



REGIONAL DIRECTOR FOR
ENVIRONMENT
PROTECTION in GDAŃSK

Gdańsk, 31 May 2022

RDOŚ-GÓ-WOO.420.35.2022.AJ.3

zpo

Resolution

Pursuant to Article 108(1)(1) 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 assessments* (consolidated text: Journal of Laws of 2022, item 1029), hereinafter referred to as the EIA Act, and Article 123 of the Act of 14 June 1960 - *Code of Administrative Procedure* (Journal of Laws of 2021, item 735 as amended), and in connection with section 2(1)(5) and section 3(1)(61) of the Regulation of the Council of Ministers of 10 September 2019 on projects which may have significant effects on the environment (Journal of Laws of 2019, item 1839), at the request of the Investor: MFW Bałtyk I S.A., represented by Ms. Ewa Mozer, Ref. MFWBI-008/2022/AM of 12.05.2022 for the decision on environmental conditions and, therefore, for the determination of the scope of the report on the environmental impact of the project,

the following is decided

for the project named: "**Morska Farma Wiatrowa (Offshore Wind Farm) MFW Bałtyk I**", located in the maritime area of the Republic of Poland, in the Polish Exclusive Economic Zone, at a distance of at least 81 km north of the coastline, at the level of the Smołdzino and Łeba communes,

1. **that it is necessary** to conduct the transboundary environmental impact assessment procedure;
2. **to impose an obligation** to prepare, in Swedish and Danish, the following documentation necessary for the procedure:
 - a) an application for a decision on environmental conditions,
 - b) the project information sheet - containing up-to-date, basic information about the planned project in paper and electronic form,
 - c) those parts of the environmental impact assessment report which will make it possible for the country, whose territory may be affected by the planned project, to assess the possible significant transboundary effects on the environment - in paper and electronic form.

JUSTIFICATION

On 18.05.2022 the Regional Director for Environmental Protection in Gdańsk received a request of the Investor: MFW Bałtyk I S.A., represented by Ms. Ewa Mozer, Ref. MFWBI-008/2022/AM dated 12.05.2022, for the decision on environmental conditions for the project entitled: **"Morska Farma Wiatrowa MFW Bałtyk I (Offshore Wind Farm OWF Baltic I)"**.

The above request was accompanied with:

- 1) Project Information Sheet (3 copies + CD version);
- 2) A map in a scale ensuring the legibility of the presented data with indicated area, where the project will be possibly implemented, and with the indication of possible area which will be possibly affected by the project, together with an electronic version of the map;
- 3) Powers of attorney for: Ms Ewa Mozer, Ms Anna Marczak, Ms Marta Porzuczek and Ms Joanna Makowska for the representation of the company MFW Bałtyk I S.A.;
- 4) Proof of payment of stamp duty for the issue of the decision (PLN 205) and powers of attorney (PLN 68).

In connection with the above, by means of a notification dated 27.05.2022, Ref. RDOŚ-Gd-W00.420.35.2022.AJ.1, the said authority informed the Investor on the initiation of the proceedings in the case and on the possibility to become acquainted with the documents and to submit possible comments and requests. Information on the request has been placed on the publicly available list of data - Ekoportal (www.ekoportal.pl) under No. 186/2022, maintained pursuant to Article 21 of the EIA Act.

In accordance with section 2(1)(5) of the Regulation of the Council of Ministers of 10 September 2019 on projects which may have significant effects on the environment (Journal of Laws of 2019, item 1839), the planned project is qualified as *"installations using wind energy for electricity generation with a total nominal capacity of not less than 100 MW, located in the maritime areas of the Republic of Poland"*.

In addition, helidecks qualify as projects which may potentially have significant effects on the environment (section 3(1)(61) *"airports other than those listed in section 2(1)(30) or aerodromes, with the exception of aerodromes referred to in the Regulation of the Minister of Health of 27 June 2019 on hospital emergency wards (Journal of Laws 2021 item 2048)"*), which could potentially be installed on offshore power substations.

In this connection, based on Article 71(2)(1) of the EIA Act, project implementation requires a decision on environmental conditions.

The project will be located in the south-western part of the Baltic Sea in the Polish EEZ, in the area indicated in the obtained permit to erect and exploit artificial islands, installations and equipment in Polish maritime areas. The area of the OWF Baltic I is located in the Polish exclusive economic zone, at the level of the Smółdzino and Łeba communes, at a minimum distance of ca 81 km from the coastline.

Taking into account the fact that the project belongs to those which may always have a significant effects on the environment and due to the fact that it is located in the maritime area, pursuant to Art. 75(1)(1)(c) of the EIA Act, the Regional Director for Environmental Protection in Gdańsk is the competent authority to examine the case.

The geographical coordinates of the vertices delimiting the area of the OWF Baltic I according to the location decision are presented in Table 1.

Coordinate system WGS 84 DD°MM'SS.ss"		
Vertice No.	Longitude (E)	Latitude (N)
1	17°22'48.0842"	55°35'12.9062"
2	17°18'13.6818"	55°33'28.6638"
3	17°18'45.1652"	55°33'13.8068"
4	17°25'18.6708"	55°31'52.4230"
5	17°24'30.7190"	55°28'28.3090"
6	17°23'21.1507"	55°28'58.3008"
7	17°11'27.7087"	55°28'43.9310"
8	17°08'45.0747"	55°29'53.4755"
9	17°08'05.9219"	55°31'45.3848"

Table 1 Geographical coordinates of the vertices delimiting the area of the OWF Baltic I in accordance with the location decision.

The maritime area designated for the execution of the OWF Baltic I according to the permit to erect and exploit artificial islands, installations and equipment in Polish maritime areas is 128.53 km².

The maximum total power of the proposed OWF Baltic I according to the obtained permit is 1560 MW.

The OWF Baltic I Offshore Wind Farm will consist of:

- maximum of 104 offshore wind turbines, the basic elements of which are: foundation, tower and nacelle and rotor assembly,
- maximum of 2 offshore power substations,
- a maximum of 250 km of internal power and telecommunications cables connecting:
 - individual wind turbines with each other (into cable circuits),
 - groups of wind turbines with offshore power substations,
 - offshore power substations with each other.

The Project will also include all infrastructure necessary for the execution and operation of the wind farm.

The planned OWF is located in the Polish EEZ and is directly adjacent to the Swedish EEZ and approximately 47 km from the Danish EEZ. The closest Natura 2000 protected area is the area of Hoburgs bank och Midsjöbankarna (SE0330308) on the Swedish side, which borders the proposed project area on the northern side for approximately 3 km. Therefore, a potentially significant transboundary effects of the planned wind farm cannot be excluded. The source of such effects may be e.g. the emission of underwater noise generated during the installation of wind turbine foundations and substations with regard to marine mammals and fish (including cumulative impact with other planned and executed offshore wind farms). It should be indicated that within the framework of the strategic environmental impact assessment procedure in the transboundary context for the Polish Maritime Spatial Plan, countries such as Denmark and Sweden declared their willingness to participate in the transboundary procedure for the planned wind farms and requested detailed analyses on the wind farms' impact on nature. These countries should therefore be allowed to review this information.

On the basis of the submitted documents (including the project information sheet), the aforementioned authority established that it is necessary to conduct proceedings on transboundary effects originating from the territory of the Republic of Poland also due to the location of the OWF Baltic I at the Polish-Swedish EEZ border and about 47 km from the Polish-Danish EEZ, as well as due to its type and nature. The distance from the Swedish coastline is ca 80 km and more than 150 km from the Danish Island of Bornholm.

In view of the above, a transboundary effects on Swedish and Danish territory are possible and an appropriate proceedings are required.

According to Article 108(1)(1) of the EIA Act, it is the responsibility of the applicant to translate the documentation referred to in Article 108(4) into the language of the country whose territory may be affected by the project.

In view of the above, it has been decided as above.

NOTICE

A party may lodge a complaint against this decision with the General Director for Environment Protection, through the authority issuing the decision, within 7 days from the day of its delivery.

Regional Director for
Environment
in Gdańsk

Radosław Iwiński



Recipients:

1. MFW Bałtyk I S.A, through its Agent Ms Ewa Mozer, ul. Krucza 24/26, 00-526
Warszawa (Investor)

2. ad acta

Cc.:

<£> General Director for Environment Protection, ul. Królewska 52/54, 00-922 Warsaw.