

**REGIONAL DIRECTOR FOR
ENVIRONMENTAL PROTECTION
IN CRACOW**

OO.4220.5.31.2020.BM

Cracow, August 6, 2020

RESOLUTION

Based upon Article 113 (1) of the Act of June 14, 1960 Code of Administrative Procedure (consolidated text, OJ of 2020, item 256, as amended),

I decide to

correct *ex officio* an obvious mistake in the decision of the Regional Director for Environmental Protection in Cracow dated July 27, 2020, ref. no.: OO.420.4.4.2019.BM, establishing environmental conditions for the contract titled ***“Construction of a pumping station for mobile pumps to drain the Lesisko complex”***, as follows:

- In contents of the decision, item II referring to the conditions of use for the environment at stages of designing, implementation, and use, sub-item 10 stating:
“It is allowed to increase the area of the existing reservoir at the Lesisko Channel from km 0+935 to km 1+337, over a length of 402 m, average width of 50 m and depth of about 1.8 m, at keeping elevation of the reservoir’s bottom on the level not smaller than 197 m a.s.l.” – elevation of the reservoir’s bottom has been mistaken.
Therefore, 197 m a.s.l. shall be replaced with 195.5 m a.s.l.
- Simultaneously, in case of justification for this decision, on page 11, in item 2 e) the same elevation for the reservoir’s bottom was mistaken:
“In accordance with information given in the IDS and in the update, elevation of the reservoir’s bottom currently amounts to 197 m a.s.l., whereas elevation of the bottom at Natura 2000 site – in the lowest location – is 198 m a.s.l.; thus, all works to decrease the elevation of the reservoir’s bottom may affect the level of ground water at Łąki Nowohuckie. It is therefore allowed to increase the area of the existing reservoir at the Lesisko Channel from km 0+935 to km 1+337 over a length of 402 m, mean width of 50 m, and depth of about 1.8 m, while keeping the reservoir’s bottom elevation at the level of at least 197 m a.s.l.”
That provision shall be amended as follows:
“In accordance with information given in the IDS and in the update, elevation of the reservoir’s bottom currently amounts to from 194.7 m a.s.l. to 195.4 m a.s.l., whereas elevation of the bottom at Natura 2000 site – in the lowest location – is 198 m a.s.l.; thus, all works to decrease the elevation of the reservoir’s bottom may affect the level of ground water at Łąki Nowohuckie. It is therefore allowed to increase the area of the existing reservoir at the Lesisko Channel from km 0+935 to km 1+337 over a length of 402 m, mean width of 50 m, and depth of about 1.8 m, while keeping the reservoir’s bottom elevation at the level of at least 195.5 m a.s.l.”

JUSTIFICATION

The decision of the Regional Director for Environmental Protection in Cracow dated July 27, 2020, ref. no. OO.420.4.4.2019.BM, establishing environmental conditions for the aforementioned investment contained an editorial mistake comprising mistaken provision of elevation for the reservoir's bottom in a reach from km 0+935 to km 1+337 of the Lesisko Channel, in section referring to conditions of using the environment in the phase of designing, implementation, and use (item II, sub-item 10), as well as in the justification for the decision on page 11 – item 2 e).

Update of the Investment Data Sheet dated March 25, 2020, ref. no.: POPDOW/KR/60549377/20/0678, informed that the bottom of the existing reservoir shall be left on the present level, i.e. from 194.7 in the downstream part of the reservoir to 195.4 m a.s.l. in the upstream part of the reservoir.

As a consequence, the Regional Director for Environmental Protection in Cracow corrected an editorial mistake in contents of the decision of the Regional Director for Environmental Protection in Cracow dated July 27, 2020, ref. no.: OO.420.4.4.2019.BM, in accordance with Article 113 (1) of the Act of June 14, 1960 – Code of Administration Procedure.

As a result it was decided as given in the conclusion.

Instruction

One may appeal against this decision to the General Director for Environmental Protection in Warsaw through the Regional Director for Environmental Protection in Cracow within 7 days from its serving date.

One may relinquish the right to appeal to the public administration unit, which issued the decision, in case of this decision. On the day the public administration unit received statements relinquishing the right to appeal by the last of the proceeding parties, the decision becomes final and binding.

**Regional Director for
Environmental Protection in Cracow**
Rafał Rostecki MSc
/electronic signature/

Recipients:

1. Mrs. Barbara Chammas, AECOM Polska Sp. z o.o., 1. Pokoju Alley, 31-548 Cracow – Investor's Proxy,
2. Remaining parties of the proceeding notified in the mode under Article 49 APC,
3. OO.BM file.

INFORMATION OF THE ADMINISTRATOR ON PERSONAL DATA PROCESSING

Due to enactment of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 *on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC* (hereinafter referred to as GDPR) on 25 May 2018, we hereby inform that:

- 1) The Regional Director for Environmental Protection with its office in Cracow, 25. Mogilska Street, 31-542 Cracow, administers your personal data.
- 2) Your personal data shall be processed by the Regional Directorate for Environmental Protection for the purpose of administrative / court-administrative proceedings, in accordance with Article 6 (1) letter c) of the GDPR.
Provision of your personal data is voluntary, but necessary for fulfilling the legal obligation of addressing the case.
- 3) Your data may be provided by the Regional Director for Environmental Protection in Cracow to units authorized to obtain information based upon commonly valid provisions of the law.
- 4) Personal data provided by you shall be stored by the time required by provisions of the law.
- 5) You have a right to access your personal data and a right to adjust them, limit their processing, and a right to transfer the data.
- 6) Due to processing of your personal data you have a right to file a claim to the President of the Personal Data Protection Office.
- 7) Contact data to the Data Protection Inspector: e-mail address: iod.krakow@rdos.gov.pl, postal address: 25. Mogilska Street, 31-542 Cracow.