

## **RESOLUTION**

Acting based upon Article 113 (2) of the Act of 14 June 1960 Administrative Procedure Code (consolidated text: OJ of 2013, item 267, as amended),

### **I hereby decide**

to clarify doubts on contents of the decision of Regional Director for Environmental Protection in Cracow dated 05/20/2015, ref. no.: OO.4233.8.2014.BM, on environmental conditions for the investment titled: "Design on Extension of Flood Embankments for the Vistula River in Cracow: Section 4 – Right embankment of the Vistula from the Skawinka estuary to the Kościuszko barrage" as follows:

- 1) Provision under justification given on page 17 line 7, counting from the top, stating the following: "*Local land depressions (likely formed due to the presence of a pit on the construction stage for the discussed sections of the embankment), which pose a risk to the stability of embankments, shall be filled directly at the embankment*" refer to any land grading described and marked in supplementation to the environmental impact report – graphical appendices (maps) with following no.: 2.1, 2.2, 2.3, 2.4, 2.5, 2.6 titled: Land development designs – right embankment of the River Vistula. The grading of land related to e.g. the following chainage: km 60+331-30+336, area of 0.019 ha (area beyond the embankment); km 60+375-60+462, area of 0.045 ha (embanked area); km 61+270-61+288m area of 0.011 ha (embanked area); km 61+996-62+060, area of 0.117 ha (embanked area); km 62+574-62+616, area of 0.023 ha (embanked area); km 63+925-64+003, area of 0.076 ha (area beyond the embankment); km 63+987-64+006, area of 0.013 ha (embanked area); are placed within the investment implementation boundaries (blue lines) and within the investment impact range (red lines). The aforementioned decision on environmental conditions covers investment tasks determined on graphical appendices (maps) within the investment implementation boundaries marked with blue lines. It shall be therefore stated that grading of land at chainage given above is in accordance with the scope of works under the subject environmental decision dated 05/20/2015, ref. no.: OO.4233.8.2014.BM.
- 2) Provision under justification given on page 17 line 10 counting from the top stating the following: "*The subject construction works shall be performed in a lane of about 4.0 m from the existing embankment foot beyond the embankment*" is related to a water pond located at chainage about km 62+380, which is beyond the investment range and is not related to the land grading determined under item 1 of this resolution. The grading described under item 1 of this resolution is to be done beyond the embankment and within the embanked area, and in a lane wider than 4.0 m.
- 3) It shall be clarified that the existing descend road at chainage km 61+222, as informed in the table on page 13, and listed within the contents of environmental decision as an object to be redeveloped, extended and developed is described – in accordance with drawing no. 2.2 attached to the report update (map) – as "*km 61+222 – demolition of the existing descend road to the embanked area*".
- 4) It shall be clarified that pages 13 and 14 of the justification to the aforementioned decision list in a table (titled: Task no. 1) "*Existing embankment culvert at chainage km 61+238 – 1 tube*" and "*Existing embankment culvert at chainage km 61+240 – 2 tube*", and those are the same as ones presented in a graphical appendix (map), drawing no. 22 attached to the report update as object described as "*km 61+239 – extension of the existing embankment culvert through extension of the tube beyond the embankment and within the embanked area*". The aforementioned culvert was described in the aforementioned graphical appendix as km 61+239 (object's axle chainage), as it is a binocular tube (two tubes) and it is treated as a single object.

## **JUSTIFICATION**

Mr. Sławomir Szymański of CERMET-BUD Sp. z o.o. PRZEDSIĘBIORSTWO INŻYNIERSKIE with its office in Cracow at 4. Otwinowskiego Street, applied in the note dated 10/29/2015, ref. no.: L.dz. 136/STK/2015, corrected with the note submitted by e-mail on 11/10/2015, for rectifying / clarifying the provision of the decision of the Regional Director for Environmental Protection in Cracow dated 05/20/2015, ref. no.: OO.4233.8.2014.BM, on environmental conditions for the investment titled "Design on Extension of Flood Embankments for the Vistula River in Cracow: Section 4 – Right embankment of the Vistula from the Skawinka estuary to the Kościuszko barrage", in reference to information given in the aforementioned note.

The Regional Director for Environmental Protection in Cracow analyzed provisions of the decision in questions, the

environmental impact report, and supplementation to report, along with graphic appendices remaining an appendix to the application on the issuance of decision on environmental conditions, note of the Investor's proxy dated 10/29/2015, adjusted with a note submitted via e-mail on 11/10/2015, and accepted the Investor's application.

In accordance with Article 113 (2) of the Act of 14 June 1960 Administrative Procedure Code (OJ of 2013, item 267, as amended), *"the unit, which issued the decision, clarifies – through a resolution issued upon request of an implementing unit or of a party – doubts to contents of the decision"*.

The Regional Director for Environmental Protection clarified the doubts on contents of the aforementioned decision in this resolution.

Considering the above, it has been ruled as in the sentence.

### **Instruction**

One may appeal against this resolution to the General Director for Environmental Protection in Warsaw (52/54. Wawelska Street, 00-922 Warsaw) through the Regional Director for Environmental Protection in Cracow (3. Na Stawach Square, 30-107 Cracow) within seven days from the serving date.

Regional Director  
for Environmental Protection  
in Cracow

Rafał Rostecki MSc

### **Recipients:**

1. Mr. Sławomir Szymański, CERMET-BUD Sp. z o.o. PRZEDSIĘBIORSTWO INŻYNIERSKIE, 4. Otwinowskiego Street, 31-432 Cracow – Investor's Proxy;
2. File OO.BM.