

REGIONAL DIRECTOR FOR ENVIRONMENTAL PROTECTION IN Kielce

WOO-I.4233.3.2014.KT.8

Kielce, 2014.06.30

DECISION on the project's environmental conditions

On the basis of Article 75 (1) point 1 letter i and Article 84 and Article 85 passage 2 point 2 of the Act of 3 October 2008. on making available information on the environment and its protection, participation of the society in environmental protection, as well as on environmental impact assessments (consolidated text Journal of Laws of 2013. item 1235 with amendments) in conjunction with Article 104 of the Act of 14 June 1960 - Code of Administrative Procedure (consolidated text Journal of Laws of 2013, item 267 with amendments) after examining the application of the Świętokrzyskie Administration of Land Improvement and Water Structures in Kielce operating through an authorized representative - Mr. Marcin Stojak - Sweco Hydroprojekt Kraków Sp. z o.o, ul. Trybuny Ludów 15, 30-660 Cracow

I hereby decide

on the lack of the need to carry out the proceedings in the case of the environmental impact assessment for the project entitled:

"Construction of the water pumping station in the town of Szewce" in Samborzec commune,
realized by Świętokrzyskie Administration of Land Improvement and Water Structures in Kielce.

Substantiation

At the application of the Świętokrzyskie Administration of Land Improvement and Water Structures in Kielce operating through an authorized representative - Mr. Marcin Stojak - Sweco Hydroprojekt Kraków Sp. z o.o, ul. Trybuny Ludów 15, 30-660 Cracow of 18.03.2014 (receipt date: 20.03.2014) formally supplemented on 07.04.2014r, proceedings have been initiated concerning issuance of the decision on environmental conditions for the project entitled: "Construction of the water pumping station in the town of Szewce" in Samborzec.

The investment under consideration belongs to the category of projects that may potentially significantly affect the environment, for which conducting assessment of the impact of the investment project on the environment may be required, namely projects referred to in Article 59 passage 1 point 2 of the Act on making available information on the environment and its protection, participation of the society in environmental protection, as well as environmental impact assessments (consolidated text Journal of Laws of 2013. item 1235 with amendments), mentioned in Article 3 passage 2 point 2, in connection with Article 3 passage 1 point 65 of the Regulation of the Council of Ministers of 9 November 2010 on projects that may always significantly affect the environment (Journal of Laws of 2010. No. 213 item 1397 with amendments).

The information provided in the application suggests that the Investor will apply for a permit for flood protection investment implementation, issued on the basis of the provisions of the Act of 8 July 2010 on particular terms of preparation and implementation of investments with regard to flood-control structures (Journal of Laws of 2010 no. 143 item 963 with amendments), therefore, the competent authority for issuance of the decision on environmental conditions for the concerned investment project, on the basis

of Article 75, passage 1, point 1 letter i and passage 5 of the Act of 3 October 2008 on making available information on the environment and its protection, participation of the society in environmental protection, as well as on environmental impact assessments (consolidated text Journal of Laws of 2013. item 1235 with amendments) is the regional director of environmental protection.

To the application for issuing the decision on environmental conditions the Investor attached according to Article 74, passage 1 of the aforementioned act an information card on the intended investment project, a copy of registry maps with the marked area of the investment implementation and the area of impact, extracts from the land and building register including the expected area, where one shall implement the project and including the area affected by the project.

The initiating of the proceedings was communicated to the parties in accordance with the requirements of Article 61 § 1 and § 4 of the Act - Administrative Proceedings Code.

On the basis of Article 64 passage 1 point 2 of the Act of 3 October 2008, on making available information on the environment and its protection, participation of the society in environmental protection, as well as environmental impact assessments, obtaining the opinion of a sanitary inspection authority for the planned project is not required.

The local body to determine the need/the lack of the need regarding the need to conduct the environmental impact assessment of the project called the Investor with the letter: WOO-I.4233.3.2014.KT.5 of 30.04.2014. to complete the information card of the investment project. The Investor at the letter with ref. no. : HK-2390/14/913/14 of 09.05.2014. (receipt date: 14.05.2014) submitted a supplement as appropriate.

After the analysis of the entire collected material the Regional Director for Environmental Protection in Kielce, on the basis of Article. 63, passage 2 of the above mentioned Act, it issued the decision ref. no. : WOO-I.4233.3.2014.KT.6 of 03.06.2014.in which it has not imposed the obligation to conduct assessment of the impact of the investment project on the environment.

According to Article 10 § 1 of the Administrative Proceedings Code the parties to the proceedings with the letter: WOO-I.4233.3.2014.KT.7 of 03.06.2014.were notified about the materials collected and the possibility of expressing opinions on the evidence as well as the possibility of contributing comments and conclusions within 7 days from the date of the delivery of the notice.

In the course of the proceedings, the parties did not submit any comments in the concerned case.

Data on the submitted application and the decision on withdrawing from conducting environmental impact assessment have been included in the publicly available list of data about the documents containing information about the environment and its protection, kept by the Regional Administration for Environmental Protection in Kielce.

The information included in the information chart of the project suggest that the planned investment, both at the stage of implementation, as well as operation, would not have a substantial negative effect on the environment.

The planned project is situated in the area of Szewce town, district Samborzec (county of Sandomierz, Świętokrzyskie Province).

The aim includes for example:

- cleaning, desludging and the enlargement of the bottom of the supplying canal, expansion of the storage reservoir,
- the demolition of the existing pumping station and construction of a new water pumping station, construction of a new outlet,
- constructing a no-runoff tank for sewage,
- constructing an accompanying infrastructure (among others, an access road, maneuvering and parking yard, power and water pipe).

The purpose of the concerned project is the discharge of waters from the meliorated area in the

area of Szewce town to Koprzywianka river. The implementation of the investment project will indirectly contribute to the flood protection and will minimize the risk of flooding Szewce and Sośniczany.

At the pumping station there is a retention tank in which waters discharged from meliorated area are collected. The expansion of the tank will be related to mud removal and a small occupancy of the area. The tank capacity after its expansion would be ca. 1900 m³, the previous capacity is ca. 1500m³. The maximum capacity of the storage reservoirs under normal operating conditions would be ca 1100 m³.

The existing pumping station (facility of 4th class) along with the accompanying facilities is located in the vicinity of the left embankment of Koprzywianka river in km ca. 8 + 250. The concerned building is old with horizontal pumps and at the moment, fails to comply with operating conditions. The designed pumping station will be reinforced concrete structure, underground, based on a foundation slab. It will be equipped with a set of cooperating submersible pumping units. Barrier fittings have also been provided to prevent the withdrawal of water to the pumping station. The expected invert level at the inlet to the air intake chambers is 143.5 above sea level, the level of water in this reservoir will be on ordinate 144.5 - 144.0 above sea level. The area around the pumping station will be raised by ca. 1.5 m which is to protect the pumping station against flooding in the period of freshets and floods. From the pumping station waters will be drained by newly designed pumping pipelines to Koprzywianka river that will be finished with a monolithic, reinforced concrete outlet in km. of ca. 8 + 250.

The closest environment of the pumping station occupy agricultural areas (orchards, meadows) in the town of Szewce and Sośniczany. The closest buildings are located at a distance of ca. 350 m. The area where the planned project is located and the scarps of Koprzywianka river are partially wooded and bushy. The implementation of the investment project will be connected with logging single species of trees.

Under the planned project the design envisages executing earthworks which will be related to the removal of the upper layer of soil. It should also be expected to interfere with the ground - water environment, environmental impact and local and short-term inconveniences related to transporting construction materials, manufacturing waste and displacement of ground masses.

The humus layer will be stored in the separation from other layers and intended for leveling within the investment area and the ground will be used, among others, to reconstruct the dismantled bank to lift the area around the pumping station. During the works the bank will be protected with a construction bulkhead or bags filled with sand in case of high water level conditions in the river Koprzywianka,

Construction site facilities are advised to be located in a hardened area including the principles of minimizing land occupation and surface transformation, and the transport of the equipment should be conducted on the existing roads and designated routes. Construction site facilities should be equipped with sorbents in case of the leakage of petrol derivatives. In the case of an emergency situation, contamination should be collected by using sorbent and then transferred for disposal to the entities having appropriate permits in this respect. Transportable sanitary devices will be placed at the building site, and will be periodically emptied by a specialized company having an appropriate permit

At the stage of operation social - living waste may be created. Sewage will be drained to the designed no-runoff tank.

At the stage of the construction works, waste will be produced mostly from the group 17 -waste from construction, repairs and demolition of building structures (including soil and ground from contaminated areas) and waste from group 16 - waste of electric and electronic devices (among others, used devices containing PCB or contaminated by such substances). Waste will be collected in a selective manner and its disposal will be ensured by specialized companies having relevant permits with regard to waste management. Ground masses will be used, among others, for lifting land and the reconstruction of the dismantled bank. One does not plan the excess of ground masses.

In connection with functioning of the designed facilities, one plans the formation of dangerous

waste from the group 16 - waste of electric and electronic devices and group 13 - mineral engine oils, gear and lubricating oils which do not contain halogen-organic compounds. Waste will be collected in a selective manner and its disposal will be ensured by specialized companies having relevant permits with regard to waste management.

All generated waste, at different stages, shall be managed in accordance with Act of 14 December 2012. on waste (Journal of Laws of 2013 item 21).

At the stage of the performance of works it is planned to use the typical building materials and fuels and power. Functioning of the project shall result in the use of electric power needed to energize the pumps. Due to the lack of possibility to enable gravitational draining of waters from the tank to Koprzywianka river the planned pumping station will function both in the periods of the increased water level conditions in the Koprzywianka river and under normal conditions with low levels of water. The frequency of the pumps activations and the time of pumping will depend on the ground water level within the meliorated area of Szewce town.

In the period of the implementation there will be inconveniences related to the high level of noise and the emission of pollutants into the air whose source will be the operation of the building equipment. These difficulties will be temporary and will cease upon the termination of construction works. Their limitation is possible by the application of efficient machines and equipment with low sound intensity and good technical condition.

The designed pumping set has been designed in a steel tubular shaft covered with the reinforced concrete ceiling. The source of the potential noise will be the power generating unit (generating noise at the level of ca. 72 dB within ca. 7m) working in the event of the simultaneous occurrence of freshets in the basin of the above meliorated pumping station and of power supply failures. This will be an occasional phenomenon and the inconveniences associated with it will be short-term reversible ones. One does not plan to exceed the concentrations of the acceptable noise level specified in the Regulation of the Minister of Environment of 14 June 2007 on acceptable noise levels in the environment (i.e. Journal of Laws 2014 no. 112) in the nearest areas subject to acoustic protection (the closest buildings are located at a distance of ca. 350 m).

Due to the character of the planned project at the stage of operation it will not involve the emission of pollutants into the air.

Functioning of the project will be associated with the use of electric power needed to energize the water pumping station, as well as for lighting the land pumping station.

The effect of the planned project related to the stage of the construction may accumulate with the phase of implementing the project consisting in the expansion of the left and right flood dykes of Koprzywianka river on the section with total length of ca. 27.3 km i.e. from the mouth of the Koprzywianka river to the Vistula river to the road leading from Sośniczany to Skomików (left bank) and to the town of Koprzywnica (right bank) for which the Regional Director for Environmental Protection in Kielce by decision ref. no. : WOO-I.4233.1.2013.AM.20 of 25.10.2013. defined environmental conditions of implementation of the investment project.

The investment project should be carried out in coordination with the aforementioned project and possible other planned investment projects, so as to eliminate and minimize the inconveniences related to its effects on the environment related to the phase of the implementation by e.g. proper organization of works

The works consisting in building a new outlet draining water from the pumping station to Koprzywianka river and those related to the liquidation of the existing outlet will result in a small interference in the river bed. These works will be conducted in a manner enabling free flow of waters at low level of water and will not cause excessive water contamination with suspension.

Storm waters from hardened surfaces (maneuvering yard, access road) shall be drained on the surface.

The project in hydrographic terms is located in the river basin of the Upper Vistula river which in the *"Plan of water management within the basin river area of the Vistula river"* (M. P. [Official Journal] of 21 June 2011. No. 49, item 549) was identified as: JCWP PLRW200019219499 - Koprzywianka from

Modlibórki to its mouth. The category of waters - sandy-clayey (19) status - strongly changed part of waters. As it stems from the evaluation of uniform parts of waters conducted by the Provincial Inspectorate in Kielce the current condition of waters for the indicated JCWP has been assessed as weak. The environmental objective is to achieve good technical condition of waters.

JCWP Koprzywianka from Modlibórki to its mouth is in the list of the uniform parts of surface waters endangered with failure to reach the environmental purpose. For the indicated JCWP one has introduced temporary derogations owing to the presence of the lengthwise and transverse buildings and the flood protection function performed by them. The implementation of the investment does not involve building the river and will not deepen the pressure for which the derogations have been established due to: the way of using water resources and the need for flood security. The pressures related to the effects of the planned project on the condition of water will be mainly associated with the phase of implementation, the operation stage will be related to the increase in the dynamics of the flow in the river Koprzywianka.

The factors which will be affecting the elements of the quality of surface waters (biological, hydromorphological, physical and chemical) are the pressures related to the construction of the outlet to Koprzywianka river. They will first and foremost include an insignificant damage to the habitats of the water species and temporary and reversible disturbance of the life cycles of water organisms, fragmentary destruction of bank vegetation. At the stage of the investment project implementation also a short-term deterioration will occur in oxygen related to the high index of contaminations in the form of suspension, muddiness.

The project shall not constitute hazards of failure to reach designated environmental objectives for the homogenous surface water body in the area where it is located, also it does not pose a threat of an environmental objectives failure in other parts of waters in the Vistula river basin area.

It should be emphasized that the goal of the planned project is the improvement in the reliability of the existing anti-flooding devices that are necessary for the protection of urbanized areas. Leaving the concerned devices in the present condition and cancelling the project will result in a direct hazard for the existing buildings in this area.

The planned project is located outside the water intakes protective zones and beyond the area of the Main Reservoir of Underground Waters.

The area of the project is not classified as a submontane and mountain area, mentioned in Regulation no. 18/2000 of the Governor of the Świętokrzyskie Province of 2 March 2000 on determination of the list of towns included in a submontane and mountain areas of the Świętokrzyskie Province (Official Journal of Świętokrzyskie province No. 13, item 104).

The planned project is situated at a distance of ca. 3.24 km from Nature 2000 area - the Tarnobrzeg Vistula river valley PLH180049 ca. 9.72 km from the Area of Special Protection Sandomierz Forest PLB180005. Due to the above mentioned distance, scale and nature of the project, one does not plan any significant impact on the areas of Nature 2000 including the condition of habitats, integrity of the areas and linking with other areas.

The planned investment in question is located also outside other forms of nature protection stated in Article 6 of the Act of 16 April 2004r. on Environment protection (consolidated text of 2013, Journal of Laws, item 627 with amendments) The nearest area of protected landscape - Jeleniowsko - Staszowski OChK - is located at a distance of ca. 13.6 km westwards.

According to the investment project information card in the places of planned works there are no protected species of plants and fungi. The surface soil layer shall be removed at the turn of summer and autumn i.e. in the period from 15 August to 15 October. The implementation of the investment will involve logging trees of white willow type (*salix alba*), white poplar (*populus alba*), black alder (*alnus glutinosa*), spruce (*picea albies*). The works related to cutting down the trees will be conducted outside the breeding season of birds, namely in the period from 15 October until the end of February. With regard to trees and shrubs not intended for logging the Investor proposed to conduct respective protections.

As it seems from the documentation of the case within the area covered by the works the

Investor plans to conduct a systematic control of the presence of amphibians, reptiles and small mammals, and in the case of the emergence of some specimens he plans their relocation outside the impact zone of the investment into the place with similar environmental conditions. In addition, guiding fences will be made to protect the building site against the entry of animals. The excavations will be protected against animals entering them and on the current basis they will be controlled for their presence.

In order to protect ichthyofauna present in the river Koprzywianka the term of conducting the works within the bed has been suggested outside the period of the mating period of the species present in the river (among others, brown trout, grayling) i.e. excluding the months between September and April. Owing to the above and the need for conducting works at low level of waters in the river Koprzywianka the most beneficial construction period of the outlet from pressure pipelines will be the month of July and August.

The investment project is located outside the areas with landscape of historical, cultural or archaeological significance.

Within the range of impact of the project, there are no coasts, areas adjacent to lakes or areas of health resort protection.

The planned project is not regarded as a facility creating the hazard of occurrence of serious industrial failures, according to Regulation of the Minister of Economy of 10 October 2013 on kinds and quantities of hazardous substances whose presence in the plant determines its classification as a plant of increased risk or high risk of a major industrial breakdown (Journal of Laws of 2013 item 1479).

Taking account of the location of the investment in central Poland, it should be stated that cross-border environmental impact will not occur. Therefore, proceedings in this respect have not been conducted.

Flood protection devices do not belong to projects listed in Article 135 (1) of the Environmental Protection Law (consolidated text Journal of Laws of 2013. item 1232, as amended), for which the area of limited use may be created in the event of default in meeting the environmental quality standards.

Due to the scope and nature of the project, its location, type and scale of impact while using solutions protecting the environment, environmental impact assessment was not conducted.

As a result of the Investor fulfilling the formal requirements for obtaining the decision on environmental conditions for the project, after a detailed analysis of the collected materials, taking into consideration the unique nature of the planned project and the range of its impact on all environmental aspects, it has been adjudged as in the essentials of the decision.

On the basis of Art. 7, passage 3 of the Act of 16 November 2006 on stamp duty (consolidated text Journal of Laws of 2012, item 1282) the applicant is exempted from stamp duty.

Information

The parties will be entitled to appeal against this decision to the General Director of Environmental Protection, via the Regional Director of Environmental Protection in Kielce, within 14 days from receipt thereof.

Appendix:

1. Characteristics of the investment project

Received by:

1. Świętokrzyskie Administration of Land Improvement and Water Structures in Kielce acting by attorney - Mr. Marcin Stojak
2. Świętokrzyski Land Improvement and Water Facilities Management in Kielce
3. Regional Water Management Administration in Cracow
4. District Road Administration in Sandomierz
5. Piotr Matusiak
6. Maria Lipiec
7. Agnieszka Węglarczyk — Podolecka
8. Marta Dereń
9. Stanisław Przytuła
10. Piotr Kiliański
11. Daniel Gawron
12. Kiliańska Barbara
13. Tomasz Kwiecień
14. Cecylia Banaś
15. Michał Kwasek
16. Ewa Frydel
17. Rafał Stefaniak
18. Wiesław Zawół
19. Beata Żuraw
20. ad acta

Appendix:

to decision, ref: WOO-I.4233.3.2014.KT.8
of 30.06.2014 on environmental conditions for the project
entitled: "Construction of the water pumping station in the town
of Szewce" in Commune Samborzec

Characteristics of the investment project.

The planned project is situated in the area of Szewce, Samborzec commune (county of Sandomierz, Świętokrzyskie Province), it includes the construction of the intermediate pumping station of water to ensure the protection against floodings and floods of the areas in Szewce and Sośniczany, Samborzec commune,

Under the investment project, it is planned to, among others,:

- clean, desludge and enlarge the bottom of the supplying canal on the length of ca. 105 m; the bottom and scarps will be insured with openwork slabs;
- expand the storage reservoir - retention tank has the capacity of total 1500 m³ which in connection with the execution of the investment shall be increased by ca. 1900 m³. Bank scarps and the bottom of the tank will be reinforced with prefabricated concrete slabs. At the inlet to the tank there will be a valve with the steel grid restricting the flow of contaminations and facilitating the temporary cleaning and desludging of the storage reservoir;
- the demolition of the existing pumping station and construction of a new pumping station of waters - the designed pumping station will have a set of 3 submersive pumping units along with the dam fittings. The pumping station will be fully automated.
- the construction of a new outlet - new pressure pipelines will be conducted under the ground level to the other side of the dyke of Koprzywianka river, it will be finished with a monolithic, reinforced concrete outlet and an outflow flume of concrete slabs in km ca. 8 + 250. For this purpose an excavation will be made, the excavation walls will be appropriately strengthened and protected. The concrete structure of the existing outlet will be dismantled and the material transported beyond the area of the investment project. After the completion of the culvert, the break in the bank will be rebuilt with the material with proper parameters. On the surface of the dyke's body there will be a layer of fertile soil sown over with the seeds of grass.
- constructing a no-runoff tank for sewage with a capacity of ca. 5m³;
- constructing an accompanying infrastructure (among others, an access road, manoeuvre - parking yard, power and water pipe).

The pumping station is located in km ca. 8 + 250 of the left flood protection embankment of Koprzywianka river at the district road Szewce - Skotniki.

The surface intended for the planned project is ca. 0.33 ha.

The implementation of the investment project shall require logging trees