

ANNEX No. 2 TO THE ENVIRONMENTAL MANAGEMENT PLAN

DRAFT VERSION

ODRA-VISTULA FLOOD MANAGEMENT PROJECT – 8524 PL

Environmental Category B - as per WB OP 4.01

Component 2:

Flood Protection of Kłodzka Valley

Works contract 2A.2:

*Construction of Szalejów - a dry flood control reservoir
on Bystrzyca Dusznicka
and*

*Construction of Krosnowice - a dry flood control reservoir
on the Duna Stream*

Task 2A.2/1

*Construction of Szalejów - a dry flood control reservoir
on Bystrzyca Dusznicka*

Issue	Date	Author	Checked by	Client's Approval	Description
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ODRA-VISTULA FLOOD MANAGEMENT PROJECT

co-financed by:

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State budget

Environmental Management Plan

Component: *Flood Protection of Kłodzko Valley*

Subcomponent: *2A - Active protection*

Contract: *Construction of "Szalejów" - a dry flood control reservoir on Bystrzyca Dusznicka and Construction of "Krosnowice" - a dry flood control reservoir on the Duna Stream*

Part of the Contract: *Implementation of the Task 2A.2/1 Construction of "Szalejów Górny" - a dry flood control reservoir on Bystrzyca Dusznicka*

Project Implementation Unit:

State Water Holding Polish Waters

Regional Water Management Authority in Wrocław

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Technical support consultant -

Joint Venture: SWECO Polska Sp. z o. o., SWECO Nederland B.V.

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Appendix 1 - Decision of the Regional Director for Environmental Protection of 23 November 2020 (ref. no. WPN.6400.43.2020.MH) amending the decision ref. no.: WPN.6400.47.2016.IL of 26 August 2016, in the scope of the extension of the permit.

Appendix 2 - Decision of the Regional Director for Environmental Protection of 23 November 2020. (ref. no. WPN.6401.327.2020.MH) amending the decision ref. no.: WPN.6401.268.2016.IL of 26 August 2016, in the scope of the extension of the permit.

1. INTRODUCTION

Taking into account the planned date of completion of construction works under Contract 2A.2/1 *Construction of Szalejów - a dry flood control reservoir on Bystrzyca Dusznicka*, carried out under the OVFM Project, it was necessary to extend the validity period of selected administrative decisions in the field of the environment:

- of 26 August 2016 ref. no.: WPN.6400.47.2016.IL on the permit of derogations from prohibitions for specimens of protected plants until 30 June 2023;
- of 26 August 2016 ref. no.: WWPN.6401.268.2016.IL on the authorization of derogations from the prohibitions for specimens of species-protected animals until 30 June 2023.

By 30 June 2023, it is planned to complete the works related to the construction of Szalejów reservoir. Due to the need to modify the content of certain mitigation and monitoring measures indicating the period of validity of permits, it is necessary to amend the current EMP. The developed Annex No. 2 to the EMP for Contract 2A.2/1 contains and orders the necessary additions, which will become the conditions for the execution of the works for the parties to the contract upon acceptance by the World Bank.

2. ENVIRONMENTAL CONDITIONS FOR THE IMPLEMENTATION OF THE CONTRACT

The changes made to the content of the EMP do not affect the environmental conditions for the implementation of the investment. The need to change the dates of validity of permits for derogations from prohibitions in relation to specimens covered by the protection of plant and animal species constitutes a fulfilment of formal and legal requirements in connection with the currently adopted deadline for completion of works.

3. MITIGATION AND MONITORING MEASURES

The Contractor shall be obliged to apply all conditions for carrying out the works specified in the appendices to the EMP for Contract 2A.2/1, appropriate to the type of works being carried out: Appendix 1 Plan of mitigation measures, Appendix 2 Plan of monitoring measures.

If such a necessity is found at the stage of carrying out the works, all administrative decisions necessary for the execution of the works shall be obtained by the Contractor.

For the purposes of the execution of the works, the following conditions of the EMP contained in Appendices 1 and 2 shall be modified:

Item 30 Replanting of specimens of 5 protected plant species listed in the decision of the RDOŚ in Wrocław of 26/08/2016

[current content]

Before the commencement of works in the following area:

- in the valley of Bystrzyca Dusznicka (kilometre of the river from km 8+300 to km 12+500), in the area between Szalejów Górny, Szalejów Dolny [in the north and west], Siemków [in the east] and the ridge line separating Szalejów Górny and Szalejów Dolny from Stary Wielisław [in the south],

the following specimens of the following 5 protected plant species should be replanted in the appropriate habitat and outside the reach of the works:

- a) martagon lily *Lilium martagon* - up to 50% of 30 specimens growing at 1 position in the above-mentioned area, in places exposed to destruction as a result of the implementation of the Task;
- b) oxlip *Primula elatior* – up to 50% of 100 specimens growing at 5 sites in the above-mentioned area, in places exposed to destruction as a result of the implementation of the Task;
- c) snowdrop *Galanthus nivalis* – up to 50% of 1,500 specimens growing at 5 sites in the above-mentioned area, in places exposed to destruction as a result of the implementation of the Task;
- d) wild garlic *Allium ursinum* – up to 50% of 2000 specimens growing at 6 sites in the above-mentioned area, in places exposed to destruction as a result of the implementation of the Task;
- e) autumn crocus *Colchicum autumnale* - up to 50% of 200 specimens growing at 6 sites in the above-mentioned areas, in places exposed to destruction as a result of the Task implementation.

The replanting of these plant species shall be carried out no later than 31 December 2020.

Within no more than 30 days from *the Commencement Date*, the Contractor shall submit for the Engineer's approval a *Quality Assurance Plan* for the replanting of the aforementioned specimens of 5 species of protected plants, agreed with the phytosociologist expert (referred to in item 130) and containing, among others, the planned schedule for the implementation of the aforementioned measures and a list of planned plant replanting sites.

Replanting of the above mentioned specimens of 5 protected plant species should be carried out under the supervision of the above mentioned phytosociologist.

Information on the scope of implementation of the above-mentioned conditions should be provided in accordance with the conditions set out in item 137.

[see also item 125];

[content after change]

Before the commencement of works in the following area:

- in the valley of Bystrzyca Dusznicka (kilometre of the river from km 8+300 to km 12+500), in the area between Szalejów Górny, Szalejów Dolny [in the north and west], Siemków [in the east] and the ridge line separating Szalejów Górny and Szalejów Dolny from Stary Wielisław [in the south],

the following specimens of the following 5 protected plant species should be replanted in the appropriate habitat and outside the reach of the works:

- a) martagon lily *Lilium martagon* - up to 50% of 30 specimens growing at 1 position in the above-mentioned area, in places exposed to destruction as a result of the implementation of the Task;
- b) oxlip *Primula elatior* – up to 50% of 100 specimens growing at 5 sites in the above-mentioned area, in places exposed to destruction as a result of the implementation of the Task;
- c) snowdrop *Galanthus nivalis* – up to 50% of 1,500 specimens growing at 5 sites in the above-mentioned area, in places exposed to destruction as a result of the implementation of the Task;
- d) wild garlic *Allium ursinum* – up to 50% of 2000 specimens growing at 6 sites in the above-mentioned area, in places exposed to destruction as a result of the implementation of the Task;
- e) autumn crocus *Colchicum autumnale* - up to 50% of 200 specimens growing at 6 sites in the above-mentioned areas, in places exposed to destruction as a result of the Task implementation.

The replanting of these plant species shall be carried out no later than 30 June 2023.

Within no more than 30 days from *the Commencement Date*, the Contractor shall submit *for the Engineer's approval a Quality Assurance Plan* for the replanting of the aforementioned specimens of 5 species of protected plants, agreed with the phytosociologist expert (referred to in item 130) and containing, among others, the planned schedule for the implementation of the aforementioned measures and a list of planned plant replanting sites.

Replanting of the above mentioned specimens of 5 protected plant species should be carried out under the supervision of the above mentioned phytosociologist.

Information on the scope of implementation of the above-mentioned conditions should be provided in accordance with the conditions set out in item 137.

(see also item 125);

Item 125. Implementation of the RDOŚ decision authorising derogations from plant species protection bans

[current content]

In connection with the implementation of the Task, *in the decision of RDOŚ in Wrocław of 26.08.2016* Construction of "Szalejów" - a dry flood control reservoir on Bystrzyca Dusznicka (ref. no. WPN.6400.47.2016.IL - Appendix 4c to this EMP) the following permits were granted in relation to specimens and habitats of protected plant species occurring within *the Task implementation area*:

- it is allowed to destroy specimens and habitats of 12 protected plant species (algae, liverworts, mosses and vascular plants) listed in the above-mentioned decision, located in the valley of Bystrzyca Dusznicka (kilometre of the river from km 8+300 to km 12+500), between Szalejów Górny, Szalejów Dolny (in the north and west), Siemków (in the east) and a line of ridge separating Szalejów Górny and Szalejów Dolny from Stary Wielisław (in the south).

These permits have been granted subject to the following conditions:

- a) the implementation of the actions described in the item 30 in this table;

b) implementation of the permit in question, including the conditions imposed in *the RDOŚ decision in Wrocław of 30.09.2015 on environmental conditions for the construction of a dry flood control reservoir Szalejów Górny on the Bystrzyca Dusznicka river* (ref. no.: WOŚ.4233.8.2013.ŁCK.54 – appendix no. 4a and b), cited in this table.

The permits set out in that Decision shall be valid until 31st December 2020.

Information on the scope of use of permits specified in the above-mentioned decision should be submitted to the Engineer in accordance with the conditions set out in item 137.

[content after change]

In connection with the implementation of the Task, *in the decision of RDOŚ in Wrocław of 26.08.2016 Construction of "Szalejów" - a dry flood control reservoir on Bystrzyca Dusznicka* (ref. no. WPN.6400.47.2016.IL - Appendix 4c to this EMP), as amended by the decision of 23.11.2020 (ref. WP.6400.43.2020.MH - Appendix 1 to this annex), the following permits were granted in relation to individuals and habitats of protected plant species occurring within *the Task implementation area*:

- it is allowed to destroy specimens and habitats of 12 protected plant species (algae, liverworts, mosses and vascular plants) listed in the above-mentioned decision, located in the valley of Bystrzyca Dusznicka (kilometre of the river from km 8+300 to km 12+500), between Szalejów Górny, Szalejów Dolny (in the north and west), Siemków (in the east) and a line of ridge separating Szalejów Górny and Szalejów Dolny from Stary Wielisław (in the south).

These permits have been granted subject to the following conditions:

- a) the implementation of the actions described in the item 30 in this table;
- b) implementation of the permit in question, including the conditions imposed in *the RDOŚ decision in Wrocław of 30.09.2015 on environmental conditions for the construction of a dry flood control reservoir Szalejów Górny on the Bystrzyca Dusznicka river* (ref. no.: WOŚ.4233.8.2013.ŁCK.54 – appendix no.4a and b) cited in this table.

The permits set out in that Decision shall be valid until 30 June 2023.

Information on the scope of use of permits specified in the above-mentioned decision should be submitted to the Engineer in accordance with the conditions set out in item 137.

Item 126. Implementation of the RDOŚ decision authorising derogations from the prohibitions on animal species protection

[current content]

In connection with the implementation of the Task, *in the decision of RDOŚ in Wrocław of 26.08.2016 Construction of "Szalejów" - a dry flood control reservoir on Bystrzyca Dusznicka* (ref. no. WPN.6401.268.2016.IL - Appendix 4d to this EMP) the following permits have been granted in relation to individuals and habitats of protected animal species, located within *the Task implementation area*, in the Bystrzyca Dusznicka Valley (kilometre of the river from km 8+300 to km 12+500), between Szalejów Górny, Szalejów Dolny (in the north and west), Siemków (in the east) and the ridge line separating Szalejów Górny and Szalejów Dolny from Stary Wielisław (in the south):

- 1) in relation to 5 protected species of amphibians and reptiles listed in the item 1 of the above-mentioned decision, it is allowed to perform the activities described in the item 1 of the above-mentioned decision;
- 2) in relation to 1 protected reptile species listed in the item 2 of the above-mentioned decision, it is allowed to perform the activities described in the item 2 of the above-mentioned decision;

- 3) in relation to 2 protected species of fish and lampreys listed in the item 3 of the above-mentioned decision, it is allowed to perform the activities described in the item 3 of the above-mentioned decision;
- 4) in relation to 1 protected mammal species listed in the item 4 of the above-mentioned decision, it is allowed to perform the activities described in the item 4 of the above-mentioned decision;
- 5) in relation to 2 protected mammal species listed in the item 5 of the above-mentioned decision, it is allowed to perform the activities described in the item 5 of the above-mentioned decision;
- 6) in relation to 6 protected species of bats listed in the item 6 of the above-mentioned decision, it is allowed to perform the activities described in the item 6 of the above-mentioned decision;
- 7) in relation to 2 protected species of bats listed in the item 7 of the above-mentioned decision, it is allowed to perform the activities described in the item 7 of the above-mentioned decision;
- 8) in relation to 58 protected species of birds listed in the item 8 of the above-mentioned decision, it is allowed to perform the activities described in the item 8 of the above-mentioned decision;
- 9) in relation to 4 protected species of birds listed in the item 9 of the above-mentioned decision, it is allowed to perform the activities described in the item 9 of the above-mentioned decision.

These permits have been granted subject to the following conditions:

- (a) carrying out catching and transfer operations of protected species from the construction site as described in items 17, 34 and 37 of this table;
- b) implementation of the permit in question, including the conditions imposed in *the RDOŚ decision in Wrocław of 30.09.2015 on environmental conditions for the construction of a dry flood control reservoir Szalejów Górny on the Bystrzyca Dusznicka River* (ref. no.: WOOŚ.4233.8.2013.ŁCK.54 – Appendix 4a and b).

The permits set out in that Decision shall be valid until 31st December 2020.

Information on the scope of use of permits specified in the above-mentioned decision should be submitted to the Engineer in accordance with the conditions set out in item 137.

[content after change]

In connection with the implementation of the Task, *in the decision of RDOŚ in Wrocław of 26.08.2016 Construction of "Szalejów" - a dry flood control reservoir on Bystrzyca Dusznicka* (ref. no. WPN.6401.268.2016.IL - Appendix 4d to this EMP) as amended by the decision of 23.11.2020 (reference number WPN.6401.327.2020.MH - Appendix 2 to this annex) the following permits were granted in relation to individuals and habitats of protected animal species, located within *the Task implementation area*, in the valley of Bystrzyca Dusznicka (kilometre of the river from km 8+300 to km 12+500), between Szalejów Górny, Szalejów Dolny (in the north and west), Siemków (in the east) and a line of ridge separating Szalejów Górny and Szalejów Dolny from Stary Wielisław (in the south):

- 1) in relation to 5 protected species of amphibians and reptiles listed in the item 1 of the above-mentioned decision, it is allowed to perform the activities described in the item 1 of the above-mentioned decision;
- 2) in relation to 1 protected reptile species listed in the item 2 of the above-mentioned decision, it is allowed to perform the activities described in the item 2 of the above-mentioned decision;
- 3) in relation to 2 protected species of fish and lampreys listed in the item 3 of the above-mentioned decision, it is allowed to perform the activities described in the item 3 of the above-mentioned decision;
- 4) in relation to 1 protected mammal species listed in the item 4 of the above-mentioned decision, it is allowed to perform the activities described in the item 4 of the above-mentioned decision;

- 5) in relation to 2 protected mammal species listed in the item 5 of the above-mentioned decision, it is allowed to perform the activities described in the item 5 of the above-mentioned decision;
- 6) in relation to 6 protected species of bats listed in the item 6 of the above-mentioned decision, it is allowed to perform the activities described in the item 6 of the above-mentioned decision;
- 7) in relation to 2 protected species of bats listed in the item 7 of the above-mentioned decision, it is allowed to perform the activities described in the item 7 of the above-mentioned decision;
- 8) in relation to 58 protected species of birds listed in the item 8 of the above-mentioned decision, it is allowed to perform the activities described in the item 8 of the above-mentioned decision;
- 9) in relation to 4 protected species of birds listed in the item 9 of the above-mentioned decision, it is allowed to perform the activities described in the item 9 of the above-mentioned decision.

These permits have been granted subject to the following conditions:

- (a) carrying out catching and transfer operations of protected species from the construction site as described in items 17, 34 and 37 of this table;
- b) implementation of the permit in question, including the conditions imposed in *the RDOŚ decision in Wrocław of 30.09.2015 on environmental conditions for the construction of a dry flood control reservoir Szalejów Górny on the Bystrzyca Dusznicka river* (ref. no.: WOOŚ.4233.8.2013.ŁCK.54 – Appendix 4a and b).

The permits set out in that Decision shall be valid until 30th June 2023.

Information on the scope of use of permits specified in the above-mentioned decision should be submitted to the Engineer in accordance with the conditions set out in item 137.

Item 137. Providing information on the scope of using the permits listed in items 125 and 126 in Appendix 1 to EMP to RDOŚ in Wrocław

[current content]

Information on the scope of the permits as listed in items 125 and 126 (i.e. permits specified in the decision of RDOŚ in Wrocław of 26.08.2016) should be submitted to RDOŚ in Wrocław according to the following rules:

- The Contractor shall submit the above mentioned information to the Engineer within the term until 15 December 2020 (or until the end of *the Task implementation period*, if this occurs before 15 December 2020.);
- The Engineer shall submit the above-mentioned information to the Employer within 15 calendar days from receipt of the above-mentioned information from the Contractor (however, no later than until 31 December 2020.);
- The Employer shall submit the above mentioned information to RDOŚ in Wrocław within the period until 15 January 2021.

[content after change]

Information on the scope of the permits as listed in items 125 and 126 (i.e. permits specified in the decision of RDOŚ in Wrocław of 26.08.2016, as amended by decisions of 23.11.2020) should be submitted to RDOŚ in Wrocław according to the following rules:

- the Contractor shall submit the above information to the Engineer by 15 December of a given year till 15 June 2023

- the Engineer shall submit the above-mentioned information to the Employer within 15 calendar days of receipt of the above-mentioned information from the Contractor (however, no later than 31 December of a given year and no later than 30 June in 2023);
- the Employer will submit the above mentioned information to RDOŚ in Wrocław by 15 January of the following year and by 15th July 2023 (last report).