

Szczecin, November 30, 2023

WONS-OŚ.420.35.2023.KK.3

**Based on Article 108 section 1 point 1, Article 75 section 1 point 1 letter c) in connection with Article 75 section 2 of the Act of October 3, 2008 on the provision of information on the environment and its protection, public participation in environmental protection and on environmental impact assessments (Journal of Laws of 2023, 1094, as amended), hereinafter referred to as the EIA Act. in connection with article 123 of the Act of June 14, 1960, Code of Administrative Procedure (Journal of Laws of 2023, item 775, as amended), after considering the application of Cormano Sp. z o. o., submitted through Mrs. Klaudyna Świstuń on October 23, 2023 (electronically via ePUAP) for issuing a decision on environmental conditions for the planned project titled Morska Farma Wiatrowa 43.E.1 (Offshore Wind Farm 43.E.1),**

#### **I decide**

- I.** To conduct proceedings regarding the cross-border environmental impact for the planned project entitled: *Morska Farma Wiatrowa 43.E.1 (Offshore Wind Farm 43.E.1)*,
- II.** To determine the scope of documentation necessary to carry out this procedure, which will include:
  - a) application for a decision on environmental conditions;
  - b) project information card (KIP);
  - c) part of the report on the environmental impact of the project, which will enable the country on whose territory the planned project may have an impact to assess the possible significant cross-border impact on the environment, submitted during subsequent stages of the procedure.
- III.** To impose the obligation for the applicant to prepare the documentation referred to in point II of this decision in Swedish and Danish - due to the possibility of impact of the project on the territory of Sweden and Denmark, and to submit it in paper and electronic form.

#### **Justification**

Cormano Sp. z o. o., through Mrs. Klaudyna Świstuń, on October 23, 2023, submitted an application for the issuance of a decision on environmental conditions for the project entitled Morska Farma Wiatrowa 43.E.1 (Offshore Wind Farm 43.E.1), simultaneously submitting a request to determine the scope of the report, in accordance with the provisions of Article 69 of the EIA Act. The application for issuing a decision on environmental conditions also indicated the possibility of cross-border impact of the project on the environment and at the same time requested to determine the scope of the report covering the above issue.

The application for issuing a decision on environmental conditions is accompanied by:

- Project Information Card (KIP),
- a map on a scale ensuring the readability of the presented data, with the expected area marked where the project will be implemented and the expected area affected by the project marked;
- power of attorney to represent the Applicant;
- proof of payment of the stamp duty for issuing a decision on environmental conditions;
- proof of payment of stamp duty for the power of attorney,
- application form for issuing an environmental decision.

The application in question as a result of a request from the local authority on November 6, 2023, reference number: WONS-OŚ.420.35.2023.KK., was formally supplemented on November 28, 2023 with a letter from the Director of the Maritime Office in Szczecin, dated November 13, 2023, reference number: GPG-I.61120.5.23.JS(2), regarding the provisions of the Spatial Development Plan for internal marine waters, the territorial sea and the exclusive economic zone at a scale of 1:200,000, adopted by regulation of the Council of Ministers of April 14, 2021 (Journal of Laws, item 935, as amended) in relation to the location of the planned project.

The planned project involves the construction and operation of the offshore wind farm 43.E.1 (OWF) with a maximum installed capacity of 1,694.2 MW, together with technical, measurement, research and service infrastructure, in the Polish exclusive economic zone. The planned investment is located in the central part of the South Baltic Sea, at the foot of the northern slopes of the Ławica Słupska (ang. Słupska Bank), approximately 43.9 km from land near the Postomino commune. The total area of the OWF is approximately 118.4 km<sup>2</sup>. The offshore wind farm 43.E.1 will include: a maximum of 113 wind turbines consisting of a foundation, tower, nacelle assembly and rotor; a maximum of 5 marine power stations (MSE) and a maximum of 330 km of internal power and telecommunications cables (inter-array cables) connecting: individual wind turbines with each other, groups of wind turbines with marine power stations and marine power stations with each other.

The project in question is classified as one that may always have a significant impact on the environment in accordance with § 2 section 1 point 5 of the Regulation of the Council of Ministers of September 10, 2019 on projects that may have a significant impact on the environment (Journal of Laws, 2019, item 1839, as amended). The authority competent to issue decisions on environmental conditions is the Regional Director for Environmental Protection in Szczecin in accordance with Article 75 section 1 point 1 letter c) in connection with Article 75 section 2 of the EIA Act.

Based on the documents submitted by the investor and the analysis of materials available in the resources of the local authority, it was concluded that as a result of the implementation of the project, there may be cross-border impacts on the environment of Sweden and Denmark.

When developing the position on the matter, the ongoing and completed proceedings in the local authority as part of the strategic environmental impact assessment in a cross-border context were taken into account for: Spatial development plan for Polish Maritime Areas; Update of the maritime spatial development plan for the German Exclusive Economic Zone (EEZ) in the North Sea and the Baltic Sea; The spatial development plan for the Danish maritime areas and as part of the environmental impact assessment in the cross-border context of wind farms located in the Swedish Exclusive Economic Zone, among others. such as: MFW Sodra Midsjobanken; MFW Kultje; MFW Dynning; MFW Aurora; MFW Triton; MFW Skane Havsvindpark; MFW Herkules; MFW Baltic Offshore Beta; MFW Neptunus, as well as completed environmental impact assessment proceedings for offshore wind farms near the Natura 2000 Ławica Słupska area PLC990001, among others: such as: Morska farma elektrowni wiatrowych FEW Baltic II; Morska Farma Wiatrowa Bałtyk II; Morska Farma Wiatrowa Baltica 2; Morska Farma Wiatrowa Baltica 3; Morska Farma Wiatrowa Bałtyk Środkowy III or the proceedings currently pending in the local authority for the Morska Farma Wiatrowa 44.E.1 (Offshore Wind Farm 44.E.1), located in the immediate vicinity of the project covered by these proceedings.

According to the analysis of the submitted documents and data available at the local authority, the planned wind farm, together with other planned wind farms at the Ławica Słupska (Słupska Bank), as well as other planned and existing wind farms in the Baltic Sea, located in Denmark and Sweden, may result in impacts of a significant cross-border nature, mainly in relation to birds, marine mammals and fish.

It should be noted that as part of the completed strategic environmental impact assessment procedure (hereinafter referred to as SEA) in the cross-border context for the Spatial Development Plan for the Polish Maritime Areas, Denmark and Sweden declared their willingness to participate in the

cross-border procedure for the planned wind farms and requested detailed analyses in the scope of wind farms impact on nature. Therefore, those countries should be given the opportunity to consult this information.

Pursuant to Article 108 of the EIA Act, the authority competent to issue a decision on environmental conditions is also competent to issue a decision to conduct proceedings regarding the cross-border impact of the project on the environment.

The obligations set out in this provision result from Article 108 of the EIA Act.

Acting on the basis of the provisions quoted at the beginning, it was decided as in the operative part.

### **NOTICE**

To this provision in accordance with Article 108 section 3 of the EIA Act, the parties may lodge a complaint with the General Director for Environmental Protection, through the Regional Director for Environmental Protection in Szczecin, within 7 days from the date of its delivery.

Under the authorisation of Regional Director of Environmental Protection  
Head of the Department of Environmental Impact Assessment and  
Environmental Damage Remediation  
Regional Directorate for Environmental Protection in Szczecin  
(Regionalna Dyrekcja Ochrony Środowiska w Szczecinie)  
Anna Czyżowicz  
/signed with a qualified electronic signature/

#### **Delivery to - ePUAP:**

Mrs.

Klaudyna Świstuć

Representative of Cormano Sp. z o. o

ePUAP (/CARMAGNOLA/default)

**For the attention of** (together with an application for a decision, KIP and a map with the impact area):  
General Director of Environmental Protection - ePUAP