

Wrocław, April 13th 2021

### Decision

Pursuant to art. 155 of the Act dated June 14<sup>th</sup> 1960 - *Code of Administrative Procedure* (i.e. *Dz.U. [Journal of Laws] of 2020, pos. 256, 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 Dz. U. [Journal of Laws] of 2020, pos. 55, as amended*), § 3 and § 6, item 1 and 3 and the *Regulation of the Minister of Environment, dated October 9th 2014, on protection of plant species (Dz. U. [Journal of Laws] of 2014, pos. 1409) § 2 and 3, and § 6 clause 1, item 7 and 12 of the Regulation of the Minister of Environment dated December 16th 20f6* on the fauna species protection (*Dz.U.[Journal of Laws], pos. 2183, as amended*) following the application No. 4804/POPDOW/WR/W/2021 dated March 25th 2021 by Mrs. Joanna Karbowska, acting for and on behalf of the Director of the State Water Holding Polish Waters Regional Management Authority, Regional Water Management Authority in Wrocław (power of attorney dated June 24th 2020), regarding the change of the decision, file No. WPN.6400.6.2019.MH of March 5th 2019, 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 *Task 2A.1/1 Construction of a dry flood control reservoir on Nysa Kłodzka River in Boboszew*,

### I hereby decide

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

#### **„III. The permit expires on May 1st 2021”**

Until January 15th, following each calendar year when this permit is binding the Regional Director for Environmental Protection in Wrocław shall be provided with information about the permit utilization scope, while the last information should be submitted by May 15th 2021”.

shall get the following wording:

#### **„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 Wrocław shall be provided with information about the permit utilization scope, while the last information should be submitted by January 15th 2023”.

The remaining content of the decision shall remain unchanged.

### JUSTIFICATION

On 26th of March 2021 the Regional Directorate for Environmental Protection in Wrocław was provided with the application of Mrs. Joanna Kabarowska, 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 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 the dry flood control reservoir on Nysa Kłodzka River in Boboszew*.

Thus, bearing in mind the party's legitimate interest, it 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 Wrocław 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 for the decision, 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 2020, pos. 1546, as amended).*

### **Addressees:**

State Treasury **on behalf of whom 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. Joanna Kabarowska, Authorised Representative of the Consultant, Sweco Consulting sp. z o.o., ul.  
Armii Krajowej 61, Budynek C, 50-541 Wrocław