



REGIONALNY DYREKTOR OCHRONY ŚRODOWISKA W SZCZECINIE

Szczecin, 25 February 2025

WONS.420.23.2022.KK.9

DECISION

Pursuant to Article 108(1)(1) and Article 75(1)(1)(c) of the Act of 3 October 2008 on the provision of information on the environment and its protection, public participation in environmental protection and environmental impact assessment (Dz. U. [*Journal of Laws*] of 2024, item 1112), hereinafter the 'EIA Act', in conjunction with Article 123 of the Act of 14 June 1960 – Code of Administrative Procedure (Dz. U. [*Journal of Laws*] of 2024, item 572), after considering the application of the Director of the Maritime Office in Szczecin dated 3 August 2022, supplemented in formal terms on: 18 October 2022 and 20 October 2022, regarding the issuance of a decision on environmental conditions for the project entitled *Carrying out works to enable water transport to the External Port in Świnoujście*

I hereby decide

- I. To conduct proceedings on transboundary environmental impact for the project entitled *Carrying out works to enable water transport to the External Port in Świnoujście*
- II. To determine the scope of documentation necessary to carry out these proceedings, which shall include:
 - a) the application for the issuance of a decision on environmental conditions;
 - b) the project information sheet submitted with the application;
 - c) the part of the environmental impact assessment report that will enable the state on whose territory the planned project may have an impact to assess the potential significant transboundary environmental impact, to be submitted at subsequent stages of the proceedings.
- III. To establish the obligation of the applicant to prepare the documentation referred to in point II of this decision in German and Danish – due to the possibility of the project impacting the territory of Germany and Denmark – and to submit it in both paper and electronic form.

JUSTIFICATION

The Director of the Maritime Office in Szczecin submitted, on 3 August 2022, an application for the issuance of a decision on environmental conditions for a project that is always likely to have a significant impact on the environment, consisting in the *Carrying out works to enable water transport to the External Port in Świnoujście*, simultaneously submitting a request for the determination of the scope of the report, in accordance with Article 69 of the EIA Act of 3 October 2008. The application in question, following a summons by this authority dated 10 August 2022, ref. WONS-OŚ.420.23.2020.KK.1, was supplemented in terms of formal requirements on: 3 October 2022, 18 October 2022, and 20 October 2022. At the same time, in the letter submitted on 20 October 2022, the investor

informed of a change in the name of the project, adopting the following title: *Carrying out works to enable water transport to the External Port in Świnoujście*.

As part of the proceedings, the following documents were submitted:

- the project information sheet (hereinafter 'PIS') along with an electronic version on a CD-ROM;
- a power of attorney issued by the Director of the Maritime Office, in paper form;
- a map in paper and electronic form, at a scale ensuring the legibility of the presented data, showing the anticipated area in which the project will be implemented and the anticipated area of its environmental impact.

According to the submitted materials, the planned project consists in carrying out works to enable water transport to the External Port in Świnoujście, through the creation of a fairway in the navigable waters with a depth of 17.0 metres and a target width of 500 metres (300 metres in the first stage). The main scope of work includes dredging, with the resulting spoil to be deposited in a dumping site or used to form an artificial island. In addition, the possibility is being considered of using a portion (approx. 10–15%) of the extracted spoil to nourish beaches by artificial means. The exact location, number of dumping sites, and their individual capacity will be determined at the stage of preparing the environmental impact assessment (EIA) report.

The review of the documents relating to the matter indicates that the project is classified as one that is always likely to have a significant impact on the environment, pursuant to § 2(1)(34) of the Regulation of the Council of Ministers of 10 September 2019 on projects likely to have a significant impact on the environment (Dz. U. [*Journal of Laws*] of 2019, item 1839). The authority competent to issue the decision on environmental conditions is the Regional Director for Environmental Protection in Szczecin, pursuant to Article 75(1)(1)(c) of the EIA Act.

The works planned as part of the project, i.e. shaping the channel bed and forming the slopes, will be carried out from the water. Floating equipment – dredgers (cutter suction dredgers) – will be used for these works. Tugboats may also be used for manoeuvring purposes. The dredged material will be transported to designated locations, including spoil grounds. In connection with the planned works, social facilities and the storage of municipal waste will take place on the floating units used for the construction of the fairway.

At the stage of preparing the project information sheet, four possible fairway route options were considered. These are the so-called eastern variants, located within the Polish marine area, differing in the length of the fairway as well as the estimated volume of material to be dredged for the implementation of the project, namely: – Variant I, marked with the symbol GFABCD, with a length of 74.4 km and an estimated dredged volume of approximately 150 million m³; – Variant I', marked GFABCD', with a length of 75.1 km and an estimated dredged volume of approximately 157.1 million m³; – Variant II, marked GBCD, with a length of 66.9 km and an estimated dredged volume of approximately 140 million m³; – Variant II', marked GBCD', with a length of 67.7 km and an estimated dredged volume of approximately 147.1 million m³. According to the PIS, the final decision on the choice of variant will be taken following detailed analyses, including navigational studies, and will be presented in the environmental impact assessment report.

The submitted project information sheet states that 'the impact range of the investment is minor, local, and lies entirely within the territory of the Republic of Poland'. However, taking into account the evidence gathered during the proceedings regarding the project in question, as well as the proximity of the investment site to the borders of Germany and Denmark, it has been concluded that the implementation of the project may result in transboundary environmental impacts on the territories of Germany and Denmark. Therefore, these countries should be granted access to the relevant information.

Pursuant to Article 108 of the EIA Act, the authority competent to issue the environmental decision is also competent to issue a decision on the initiation of a transboundary environmental impact assessment procedure for the project.

The obligations set out in this decision arise from Article 108 of the EIA Act. Acting on the basis of the provisions cited at the outset, it has been decided as set out in the operative part of this decision.

NOTICE

An appeal against this decision may be lodged by the parties with the General Director for Environmental Protection via the Regional Director for Environmental Protection in Szczecin, within 7 days from the date of its delivery.

Regional Director for Environmental Protection
in Szczecin Sylwia
Jurzyk-Nordlów
/signed with a qualified electronic signature/

Recipients – via ePUAP:

Director of the Maritime Office in Szczecin

For information (together with the application for the environmental decision, project information sheet and map showing the impact range):

General Director for Environmental Protection – ePUAP