with information about the permit utilization scope, while the last information should be submitted by 15.10.2023".

The remaining content of the decision shall remain unchanged.

JUSTIFICATION

On 19.10.2022 the Regional Directorate for Environmental Protection in Wrocław was provided with the application of Mr. Dariusz Figura, acting for and on behalf of the Director of the State Water Holding Polish Waters, Regional Authorities for Water Management in Wrocław, related to changing the decision No. WPN.6400.6.2019.MH dated March 5th 2019, changed by the decision No. WPN.6400.6.2019.MH.1 of 13.04.2021 on extending the permit expiry date.

As it results from the application, changing the permit expiry date is due to the extended execution period of construction works for the investment *Construction of "Boboszow" - a dry flood control reservoir on the Nysa Kłodzka River.*

Thus, bearing in mind the party's legitimate interest, is has been decided as stated above.

Information

The parties may appeal against the decision to the General Director for Environmental Protection through the Regional Director for Environmental Protection in Wroclaw within 14 days of its delivery date.

Pursuant to art. 127a *of the Code of Administrative Procedure,* during the course of the period specified for the appeal the Party may revoke the right to appeal against a public administration authority that has issued the decision.

Upon the date of submitting the statement about waiving the right to appeal by the last party to the procedure to the public administration body, the decision becomes final and binding.

PLN 41.00 administrative fee has been charged, pursuant to part III, clause 46, item 1 of the appendix to the Stamp Duty Act dated November 16th 2006 (i.e. Dz. U. [Journal of Laws] of 2022, pos. 2142, as amended).

Addressees:
State Treasury
on whose behalf the proprietary rights are exercised by:
Państwowe Gospodarstwo Wodne Wody Polskie, Regionalny Zarząd Gospodarki Wodnej we Wrocławiu, ul. Norwida 34, 50-950 Wrocław
represented by:
Mrs. Mr. Dariusz Figura, Authorised Representative of the Consultant, Sweco Consulting sp. z o.o., ul. Armii Krajowej 61, Budynek C, 50-541 Wrocław