SWECO
WPŁYNĘŁO

REGIONAL DIRECTOR FOR ENVIRONMENTAL PROTECTION IN SZCZECIN

Date 12/11/2019
No. ZPT.011.161.2019
Signature.

Szczecin, 06 November 2019

WOPN-OG.6400.97.2019.MR
WOPN-OG.6401.06.11.2019.MR
WOPN-OG.6401.05.11.2019.MR
WOPN-OG.6401.03.24.2019.MR
WOPN-OG.6401.02.220.2019.MR
WOPN-OG.6401.01.67.2019.MR
WOPN-OG.6401.04.22.2019.MR

DECISION

Pursuant to Article 104(1) of the Code of Administrative Proceedings of 14 June 1960 (consolidated text: Polish Journal of Laws 2018, item 2096, as amended) and Article 56 para. 2(1) and (2) and para. 4(6) of the Nature Conservation Act of 16 April 2004 (Polish Journal of Laws 2018, item 1614, as amended), and § 6 section 1(2), (3), (7), (8), (9) and (12) and sections 2 and 3 of the Regulation of the Minister of Environment of 16 December 2016 on conservation of animal species (Polish Journal of Laws 2016, item 2183), and § 6 section 1(1), (3) and (8) of the Regulation of the Minister of Environment of 9 October 2014 on conservation of plant species (Polish Journal of Laws 2014, item 1409), having examined the application dated 19 July 2019, filed by Mr Łukasz Gontarz of Sweco Consulting Sp. z o.o. (received on 19 July 2019),

I hereby allow

the State Water Management Authority 'Wody Polskie' – Regional Water Management Board in Szczecin to take the following actions which are banned for protected animal species:

1) deliberate killing and destroying the habitats of the following plants: dwarf everlast *Helichrysum arenarium* (2 m^2), *Rhytidiadelphus squarrosus* (12 m^2) and red-stemmed feathermoss *Pleurozium schreberi* (10 m^2), on plot No. 23/4, precinct 4142 Szczecin, and *Calliergonella cuspidata* (0.25m^2) on plot No. 13, precinct 1114 Szczecin;
2) deliberate environmental relocation of the water caltrop *Trapa natans* (10 specimens) from plot No. 14, precinct 1114 Szczecin;
3) deliberate destruction of eggs or growing forms, removal or destruction of nests, destruction of habitats or sanctuaries being the sites of breeding, rearing, resting or migration of the following species: common carder bee *Bombus pascuorum* (10 specimens), buff-tailed bumblebee *Bombus terrestris* (10 specimens) on plots No. 1/7 precinct Śródmieście 115 and No. 14, 13, 8, 414, 11/2, 11/1, 10, 9, 7, 6, 5, 4 and 3 precinct Śródmieście 114;

4) deliberate catching and relocation from the sites of regular stay to other places, of the Roman snail *Helixpomada* (30 specimens) on plot No. 3 precinct Śródmieście 114;
5) deliberate relocation from the sites of regular stay to other places, of the red wood ant *Formica rufa* (2 anthills) on plot No. 31 precinct Dąbie 170, and plot No. 8 precinct Śródmieście 114;
6) deliberate destruction of eggs and growing forms, preventing access to shelters and destroying the habitats or sanctuaries being the sites of breeding, rearing, resting, migration or feeding, on plots No. 1 precinct 4142 Szczecin, No. 14 precinct Szczecin and No. 1/8 precinct 4112 Szczecin – of the following species: river lamprey *Larnpetra fluviatilis* (5 specimens), white-finned gudgeon *Romanogobio albipinnatus* (5 specimens), spined loach *Cobitis taenia* (10 specimens), European bitterling *Rhodeus amarus* (10 specimens);
7) deliberate catching, relocation from the sites of regular stay to other places, destroying the habitats or sanctuaries being the sites of breeding, rearing, resting, migration or feeding, and deliberate scaring off and disturbance of the animals present on plots No. 1/7 precinct Śródmieście 115, and No. 14, 8, 13, 414, 11/2, 11/1, 10, 9, 7, 6, 5, 4, 3 precinct Śródmieście 114 – for the following species: common frog *Rana temporaria* (10 specimens), viviparous lizard *Zootoca vivipara* (5 specimens), sand lizard *Lacerta agilis* (5 specimens);
8) deliberate scaring off or disturbance in night-time shelters, in breeding season in the breeding or rearing areas, or in feeding areas, of the groups of migrating or wintering birds; destroying the habitats or sanctuaries being the sites of breeding, rearing, resting, migration or feeding; and deliberate destruction of nests of the following species in the following locations:
    - 4/1 prec. Dąbie 191 - *Populus nigra L. 'Italica'* (No. 105) – a nest of the hooded crow *Corvus cornix;*
    - 8/2 prec. Dąbie 124 - European plum (No. 252) – a nest of the magpie *Pica pica;*
    - 3/33 prec. Dąbie 191- tart cherry (No. 274) – a nest of the song thrush *Turdus philomelos;*
    - 3/29 prec. Dąbie 124 - silver birch (No. 336) – a nest of the magpie *Pica pica;*
    - 3/33 prec. Dąbie 124 - European plum (No. 379) – a nest of the magpie *Pica pica;*
    - 22 prec. Dąbie 122 - walnut (No. 437) – a nest of the magpie *Pica pica;*
    - 6 prec. Dąbie 124 - small-leaved lime (No. 479) – a nest of the magpie *Pica pica;*
    - 3/16 prec. Dąbie 124 - dog rose (No. 511) – a nest of the red-backed shrike *Lamus collurio;*
    - 2/33 prec. Dąbie 143 - horse-chestnut (No. 659) – a nest of the blackbird *Thurdus nierula;*
    - 2/33 prec. Dąbie 124 - horse-chestnut (No. 660) – a nest of the magpie *Pica pica;*
    - 2/33 prec. Dąbie 143 - horse-chestnut (No. 664) – two B-type nest boxes to be removed;
    - 2/33 prec. Dąbie 143 - horse-chestnut (No. 676) – 1 B-type nest box to be removed;
    - 2/33 prec. Dąbie 143 - horse-chestnut (No. 679) – 1 B-type nest box to be removed;
    - 13 prec. Śródmieście 114 - white willow (No. 991) – unused feeding hollows of woodpeckers;
    - 8 prec. Śródmieście 114 - European white elm (No. 1045) – unused hollow of a woodpecker with a diameter of 55mm;
    - plot No. 1 prec. 4124 Szczecin, No. 14 precinct 1114 Szczecin, No. 1/8 prec. 4112 Szczecin - on the bridge – one nest of the white wagtail *Motacilla alba* and two non-inhabited nests of the hooded crow *Corvus cornix*
9) deliberate scaring off or disturbance in night-time shelters, in breeding season in the breeding or rearing areas, or in feeding areas, of the groups of migrating or wintering birds; destroying the habitats or sanctuaries being the sites of breeding, rearing, resting, migration or feeding – for the following bird species: mute swan *Cygnus olor*, cormorant *Phalacrocorax carbo*, grey heron *Ardea cinerea*, European

honey buzzard *Pernis apivorus,* buzzard *Buteo buteo,* common kestrel *Falco tinnunculus,* black-headed gull *Chroicocephalus ridibundus,* common gull *Lamus canus,* European herring gull *Larus argentatus,* common tern *Sterna hirundo,* Eurasian collared dove *Streptopelia decaocto,* common cuckoo *Cuculus canorus,* common swift *Apus apus,* great spotted woodpecker *Dendrocopos major,* barn swallow *Hirundo rustica,* common house martin *Delichon urbicum,* Eurasian wren *Troglodytes troglodytes,* European robin *Erithacus rubecula,* common nightingale *Luscinia megarhynchos,* common redstart *Phoenicurus ochruros,* common redstart *Phoenicurus phoenicurus,* European stonechat *Saxicola rubicola,* fieldfare *Thurdus pilaris,* sedge warbler *Acrocephalus schoenobaenus,* marsh warbler *Acrocephalus palustris,* Eurasian reed warbler *Acrocephalus scirpaceus,* great reed warbler *Acrocephalus arundinaceus,* icterine warbler *Hippolais icterina,* lesser whitethroat *Sylvia curruca,* common whitethroat *Sylvia communis,* garden warbler *Sylria borin,* Eurasian blackcap *Sylvia atricapilla,* wood warbler *Phylloscopus sibilatrix,* common chiffchaff *Phylloscopus collybita,* willow warbler *Phylloscopus trochilus,* common firecrest *Regulus ignicapilla,* willow tit *Poecile montanus,* Eurasian blue tit *Cyanistes caeruleus,* great tit *Parus major,* Eurasian nuthatch *Sitta europaea,* short-toed treecreeper *Certhia brachydactyla,* golden oriole *Oriolus oriolus,* great grey shrike *Lanius excubitor,* Eurasian jay *Garrulus glandarius,* western jackdaw *Corvus monedula,* common starling *Sturnus vulgaris,* house sparrow *Passer domesticus,* Eurasian tree sparrow *Passer montanus,* common chaffinchc *Fringilla coelebs,* greenfinch *Chloris chloris,* European goldfinch *Carduelis carduelis,* common linnet *Linaria cannabina,* hawfinch *Coccothraustes coccothraustes,* yellowhammer *Emberiza citrinella,* common reed bunting *Emberiza schoeniclus,* black woodpecker *Dryocopus martius,*

10) deliberate destruction of habitats or sanctuaries being the sites of breeding, rearing, resting, migration or feeding, and deliberate scaring off and disturbance on plots 8 and 3, precinct Śródmieście 114 – of the following species: Eurasian beaver *Castor fiber* (10 specimens) and otter *Lutra lutra* (3 specimens).

The activities listed above arise from the planned project titled 'Partial demolition and construction of a new bridge at km 733.7 of Regalica river along Railway Line 273, including service infrastructure, carried out as part of the Odra-Vistula Flood Management Project', Task IB.5 – Reconstruction to ensure a minimum clearance.

<u>This decision shall remain valid under the following conditions:</u>

1) the project shall be implemented under environmental supervision, which must be provided by an ornithologist, ichthyologist, herpetologist, botanist and entomologist;
2) the environmental relocation of the water caltrop shall be supervised by a botanist;
3) the collected plant specimens shall be transported in containers with water coming from the habitat of the plant, and the time of storage in the container shall be reduced to a necessary minimum;
4) the works involving the destruction of nests and habitats shall be carried out outside the bird breeding season and under environmental supervision, whose objective is to check the project area for the presence of protected animal species before the works are started;
5) where it is required to destroy nests and habitats in the breeding season, the relevant authorisation procedure shall be supervised by an ornithologist, who must confirm that the area is not inhabited by birds;
6) if any protected species other than those listed in the survey report are found, the works must be held, and a separate consent, issued by this Regional Director for Environmental Protection, for derogation from the bans applicable to the protected species must be obtained;
7) as compensation for lost habitats, it is required to install at least 13 B-type nest boxes, which must be located near the railway line as instructed by the ornithologist;
8) any works involving the relocation of anthills, the catching or relocation of protected species or destroying their habitats or sanctuaries shall be supervised by a naturalist in favourable weather conditions;
9) the precise period of the works involving the relocation of insects shall be set by a person (persons) conducting environmental supervision, based on their on-site observations and temperature conditions;
10) anthills shall be relocated manually, in a way to assure the relocation of the queen ant together with eggs;
11) anthills shall be relocated to a place which does not collide with the project, indicated by the environmental

supervisors, showing micro-environmental conditions similar to those prevailing in the place of regular presence, after a prior approval by the manager of that place;

12) fish shall be harvested with a herpetological net dipper or manually, by persons having relevant expertise
13) any amphibians or reptiles caught shall be released to appropriate habitats indicated by the herpetologist;
14) when catching lizards, it is required to exercise particular attention so that the lizard does not reject its tail, which would make it defenceless against predators;
15) any reptiles and amphibians covered by this permit, which are found during works carried out on the project site, shall be relocated to appropriate habitats situated sufficiently far from the construction site, under direct supervision by the herpetologist;
16) any excavations shall be secured against reptiles or amphibians falling in, and any protected animal found trapped inside shall be released;
17) to minimise the transfer of pathogens, the fish harvesting equipment and any protective clothing shall always be disinfected after harvesting at each position;
18) any works that generate a long-lasting and loud noise shall be carried out outside the lamprey migration season, that is outside the period from 1 October to 15 November, in a year when this permit remains valid;
19) the Regional Director for Environmental Protection in Szczecin shall be provided, until 15 June 2023, with a report of the implementation of this permit.

This permit remains valid until 31 May 2023.

Reasons

By the application dated 19 July 2019, filed with this office on 19 July 2019, Mr Łukasz Gontarz representing Sweco Consulting Sp. z o.o. has applied to the Regional Director for Environmental Protection in Szczecin for issuing a permit for derogation from the bans applying to the protected species of plants and animals.

As has been found that the application must be supplemented with certain substantive contents, acting pursuant to Article 50(1) of the Code of Administrative Proceedings, by the letter dated 27 August 2019 (ref.:WOPN-OG.6400.97.2019.MR, WOPN-OG.6401.06.11.2019.MR, WOPN-OG.6401.05.11.2019.MR, WOPN-OG.6401.03.24.2019.MR, WOPN-OG.6401.02.220.2019.MR, WOPN-OG.6401.01.67.2019.MR, WOPN-OG.6401.04.22.2019. MR) the Regional Director for Environmental Protection in Szczecin has called the applicant to supplement the submitted dossier with such substantive contents, that is to:

1) specify the reasons to obtain a permit for the destruction of 10 specimens of the water caltrop *Trapa natans*, given the fact that it has not been found during the site survey;
2) consider alternative measures with regard to the deliberate killing of the Roman snail *Helix pomada* as well as reptile and amphibian species, including to verify the actions requiring a permit, taking into account the possibility to catch and relocate the specimens representing protected species from the sites of regular presence to other places;
3) if the said alternative measures are not considered, it was required to specify the method of deliberate killing and the entity which will perform it;
4) consider alternative measures with regard to the destruction of hills of the red wood ant *Formica rufa*, including to verify the actions requiring a permit, taking into account the possibility to relocate the anthills;
5) verify the actions requiring a permit, which concern the deliberate killing of fish, given the fact that according to the documentation, the adult, mobile fish will be scared off, and any killing / destruction will only concern the spawn and growing forms (fry), so it would be reasonable to replace the measure from deliberate killing to deliberate destruction of spawn and growing specimens;
6) if the said changes are not considered, it is required to specify the method of deliberate killing and mutilation, and the entity which will perform it;

7) verify the reptiles covered by the application, given the fact that the dossier indicates only one species, while the application lists two different species (sand lizard *Lacerta agilis* and viviparous lizard *Zootoca vivipara*),
8) verify the actions requiring a permit, given that the works are planned for 3 years and will cover the breeding, migration and wintering seasons, when birds may stay within the project affected area despite their breeding sites having been destroyed, and therefore it seems reasonable to obtain the permit for deliberate scaring off or disturbance in night-time shelters, in breeding season in breeding or rearing areas, or in feeding areas, of the groups of migrating or wintering birds.

By letter No. POPDOW-ZPT.073.10.2.2019 dated 20 September 2019 (received on 20 September 2019) and by letter No. POPDOW-ZPT.073.10.3.2019 dated 8 October 2019 (received on 8 October 2019), the applicant has supplemented and verified the application with the aforesaid information, and applied for extending the range of activities by the prohibition of deliberate environmental relocation of the water caltrop *Trapa natans,* deliberate catching, relocation from the sites of regular stay to other places of the Roman snail *Helix pomatia,* common frog *Rana temporaria,* viviparous lizard *Zootoca vivipar* and sand lizard *Lacerta agilis,* and for changing the deliberate killing of ichthyofauna into the prohibition of destroying any spawn and growing forms that may be present in the bank area. The applicant has also included the deliberate scaring off or disturbance in night-time shelters, in breeding season in breeding or rearing areas, or in feeding areas, of the groups of migrating or wintering birds.

Acting pursuant to Article 61(1) and (4) and Article 10(1) of the Code of Administrative Proceedings, by the letter dated 15 October 2019 (ref.: WOPN-OG.6400.97.2019.MR; WOPN-OG.6401. 06.11.2019.MR; WOPN-OG.6401.05.11.2019.MR;WOPN-OG.6401.03.24.2019.MR; WOPN-OG. 6401.02.220.2019.MR; WOPN-OG.6401.01.67.2019.MR; WOPN-OG.6401.04.22.2019.MR), the Regional Director for Environmental Protection in Szczecin notified the party of having initiated the proceedings and of the possibility to take a stance on the gathered evidence and materials. The party did not submit any comments in the period prescribed.

In accordance with the Regulation of the Minister of Environment of 16 December 2016, the mute swan *Cygnus olor,* European honey buzzard *Pernis apivorus,* buzzard *Buteo buteo,* common kestrel *Falco tinnunculus,* black-headed gull *Chroicocephalus ridibundus,* common gull *Lamus canus,* common tern *Sterna hirundo,* Eurasian collared dove *Streptopelia decaoclo,* common cuckoo *Cuculus canorus,* common swift *Apus apus,* great spotted woodpecker *Dendrocopos major,* barn swallow *Hirundo rustica,* common house martin *Delichon urbicum,* Eurasian wren *Troglodytes troglodytes,* European robin *Erithacus rubecula,* common nightingale *Luscinia megarhynchos,* common redstart *Phoenicurus ochruros,* common redstart *Phoenicurus phoenicurus,* European stonechat *Saxicola rubicola,* fieldfarec *Thurdus pilaris,* sedge warbler *Acrocephalus schoenobaenus,* marsh warbler *Acrocephalus palustris,* Eurasian reed warbler *Acrocephalus scirpaceus,* great reed warbler *Acrocephalus arundinaceus,* icterine warbler *Hippolais icterina,* lesser whitethroat *Sylvia curruca,* common whitethroat *Sylvia communis,* garden warbler *Sylvia borin,* Eurasian blackcap *Sylvia atricapilla,* wood warbler *Phylloscopus sibilatrix,* common chiffchaff *Phylloscopus collybita,* willow warbler *Phylloscopus trochilus,* common firecrest *Regulus ignicapilla,* willow tit *Poecile montanus,* Eurasian blue tit *Cyanistes caeruleus,* great tit *Parus major,* Eurasian nuthatch *Sitta europaea,* short-toed treecreeper *Certhia brachydactyla,* golden oriole *Oriolus oriolus,* great grey shrike *Lanius excubitor,* Eurasian jay *Garrulus glandarius,* western jackdaw *Corvus monedula,* common starling *Sturnus vulgaris,* house sparrow *Passer domesticus,* Eurasian tree sparrow *Passer montanus,* common chaffinchc *Fringilla coelebs,* greenfinch *Chloris chloris,* European goldfinch *Carduelis carduelis,* common linnet *Linaria cannabina,* hawfinch *Coccothraustes coccothraustes,* yellowhammer *Emberiza citrinella,* common reed bunting *Emberiza schoeniclus* and black woodpecker *Dryocopus martius* are covered by strict protection, while the buff-tailed bumblebee *Bombus terrestris,* common carder bee *Bombus pascuorum,* red wood ant *Formica rufa,* Roman snail *Helixpomada,* river lamprey *Lampetra fluviatilis,* white-finned gudgeon *Romanogobio albipinnatus,* spined loach *Cobitis taenia,* European bitterling *Rhodeus amarus,* common frog *Rana temporaria,* viviparous lizard *Zootoca vivipara,* cormorant *Phalacrocorax carbo,* grey heron *Ardea cinerea,* European herring gull *Larus argentatus,* hooded crow *Corvus cornix,* magpie *Pica pica,* Eurasian beaver *Castor fiber* and otter *Lutra lutra* are

covered by partial protection.

In accordance with the Regulation of the Minister of Environment of 9 October 2014 on the protection of plant species, the water caltrop *Trapa natans* is covered by strict protection, while the dwarf everlast *Helichrysum arenarium, Rhytidiadelphus squarrosus,* red-stemmed feathermoss *Pleurozium schreberi* and *Calliergonella cuspidata* are covered by partial protection.

Pursuant to Article 56(2)(2) and (3) of the Nature Conservation Act, the regional director for environmental protection may, within his jurisdiction, allow, without limitation, for deliberate destruction of eggs or growing forms of partially protected animals; the destruction of habitats or sanctuaries being their sites of breeding, rearing, resting, migration or feeding, the destruction of nests, the destruction of anthills, preventing access to shelters, and deliberate scaring off or disturbance, for the wild animals marked with (1) in the Regulation on the protection of animal species; as well as deliberate environmental relocation of strictly and partially protected plants. In accordance with Article 56(4) of the Nature Conservation Act, the said permit may be issued in the absence of alternative solutions, unless it is detrimental to maintaining the favourable conservation status of wild populations of protected species of plants, animals or fungi, and if one of the prerequisites listed in Article 56(4)(1) to (7) of the Act is satisfied.

In our opinion, a prerequisite for issuing a permit for the actions applied for are the overriding public interest concerning social and economic reasons (Article 56(4)(6) of the Nature Conservation Act).

The project involves the demolition of three fixed spans of the existing railway bridge crossing the waterway, including supports, and the construction of a new railway bridge in the new track, together with the reconstruction of railway infrastructure and existing utilities within the access paths to the facility. The construction of a new bridge is necessary to ensure a proper clearance to carry out effective ice-breaking operations using ice-breakers. As of today, the bridge hinders and often prevents anti-ice protection in winter and the circulation of icebreakers taking part in ice-breaking operations. It stops the flow of ice in the key moments of such operations, cutting off the icebreakers staying downstream of the bridge from the ice-breaking area on Odra river and stopping ice floe on the pillars. Furthermore, the existing bridge does not fulfil the requirements for Vb inland waterways, as determined for Odra and Regalica rivers in accordance with the Regulation of the Council of Ministers of 7 May 2002 on the classification of inland waterways. The reconstruction of the bridge entails the adaptation of railway infrastructure and the existing utilities within the bridge access paths, in particular the alteration of the track system existing at Szczecin Podjuchy station and the turnout of Line 428.

The surveyed plant species (dwarf everlast, *Rhytidiadelphus squarrosus*, red-stemmed feathermoss and *Calliergonella cuspidata*) are common taxons that are not endangered in the local, regional or country-wide scale. As at this stage we do not yet have the final arrangements as to the location of the supporting structures, in the first place we have provided for mitigating measures that involve fencing out the positions of those species so that they are not accidentally destroyed by construction vehicles during the works. However, even the destruction of the area occupied by those plants, as specified in the permit, will not affect their population.

A large population of the water caltrop was discovered in the area of Międzyodrze in 2017. A survey conducted in 2019 has shown that the area of that local habitat is approx. 2.6 ha. The water caltrop is extremely rare in Poland – its population is decreasing, and its protection status has been considered to be unsatisfactory (Ł. Ławicki, D. Marchowski, K. Ziarnek, 2017; Ł. Ławicki, D. Marchowski, 2019). Therefore, to preserve the population existing at the work site, we have ordered the relocation of these specimens outside the project site, as a measure alternative to their destruction.

The aforementioned species of insects and molluscs are normally quite numerous in the fauna. The buff-tailed bumblebee, common carder bee and Roman snail permanently live and reproduce on these terrains. The land acquisition for the purpose of adjusting the road system will have no material impact on these species, as they are relatively common and widespread.

From the point of view of the fish living in the area of the planned works, the most important is the disturbance to be caused by the increased traffic of construction equipment, in principle the vibrations generated by the demolition of old and the construction of bridge. These works may generate vibrations of the water and riverbed

as well as loud noises. An increased and long-lasting noise may have a significant adverse effect on the growth and development of fish. It may also disturb or even prevent the migration of ichthyofauna, especially lampreys, to their spawning grounds. As the planned works will be extended in time, and the generated loud noises will be emitted only in certain locations, they will not affect the biological processes of fish. To safeguard the migration routes of fish and lampreys to their spawning grounds, we have restricted the possibility to conduct works emitting a long-lasting and loud noise, by banning such works during the migration of lampreys, that is from 1 October to 15 November, in the years when the permit remains valid. For small watercourses, the interference in the bank structure often brings adverse consequences such as the destruction of micro-habitats of ichthyofauna, but this impact is minimal in the case of such a large and regulated river as Regalica.

The site survey has shown that the project site does not cover any areas of regular reproduction or growth of amphibians, as it lacks convenient habitats such running and still water. In the wet forests on the left bank of Regalica river, only a few specimens of the common frog have been discovered. During the works, they have also noticed the sand lizard. Four habitats were detected outside the immediate range of the project site. We do not expect any long-term impact that could pose a risk to the population of herpetofauna. The habitats of the species observed will not be materially changed. The species identified in the area are relatively resistant to such changes and are numerous in the non-developed area neighbouring the site of the project. As a few reptiles or amphibians and the Roman snail may appear on the project site, we have allowed the investor to catch and relocate them outside the site, and imposed adequate requirements to protect the harvested specimens and reduce the transfer of pathogens between different positions.

The clearing of trees and bushes will be minimised. To reduce the impact of tree and bush clearing on the breeding population of birds, we have imposed a condition that the clearing may only be conducted outside the breeding season. If nests and habitats must be destroyed in that season, the works must be supervised by an ornithologist, who must confirm that the area is not inhabited by birds. The project is surrounded by extensive areas that are equally valuable to the life of birds. As the scale of the project is not large, it will have no adverse effect on the identified species, most of which are common species that also inhabit urban areas. Thirteen B-type nest boxes will be hung on trees, in places determined by the ornithologist.

The areas surrounding the project site are home to two species of mammals: the Eurasian beaver *Castor fiber* and the otter *Lutra lutra*. As the project has a relatively small scale and the works will be concentrated on a small area, the mammals should be significantly affected, especially since, as the survey has indicated, they do not use the area around the bridge. The pressure and disturbance generated by the presence of people and working machinery may cause the animals to avoid the work site, but once the works are completed, both species will probably return to the area of the bridge.

Given the purpose and nature of the project, we have indicated to the applicant certain solutions being alternative to the destruction of the water caltrop and the killing of fish, amphibians, reptiles and snails, and the destruction of anthills, which solutions involve catching and relocating specimens of protected animals, relocating the water caltrop and relocating anthills. The applicant has accepted the solutions identified by the Regional Directorate for Environmental Protection in Szczecin. In consequence, the investor will use alternatives being most beneficial in terms of protecting the species covered by the application, while maintaining the possibility to achieve the purpose of the project, which is to improve the navigation conditions for ice-breakers and the conditions for ice-breaking operations.

In view of the collected dossier, and provided that the requirements set forth herein is fulfilled, we should conclude that the actions applied for will not pose a risk to the wild populations of the species covered by this permit.

Instruction

Pursuant to Article 127(1) and Article 129(1) and (2) of the Code of Administrative Proceedings, a party dissatisfied with this decision may appeal to the General Director for Environmental Protection through the Regional Director for Environmental Protection in Szczecin, within fourteen days from the date the decision was served.

In addition, pursuant to Article 127a(1) of the Code of Administrative Proceedings, during the time for submitting the appeal, a party may waive the right to appeal against the public administration authority which issued the permit. In accordance with Article 127a(2) of the Code of Administrative Proceedings, on the date the public administration authority receives the statement of waiver of the right to apply for reconsidering the case, the decision shall become final and binding, which means that it may not be appealed against to the General Director for Environmental Protection.

The Applicant is responsible for the safety of people and property as well as for any breach of third-party interest.

If the conditions laid down herein are not fulfilled, the permit shall be withdrawn under Article 56(7j) of the Nature Conservation Act of 16 April 2004.

The issue of this permit is subject to a stamp duty of PLN 82 and a fee for the power of attorney amounting to PLN 17, under Article 1 of the Stamp Duty Act of 16 November 2006 (Polish Journal of Laws 2019, item 1000, as amended). The said duty and fee have been paid.

p.o. Zastępcy Regionalnego Dyrektora
Ochrony Środowiska
w Szczecinie
Regionalny Konserwator Przyrody
Marcin Siedlecki

Recipients: Mr Łukasz Gontarz representing Sweco Consulting Sp. z o.o. - ul. Łyskowskiego 16, 71-641 Szczecin – ZPO