

**ANNEX No. 1
TO THE ENVIRONMENTAL MANAGEMENT PLAN
FINAL VERSION**

ODRA-VISTULA FLOOD MANAGEMENT PROJECT

Loan Agreement no. 8524 PL

Environmental category B – in accordance with WB OP 4.01

Component 3:

Flood Protection of the Upper Vistula

Subcomponent 3A:

Flood Protection of Upper Vistula Towns and Cracow

Works Contract 3A.5

*Development of a flood gate at the left flood embankment
in the area of water intakes for the Sendzimir Steel Mill in Cracow*

<i>Issue</i>	<i>Date</i>	<i>Authors</i>	<i>Verified by</i>	<i>Client's approval</i>	<i>Description</i>
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ODRA-VISTULA FLOOD MANAGEMENT PROJECT

co-financed by:

World Bank - International Bank for Reconstruction and Development (WB)

– Loan Agreement no. 8524 PL,

Council of Europe Development Bank (CEB)

– Frame Loan Agreement no. LD 1866,

The European Union Cohesion Fund (OPIE 2014-2020), and

State Budget

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Component 3:

Flood Protection of the Upper Vistula

Subcomponent 3A:

Flood Protection of Upper Vistula Towns and Cracow

Works Contract 3A.5

***Development of a flood gate at the left flood embankment
in the area of water intakes for the Sendzimira Steel Mill in Cracow***

Environmental category B – according to OP 4.01 WB

Project Implementation Unit:

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Table of Contents

1	Introduction	4
2	Contents of Annex to the EMP for the Works Contract 3A.5.....	5
2.1	Amendments to decision of RDOŚ dated March 24, 2020 (Appendix 4a to the EMP).....	5
2.2	Amendments to decision of RDOŚ dated July 02, 2020 (Appendix 4b to the EMP).....	7
3	Changes to the EMP for the Works Contract 3A.5 resulting from the Annex.....	9
3.1	Amendments to contents of the EMP.....	9
3.2	Amendments to Appendices to the EMP	12
4	Summary.....	16
5	List of Appendices to the Annex	17

1 Introduction

This document forms Annex no. 1 to the Environmental Management Plan (EMP) for the Works Contract 3A.5: *Development of a flood gate at the left flood embankment in the area of water intakes for the Sendzimira Steel Mill in Cracow*, as developed in 2020 and approved by the World Bank (“No objection”) on February 8, 2021.

Contract 3A.5 remains a part of Subcomponent 3A implemented within *Odra-Vistula Flood Management Project* (OVFMP), co-financed by the International Bank for Reconstruction and Development (World Bank), the Council of Europe Development Bank, by the European Union Cohesion Fund, and by the State Budget.

Detailed information on the: location, specificity, institutional and legal and administrative conditions, and environmental aspects for the Works Contract 3A.5 are given within the contents, as well as in appendices to the aforementioned EMP.

Necessity of developing this annex to the aforementioned EMP results from the issuance of a decision dated March 08, 2022 by the Regional Director for Environmental Protection in Cracow (ref. no.: OO.420.4.4.2021.BM), which modified one of the conditions of the binding decision on environmental conditions dated March 24, 2020 (ref. no.: OO.420.4.2.2019.BM – Appendix 4a to the EMP), and it therefore modified contents of one of the mitigation measures included in Appendix 1 to the EMP and relevant monitoring measure included in Appendix 2 to the EMP.

In addition, this annex also includes the amendments made in 2021-2022 in the decision of the Regional Director for Environmental Protection in Cracow dated July 02, 2020 allowing for departure from bans binding in reference to species under protection (ref. no.: OP-I.6401.204.2020.GZ – Appendix 4b to the EMP). Two of these amendments change the content of two mitigation measures included in Appendix 1 to the EMP and of two relevant monitoring measures included in Appendix 2 to the EMP.

2 Contents of Annex to the EMP for the Works Contract 3A.5

2.1 Amendments to decision of RDOŚ dated March 24, 2020 (Appendix 4a to the EMP)

The Works Contract 3A.5 is implemented based upon the decision on environmental conditions issued by the Regional Director for Environmental Protection in Cracow on March 24, 2020 (ref. no.: OO.420.4.2.2019.BM – Appendix 4a to the Environmental Management Plan for the Works Contract 3A.5). One of the elements given in the aforementioned decision is a condition determined under item II.11, which states the following:

“Works associated with logging of trees and with shrub stumping shall be done beyond the hatching period of birds, i.e. beyond the period from March 1 to August 31.”

That condition has been given in the EMP for Contract 3A.5 through its inclusion within contents of item 16 in Appendix 1 and 2 to the EMP, stating the following:

“(…). Felling and/or other forms of removal of the aboveground parts of trees and shrubs should be carried out outside the breeding season of birds, i.e. outside the period from March the 1st to August the 31st (this condition does not apply to removal of stumps and roots of trees and shrubs remaining after the above works).”

In accordance with the schedule for the preparation and implementation of the contracts in force in July 2019 (i.e. at the time of submitting an application by the Investor to RDOŚ in Cracow for the issuance of the above-mentioned decision on environmental conditions), the signing of the agreement with the Contractor and the commencement of works under Contract 3A.5 was to take place in the 3rd quarter of 2020. Considering that the felling of trees and shrubs is one of the first activities undertaken by the Contractor prior to the commencement of the main construction works, the limitation of the permissible felling period to six months a year from the beginning of September to the end of February did not, at that time, pose any risk to the possibility of carrying out the planned works in accordance with the applicable schedule. In practice, however, in the following months of 2019 and 2020, the schedule for the preparation and implementation of the contracts was subject to successive changes (inter alia due to the prolonged deadlines for obtaining the permits necessary for the commencement of the procedures for selecting the Contractor and starting the construction works), as a result of which the planned date for the commencement of works was gradually moved beyond the permitted period for felling trees and shrubs. This situation posed a risk of delays in the implementation of the planned construction works, resulting from the impossibility of felling trees at the initial stage of Contract 3A.5 implementation (in the period from the beginning of March to the end of August).

For the above reasons, in April 2021, the Investor submitted an application to RDOŚ in Cracow for issuing an amendment of the existing decision on environmental conditions dated March 24, 2020, in the scope concerning the permissible dates and conditions for felling trees and shrubs, along with a justification of the need for the said amendment.

On March 8, 2022, after conducting a proceeding to amend the decision on environmental conditions (including ensuring the public participation required by law), the Regional Director for Environmental Protection in Cracow issued the decision amending the decision on

environmental conditions (ref. no.: OO.420.4.4.2021.BM – Appendix 1 to this Annex), in respect of amending the condition determined in item II.11 of the environmental decision of March 24, 2020.

In accordance with contents of item I. of the new decision, the condition determined under item II.11 of the decision dated March 24, 2020 has been modified as follows:

“Works associated with logging of trees and with shrub stumping may be conducted for the whole year, provided that ongoing nature supervision is ensured, in particular with the participation of expert naturalists in the field of ornithology and chiropterology, who shall inspect the construction area and the front of works once a week for the presence of protected species and their shelters. If breeding sites are found, logging can be conducted only after the young individuals have left the nests and other shelters”.

In accordance with contents of the justification (page 8¹) for the new decision dated March 08, 2022 the subject amendment for the condition referring to the time and to the performance conditions related to the removal of trees and shrubs does not affect other actions and mitigation measures determined neither for implementation nor operational stage, as given in the binding decision dated March 24, 2020. As given on pages 8 and 9¹ of the new decision:

- *“The impacts on the individual environmental components analyzed at the stage of the decision on environmental conditions are up to date and unchanged”.*
- *“The execution of the logging of trees and shrubs for the project implementation will not have an adverse impact on legally protected sites (...). There is no threat of negative impact of the investment on the subjects of protection of Natura 2000 area”.*
- *“The requested amendment (...) will not cause any changes in the assumed emission of pollutants into the air of gaseous and dust substances, acoustic impacts, emission of pollutants into waters and emission of waste, and will not change the amount of water, raw materials, fuels and energy used. Changes to the environmental protection solutions used are also not envisaged. Apart from the amended condition concerning the date for the logging of trees and shrubs, all assumptions remain consistent with those adopted at the stage of obtaining the decision on environmental conditions, ref. no.: OO.420.4.2.2019.BM of 03/24/2020”.*
- *“(…) the requested amendment of the condition for the execution of the planned project does not involve any changes in the location of the project in relation to marshy areas and wetlands or other areas with shallow groundwater table, coastal areas, mountainous and forest areas, areas under protection, areas requiring special protection due to the occurrence of plant and animal species and their habitats, as well as protected natural habitats, including Natura 2000 sites, areas where environmental quality standards were exceeded, areas of direct protection of water intakes, spa protection areas and areas with landscape of historical, cultural or archaeological significance”.*
- *“In addition, it should be emphasized that due to the nature of the project, the impacts will be local in extent with no risk of transboundary impacts. Considering the scope of the planned changes for the project implementation there will be no possibility of cumulative impacts and the use of natural resources, the risk of emissions, the occurrence of other*

¹ The page number in the Polish version of the decision.

nuisances or the occurrence of a serious industrial accident will be negligible. The project (...) will also not result in failure to achieve the environmental objectives contained in the update of the water management plan for waters within the Vistula river basin. The planned project will not cause deterioration of surface water bodies or groundwater bodies. (...) All these and other required environmental aspects laid down in Article 63 (1) of the Law of October 3, 2008 on the access to information on the environment and its protection, public participation in environment protection and environmental impact assessments were analyzed in detail and presented in the environmental impact report at the stage of obtaining the decision on environmental conditions, ref. no.: OO.420.4.2.2019.BM dated 03/24/2020 and continue to remain valid”.

A detail description referring to the aforementioned issues is given within contents of the justification to the amending decision dated March 08, 2022, which forms Appendix 1 to this Annex.

2.2 Amendments to decision of RDOŚ dated July 02, 2020 (Appendix 4b to the EMP)

Moreover, this Annex to the Environmental Management Plan also comprises the amendments, described below, in the decision of the Regional Director for Environmental Protection in Cracow dated July 02, 2020 allowing for departure from bans binding in reference to species under protection (ref. no.: OP-I.6401.204.2020.GZ – Appendix 4b to the EMP for the Works Contract 3A.5), introduced in 2021-2022.

In May 2021, the Investor applied to RDOŚ in Cracow for amending the above-mentioned decision, in the scope concerning correcting the applicant name and correcting the contract title.

On June 15, 2021, the Regional Director for Environmental Protection in Cracow issued a decision to amend the aforementioned decision (ref. no.: OP-I.6401.160.2021.GZ.2 – Appendix 2 to this Annex), within the scope indicated in the application.

Moreover, due to the fact that the signing of the agreement with the Contractor of Contract 3A.5 took place in January 2022, and the validity period of the decision dated July 02, 2020 was ending on March 1, 2022, in February 2022 the Investor applied to RDOŚ in Cracow for amending the above-mentioned decision, in scope of changing (extending) the validity date of the decision and changing the date of submitting the final report on its implementation.

While accepting the Investor's request, on February 15, 2022, the Regional Director for Environmental Protection in Cracow issued a decision amending the above-mentioned decision (ref. no.: OP.6401.44.2022.GZ – Appendix 3 to this Annex), within the scope indicated in the application.

In accordance with item a) of the newly issued decision, the validity period of the permit determined in item II. of the decision dated July 02, 2020 was changed from March 1, 2022 to April 30, 2023.

In accordance with item b) of the newly issued decision, the date of submitting the report on the use of the permit determined in item III. of the decision dated July 02, 2020 was changed from April 1, 2022 to May 31, 2023.

Detailed information concerning the above-mentioned issues are in the contents of the justifications of the two decisions amending the decision dated July 02, 2020, constituting Appendices 2 and 3 to this Annex.

3 Changes to the EMP for the Works Contract 3A.5 resulting from the Annex

Due to the issuance of a decision by the RDOŚ in Cracow dated March 08, 2022, which modifies the condition determined under item II.11 of the decision of the RDOŚ in Cracow dated March 24, 2020 (see: description in Chapter 2.1) and due to the issuance of two decisions in 2021-2022 amending the decision of the RDOŚ in Cracow dated July 02, 2020 (see: description in Chapter 2.2), it is necessary to implement the aforementioned changes to the Environmental Management Plan (EMP) for the Works Contract 3A.5.

3.1 Amendments to contents of the EMP

Amendments to Chapter titled *Summary*

- The description presented in sub-chapter titled *Status pf administrative procedures for the EIA* should be amended as follows:
 - ➡ The following text should be deleted in the first sentence of the above-mentioned sub-chapter (on page 12):

In case of the Works Contract in question, in year 2020 the following administrative decisions in the scope of environmental protection have been issued

and replace it as follows:

In case of the Works Contract in question, in years 2020-2022 the following administrative decisions in the scope of environmental protection have been issued
 - ➡ Three additional items of the bulleted list should be added at the end of the above-mentioned sub-chapter (on page 12) as follows:
 - Decision of the Regional Director for Environmental Protection in Cracow dated June 15, 2021 amending the decision dated July 02, 2020 allowing for departure from bans binding in reference to species under protection (ref. no.: OP-I.6401.160.2021.GZ.2 – Appendix 4c to this EMP).
 - Decision of the Regional Director for Environmental Protection in Cracow dated February 15, 2022 amending the decision dated July 02, 2020 allowing for departure from bans binding in reference to species under protection (ref. no.: OP.6401.44.2022.GZ – Appendix 4d to this EMP).
 - Decision of the Regional Director for Environmental Protection in Cracow dated March 08, 2022 amending the decision dated March 24, 2020 on environmental conditions (ref. no.: OO.420.4.4.2021.BM – Appendix 4e to this EMP).
- The description presented in the sub-chapter titled *Public consultations* should be amended as follows:
 - ➡ The following text should be deleted in the second item of the bulleted list in the above-mentioned sub-chapter (first paragraph from the top on page 15):
 - Public consultations held on the stage of issuing the environmental decision for the assignment comprising the planned Works Contract (2019-2020).

and replace it as follows:

- Public consultations held on the stage of issuing the environmental decision for the assignment comprising the planned Works Contract (2019-2020) and at the stage of issuing the decision amending the above-mentioned decision (2021-2022).

Amendments to Chapter 3.5 titled *The current condition of EIA procedure for the Works Contract 3A.5*

➤ The text of Chapter 3.5 should be amended as follows:

- ➡ The next sentence should be added at the end of the second paragraph in chapter 3.5 (on page 24), as follows:

In April 2021, a proceeding was initiated at the Investor's request to amend the decision on environmental conditions, which ended with the issuance of the decision of the Regional Director for Environmental Protection in Cracow dated March 08, 2022 amending the decision dated March 24, 2020 on environmental conditions (ref. no.: OO.420.4.4.2021.BM – Appendix 4e to this EMP), for changing the permitted dates and conditions for felling trees and shrubs.

- ➡ The next sentence should be added at the end of the third paragraph in chapter 3.5 (on page 24), as follows:

At the Investor's request, this decision was later amended twice by issuing the decision of the Regional Director for Environmental Protection in Cracow dated June 15, 2021 (ref. no.: OP-I.6401.160.2021.GZ.2 – Appendix 4c to this EMP) and decision of the Regional Director for Environmental Protection in Cracow dated February 15, 2022 (ref. no.: OP.6401.44.2022.GZ – Appendix 4d to this EMP), amending the decision dated July 02, 2020 in scope of: correcting the applicant name, correcting the contract title, extending the validity date of the decision and changing the date of submitting the final report on its implementation.

Amendments to Chapter 8.2 titled *Public consultations on the EIA stage (2019-2020)*

➤ The title of Chapter 8.2 should be amended as follows:

- ➡ The existing title of Chapter 8.2 (on page 57) should be changed as follows:
8.2 Public consultations on the EIA stage (2019-2020 and 2021-2022)

➤ The text of Chapter 8.2 should be amended as follows:

- ➡ Another sentence should be added at the end of Chapter 8.2 (on page 57), as follows:

Furthermore, at the Investor's request submitted in April 2021, on March 8, 2022, RDOŚ in Cracow issued a decision amending the decision on environmental conditions (ref. no.: OO.420.4.4.2021.BM – Appendix 4e to this EMP), for changing the permitted dates and conditions for felling trees and shrubs. A proceeding to amend the decision on environmental conditions was conducted prior to issuing this decision, for which the public participation required by law was ensured. A description of the above-mentioned proceeding was presented in the text of the justification of the amending decision (see: Appendix 4e to this EMP).

Amendments to Chapter 11 titled *Source materials*

- The contents of Chapter 11 should be amended as follows:
 - ☞ At the end of the text in item 2 in Chapter 11 (on page 74), a reference to footnote leading to a new footnote should be added, as follows:
 - with the decision dated March 08, 2022 (ref. no.: OO.420.4.4.2021.BM) amending the decision of the RDOŚ in Cracow dated March 24, 2020 on environmental conditions (in scope of changing the condition determined in item II.11 of the decision).

Amendments to Chapter 13 titled *Appendices*

- The contents of Chapter 13 should be amended as follows:
 - ☞ The list of items in Appendix 4 in Chapter 13 (on page 76) should be supplemented by three further items, as follows:
 - Appendix 4c. Decision of the RDOŚ in Cracow dated June 15, 2020 amending the decision of the RDOŚ in Cracow dated July 02, 2020 allowing for departure from bans binding in reference to species under protection
 - Appendix 4d. Decision of the RDOŚ in Cracow dated February 15, 2022 amending the decision of the RDOŚ in Cracow dated July 02, 2020 allowing for departure from bans binding in reference to species under protection
 - Appendix 4e. Decision of the RDOŚ in Cracow dated March 08, 2022 amending the decision of the RDOŚ in Cracow dated March 24, 2020 on environmental conditions
 - ☞ Moreover, in the Polish version of the text of the EMP, in the first item of the above-mentioned list of elements of Appendix 4 (description of Appendix 4a, on page 78²), the error in the date of the decision should be corrected by changing the existing description of Appendix 4a as follows:
 - Appendix 4a. Decision of the RDOŚ in Cracow dated March 24, 2020 on environmental conditions

² The page number in the Polish version of the EMP.

3.2 Amendments to Appendices to the EMP

Amendments to Appendix 1 titled *Plan of mitigation measures*

- In the table of mitigation measures, under item 16 (page 9 in Appendix 1 to the EMP), the following amendments should be introduced:
 - ➡ In the second column titled *ED item*, the following text should be deleted:

II.11.

and replace it as follows:

I. of the ED dated 2022
 - ➡ In the fifth column titled *Mitigation Measure*, the existing text of the last paragraph should be deleted as follows:

Felling and/or other forms of removal of the aboveground parts of trees and shrubs should be carried out outside the breeding season of birds,
i.e. outside the period from March the 1st to August the 31st
(this condition does not apply to removal of stumps and roots of trees and shrubs remaining after the above works).

and replace it as follows:

Works associated with logging of trees and with shrub stumping may be conducted for the whole year, provided that ongoing nature supervision is ensured, in particular with the participation of expert naturalists in the field of ornithology and chiropterology, who shall inspect the construction area and the front of works once a week for the presence of protected species and their shelters. If breeding sites are found, logging can be conducted only after the young individuals have left the nests and other shelters.
- In the table of mitigation measures, under item 39 (page 19 in Appendix 1 to the EMP), the following amendments should be introduced:
 - ➡ In the fifth column titled *Mitigation Measure*, the following amendments should be introduced:
 - ⇒ in the first paragraph of the contents of the mitigation measure, the existing text in brackets should be amended as follows:

(i.e. measures discussed under the decisions of RDOŚ in Cracow dated 07/02/2020, 06/15/2021 and 02/15/2022, which form Appendices 4b, 4c and 4d to this EMP)
 - ⇒ the existing letter a) should be amended as follows:

a) the works shall be completed on April 30, 2023 at the latest (i.e. until the expiration of permits discussed under the aforementioned decisions of RDOŚ in Cracow);

- ⇒ the existing letter d) should be amended as follows:
 - d) after completion of the aforementioned works the Contractor shall provide the Engineer with a written report on implementation of measures discussed under the aforementioned decisions of RDOŚ in Cracow, comprising e.g.: a description of and deadlines for the measures implemented, including photo documentation. The report shall be provided until May 15, 2023.
- In the table of mitigation measures, under item 40 (page 20 in Appendix 1 to the EMP), the following amendments should be introduced:
 - ☉ In the fifth column titled *Mitigation Measure*, the following amendments should be introduced:
 - ⇒ in the first paragraph of the contents of the mitigation measure, the existing text in brackets should be amended as follows:
(i.e. measures discussed under the decisions of RDOŚ in Cracow dated 07/02/2020, 06/15/2021 and 02/15/2022, which form Appendices 4b, 4c and 4d to this EMP)
 - ⇒ the existing letter a) should be amended as follows:
 - a) the works shall be completed on April 30, 2023 at the latest (i.e. until the expiration of permits discussed under the aforementioned decisions of RDOŚ in Cracow);
 - ⇒ the existing letter g) should be amended as follows:
 - g) after completion of the aforementioned works the Contractor shall provide the Engineer with a written report on implementation of measures discussed under the aforementioned decisions of RDOŚ in Cracow, comprising e.g.: a description of and deadlines for the measures implemented, including photo documentation. The report shall be provided until May 15, 2023.

Amendments to Appendix 2 titled *Plan of monitoring measures*

- In the table of monitoring measures, under item 16 (page 15 in Appendix 2 to the EMP), the following amendments should be introduced:
 - ☉ In the second column titled *ED item*, the following text should be deleted:
II.11.
and replace it as follows:
I. of the ED dated 2022
 - ☉ In the fourth column titled *Subject of Monitoring*, the existing text of the last paragraph should be deleted as follows:
Felling and/or other forms of removal of the aboveground parts of trees and shrubs should be carried out outside the breeding season of birds,
i.e. outside the period from March the 1st to August the 31st
(this condition does not apply to removal of stumps and roots of trees and shrubs remaining after the above works).

and replace it as follows:

Works associated with logging of trees and with shrub stumping may be conducted for the whole year, provided that ongoing nature supervision is ensured, in particular with the participation of expert naturalists in the field of ornithology and chiropterology, who shall inspect the construction area and the front of works once a week for the presence of protected species and their shelters. If breeding sites are found, logging can be conducted only after the young individuals have left the nests and other shelters.

➤ In the table of monitoring measures, under item 39 (page 32 in Appendix 2 to the EMP), the following amendments should be introduced:

☉ In the fourth column titled *Subject of Monitoring*, the following amendments should be introduced:

⇒ in the first paragraph of the content of the monitored mitigation measure, the existing text in brackets should be amended as follows:

(i.e. measures discussed under the decisions of RDOŚ in Cracow dated 07/02/2020, 06/15/2021 and 02/15/2022, which form Appendices 4b, 4c and 4d to this EMP)

⇒ the existing letter a) should be amended as follows:

a) the works shall be completed on April 30, 2023 at the latest (i.e. until the expiration of permits discussed in the aforementioned decisions of RDOŚ in Cracow);

⇒ the existing letter d) should be amended as follows:

d) after completion of the aforementioned works the Contractor shall provide the Engineer with a written report on implementation of measures discussed under the aforementioned decisions of RDOŚ in Cracow, comprising e.g.: a description of and deadlines for the measures implemented, including photo documentation. The report shall be provided until May 15, 2023.

➤ In the table of monitoring measures, under item 40 (page 33 in Appendix 2 to the EMP), the following amendments should be introduced:

☉ In the fourth column titled *Subject of Monitoring*, the following amendments should be introduced:

⇒ in the first paragraph of the content of the monitored mitigation measure, the existing text in brackets should be amended as follows:

(i.e. measures discussed under the decisions of RDOŚ in Cracow dated 07/02/2020, 06/15/2021 and 02/15/2022, which form Appendices 4b, 4c and 4d to this EMP)

⇒ the existing letter a) should be amended as follows:

a) the works shall be completed on April 30, 2023 at the latest (i.e. until the expiration of permits discussed under the aforementioned decisions of RDOŚ in Cracow);

⇒ the existing letter g) should be amended as follows:

- g) after completion of the aforementioned works the Contractor shall provide the Engineer with a written report on implementation of measures discussed under the aforementioned decisions of RDOŚ in Cracow, comprising e.g.: a description of and deadlines for the measures implemented, including photo documentation. The report shall be provided until May 15, 2023.

Amendments to Appendix 4 titled *Decisions, resolutions, permits, notices*

- In Appendix 4 to the EMP the following amendments should be introduced:
 - add another element of Appendix 4 to the EMP (number 4c)³, as the text of the Decision of RDOŚ in Cracow dated June 15, 2021 amending the decision dated July 02, 2020 allowing for departure from bans binding in reference to species under protection
 - add another element of Appendix 4 to the EMP (number 4d)⁴, as the text of the Decision of RDOŚ in Cracow dated February 15, 2022 amending the decision dated July 02, 2020 allowing for departure from bans binding in reference to species under protection
 - add another element of Appendix 4 to the EMP (number 4e)⁵, as the text of the Decision of RDOŚ in Cracow dated March 08, 2022 amending the decision dated March 24, 2020 on environmental conditions

³ The new Appendix 4c to the EMP in question also forms Appendix 2 to this Annex.

⁴ The new Appendix 4d to the EMP in question also forms Appendix 3 to this Annex.

⁵ The new Appendix 4e to the EMP in question also forms Appendix 1 to this Annex.

4 Summary

This Annex no. 1 to the Environmental Management Plan (EMP) for the Works Contract 3A.5 has been developed for the purpose of issuing a decision dated March 08, 2022 by the Regional Director for Environmental Protection in Cracow (ref. no.: OO.420.4.1.2020.BM), which modified one of the conditions of the binding decision on environmental conditions (dated March 24, 2020, ref. no.: OO.4233.8.2014.BM), and it therefore modified contents of one of the mitigation measures given under item 16 in Appendix 1 to the EMP and corresponding monitoring measure included in Appendix 2 to the EMP.

The amendment in question to the condition of the environmental decision refers to the time and to the performance conditions related to the removal of trees and shrubs only – see: information given in Chapter 2.1 of this Annex. The amendment shall not result in changing the scope of assumed volume of gas and dust pollution emission to the air, pollution emission to soil and water, and volume and specificity of waste emission, as well as it shall not result in changing the volume of applied water, materials, fuel, and power. It shall also not result in changing the scale or the specificity of forecasted impact on abiotic environment and on biotic environment (including protected resources of the natural environment) or the forecasted impact on heritage and material goods. The amendment does not also refer to modification of the Contract impacts in relation to water and mud areas with shallowly occurring ground water, areas under protection, areas requiring special protection due to occurrence of plant species and animal species and their habitats, as well as natural habitats under protection, including Natura 2000 sites, and areas with landscape of historic, cultural or archaeological significance.

In addition, this annex also includes the amendments introduced in 2021-2022 to the decision of the Regional Director for Environmental Protection in Cracow dated July 02, 2020 (ref. no.: OP-I.6401.204.2020.GZ) allowing for departure from bans binding in reference to species under protection – see: information given in Chapter 2.2 of this Annex). Some of the amendments for extending the validity date of the decision dated July 02, 2020 and changing the date of submitting the final report on its implementation, change the contents of two mitigation measures included in Appendix 1 to the EMP and in two relevant monitoring measures included in Appendix 2 to the EMP.

The contents of the above-mentioned decisions amending the previous decisions of RDOŚ in Cracow is presented in appendices to this Annex (see: List of Appendices in Chapter 5). A list of modifications in the contents and in the Appendices to the binding EMP for the Works Contract 3A.5, associated with the issuance of the above-mentioned amending decisions, is given in Chapter 3.

5 List of Appendices to the Annex

- Appendix 1. Decision of RDOŚ in Cracow dated March 08, 2022
amending the decision dated March 24, 2020 on environmental conditions
(ref. no.: OO.420.4.4.2021.BM)
- Appendix 2. Decision of RDOŚ in Cracow dated June 15, 2021
amending the decision dated July 02, 2020 allowing for departure from bans
binding in reference to species under protection
(ref. no.: OP-I.6401.160.2021.GZ.2)
- Appendix 3. Decision of RDOŚ in Cracow dated February 15, 2022
amending the decision dated July 02, 2020 allowing for departure from bans
binding in reference to species under protection
(ref. no.: OP.6401.44.2022.GZ)