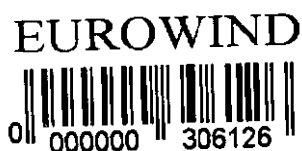




**REGIONAL DIRECTOR FOR
ENVIRONMENTAL PROTECTION
IN OPOLE**



ALTIPLANO Sp. z o.o.	
Received on	2012 -02- 15
Ref. No.	19 02 12 P

As it has not been challenged, the decision has become final on 20 February 2012 and is enforceable

/Signature/

WOŚ.4210.1.2011.IOC.14

Opole, 15 February 2012

DECISION ON ENVIRONMENTAL CONDITIONS

Pursuant to Article 71(2)(2), Article 75(6) and Article 82 and Article 85(1) of the Act of 3 October 2008 *on the Provision of Information on the Environment and Environmental Protection, Public Participation in Environmental Protection and Environmental Impact Assessments* (Journal of Laws No. 199, item 1227, as amended), as well as § 3(1)(6) of the Regulation of the Council of Ministers of 9 November 2004 *on determination of types of projects likely to have a major environmental impact and detailed conditions connected with qualifying a project to prepare a report on environmental impact* (Journal of Laws No. 257, item 2573, as amended) in connection with § 4 of the Regulation of the Council of Ministers of 9 November 2010 *on projects likely to have a major environmental impact* (Journal of Laws No. 213, item 1397) and Article 104 of the Act of 14 June 1960 – *Code of Administrative Procedure* (Journal of Laws of 2000, No. 98, item 1071, as amended), having examined the application of Altiplano Sp. z o.o. from Gdańsk for issuing a decision on environmental conditions for a project involving the construction of the Bąków 2E wind farm with auxiliary infrastructure

I determine

the environmental conditions for the project under the name: “Bąków 2E wind farm with auxiliary infrastructure in the commune of Grodków, Opolskie Voivodeship” for the variant indicated by the investor:

I. I specify:

Type and location of the project:

The investment in question will consist in the construction of a wind farm in the sections of Nowa Wieś Mała and Żarów together with the connecting infrastructure which will be located in the following sections: Nowa Wieś Mała, Żarów, Żelazna, Kopice, Starowice Dolne, Wojsław, Tarnów Grodkowski, Półwiosek in the commune of Grodków, district of Brześć, Opolskie Voivodeship.

The planned investment aims to generate electricity from a renewable source that is wind.

The scope of the project includes the construction of:

- up to twelve wind power plants,
- internal connection infrastructure in the form of medium voltage (MV) power cable lines and telecommunication lines (optical fibres), connecting individual power plants into cable circuits, which will be connected to the external MV/HV “Bąków” substation, belonging to the designed wind farm (Bąków 2C),
- access roads to the power plant, manoeuvring, assembly and storage yards,
- construction facilities.

Parameters of the wind power plants:

Document
15/02/2012



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- maximum power of each turbine up to 4 MW,
- maximum total height of the power plant: up to 200 m,
- maximum tower height: up to 140 m,
- maximum rotor radius: up to 60 m,
- maximum sound power of each turbine: 106 dB.

II. Conditions for the use of the land in the execution and operation or use phase of the project, with particular regard to the need to protect valuable natural values, natural resources and historical monuments, and to limit nuisance to the neighbouring areas:

1. Execution phase of the project:

- 1.1. Carry out construction works and transport of construction materials only during daytime, i.e. between 6:00 AM and 10:00 PM, excluding construction periods where continuity of works is required from a technological point of view and excluding transport of wind power plant elements.
- 1.2. Carry out works using efficient construction equipment, carry out regular technical inspections of the equipment used and supervise its technical efficiency.
- 1.3. In the course of construction works, take all precautions to prevent pollutants (e.g. oil-derived compounds) from penetrating into the soil and water environment. In consequence, the area intended for the construction facilities and the material base must be properly sealed. In addition, in the event of a spill, the works contractor should have suitable sorbents for removing contaminants, especially petroleum-based (e.g. fuels, lubricants) and synthetic (e.g. oils) sorbents.
- 1.4. Preserve the fertile soil layer removed from the excavation surface and restore it after the construction work is completed.
- 1.5. Locate parking spaces for heavy equipment, construction facilities and storage areas for construction materials as far as possible from residential buildings and surface watercourses.
- 1.6. Switch off machinery and equipment during work breaks; avoid idling of machinery and equipment.
- 1.7. The construction site must be equipped with TOI-TOI container sanitary units with watertight collecting tanks. Dispose of domestic sewage at the sewage treatment plant.
- 1.8. Do not place any trees or shrubs around the turbines or along the access roads.
- 1.9. As far as possible, carry out the felling of trees and shrubs, if any, between 1 October and 29 February.
- 1.10. The felling of trees and shrubs between 1 March and 30 September may only be carried out after an ornithological survey has first established that no protected bird species nest in the trees and shrubs to be removed.
- 1.11. The removal of ground cover should, as far as possible, be carried out between 1 September and 14 March.
- 1.12. The removal of soil cover in the period from 15 March to 31 August can only be carried out after an ornithological survey has first established that no protected bird species nest in the area where soil cover will be removed.
- 1.13. The foundations should be covered with concrete immediately after the construction and assembly has been completed, and the cable trenches should be backfilled immediately after the cables have been laid.
- 1.14. During construction work, if any archaeological artefacts are encountered, stop work and contact the conservation services to agree further action.

2. Operation phase:

- 2.1. Use up to twelve wind turbines with a capacity of up to 4 MW each for wind energy production.
- 2.2. During the execution and operation of the investment, collect waste selectively in a manner preventing the access of unauthorised persons and posing no threat to the environment, health and life of humans, in designated places as described, on a hardened ground, protected against penetration of leachate to the ground, until it is collected by authorised entities.

- 2.3. Do not place any trees or shrubs around the turbines or along the access roads.
- 2.4. Prevent tree and shrub succession around the turbines and along the access roads.
- 2.5. Do not illuminate the turbine with white light other than that required by air traffic safety regulations.
- 2.6. Illuminate turbines with low-frequency flashing light.
- 2.7. If the analysis referred to in point V.1. suggests that the identified mortality of birds has a negative or potentially negative impact on local or migrating populations, it is necessary to apply, as a minimising measure, the shutdown of the turbines causing mortality (rotor stopping) during those periods of the year (specified in the post-execution analysis by a range of daily dates) and times of the day (specified by hours) when there is the highest risk of collision with a turbine of the species for which the analysis shows such a risk. Other measures should also be applied to minimise the impact of the wind turbines on birdlife, the necessity of which is suggested by the findings of the analysis.
- 2.8. If the analysis referred to in point V.2. suggests that the identified mortality of bats has a negative or potentially negative impact on local or migrating populations, it is necessary to apply, as a minimising measure, the shutdown of the turbines causing deaths (rotor stopping), with no rain and at wind speeds below 6 m/s during those periods of the year (specified in the post-execution analysis by a range of daily dates) and times of the day (specified by hours) when there is the highest risk of collisions of bats with the wind power plant. Other measures should also be applied to minimise the impact of the wind turbines on chiropterofauna, the necessity of which is suggested by the findings of the analysis.
- 2.9. Apply the shutdown (rotor stopping) of the EW68, EW69, EW71, EW74, EW75 and EW77 turbines in the period from 1 August to 31 August, from 7:30 OM to 5:30 AM, with no rain and wind speeds below 6 m/s. The periodic shutdowns may be abandoned if the post-execution monitoring recommended in point V.2. indicates low bat activity in the vicinity of the above-mentioned turbines.
- 2.10. Use matt paints for rotor blade painting.
- 2.11. Use a colour scheme for all power plants that harmonises with the surroundings.
- 2.12. Do not place advertising inscriptions on the structures, with the exception of the turbine manufacturer's or investor's logo.

III. Environmental protection requirements to be included in the documentation required for the issuance of a building permit.

1. Design up to 12 wind turbines in the following locations:

Designation of the power plant	Plot no.	Surveying section
EW 68	176/12	Nowa Wieś Mała;
EW 69	176/12	Nowa Wieś Mała;
EW 70	77	Żarów
EW 71	176/12	Nowa Wieś Mała;
EW 73	134	Żarów
EW 74	176/12	Nowa Wieś Mała;
EW 75	176/12	Nowa Wieś Mała;
EW 76	94	Żarów
EW 77	176/12	Nowa Wieś Mała;
EW 78	28/1	Żarów
EW 79	34/1	Żarów
EW 80	34/1	Żarów

2. The project will provide for the following power plant parameters:
 - maximum power of each turbine up to 4 MW,
 - maximum total height of the power plant: up to 200 m,
 - maximum tower height: up to 140 m,

- maximum rotor radius: up to 60 m,
 - maximum sound power of each turbine: 106 dB.
3. Place the wind turbines on foundations in the form of footings or foundation slabs or on piled foundations.
 4. If it is necessary to ensure that the electrical and technical connections are located at a height above the expected floodwater level, design the foundations of the power plants on artificially excavated ground elevations of up to 3 m above sea level (by which the total height of the power plant will be increased).
 5. Design the telecommunication lines.
 6. Design the connection of the wind power plants by means of underground medium voltage (MV) power lines to the external MV/HV "Bąków" substation, which is part of another designed wind farm (Bąków 2C).
 7. Design access roads with parameters allowing the acceptance of a significant load and allowing access to the power plant site, as well as manoeuvring, assembly, storage yards and construction facilities.
 8. Determine the conditions and manner of management of earth masses, removed or relocated during earthworks, in connection with the execution of the investment and not causing the soil and ground quality standards to be exceeded.
- IV. I hereby express my opinion on the need to conduct the environmental impact assessment and a cross-border environmental impact assessment procedure as part of the proceedings for the issuance of the decision referred to in Article 72(1)(1) of the Environmental Protection Act referred to above.**

The project in question does not require an environmental impact assessment and proceedings on a transboundary environmental impact as part of the proceedings for the issuance of the decision referred to in Article 72(1)(1) of the Act of 3 October 2008 on the provision of information on the Provision of Information on the Environment and Environmental Protection, Public Participation in Environmental Protection and Environmental Impact Assessments (Journal of Laws No. 199, item 1227, as amended).

V. I impose an obligation to present a post-execution analysis within the following scope:

1. Post-execution analysis regarding the impact of the project on birdlife

The purpose of the post-execution analysis is to determine the impact of the wind farm on birdlife. In the absence of legal norms concerning the manner and scope of this assessment, the authority believes that it is reasonable to perform it in accordance with the methodology described in the guidelines for the assessment of the impact of wind power plants on birds, applicable at the moment of commissioning the project. Monitoring in this respect should be commenced within the first 12 months of operation, carried out three times within 5 years, and its results, together with the analysis, should be submitted to the Regional Director for Environmental Protection in Opole by 31 January of each year following the year in which one of the three complete observation cycles was completed.

2. Post-execution analysis of the impact of the project on chiroptero fauna

The purpose of the post-execution analysis is to determine the impact of the wind farm on chiroptero fauna. In the absence of legal norms concerning the manner and scope of this assessment, the authority believes that it is reasonable to perform it in accordance with the methodology described in the guidelines for the assessment of the impact of wind power plants on bats, applicable at the moment of commissioning the project. The monitoring in this respect should be commenced within the first 12 months of operation, conducted at least for three seasons, within the first five years from the start-up of the investment, with studies being obligatory for the first two years, while the third season of studies may be conducted in the third, fourth or fifth year of the farm's operation. The results of the studies along with their analysis should be submitted to the Regional Director for Environmental Protection in Opole by 31 January of each year following the year in which one of the three seasons of observations was completed.

3. Post-execution analysis of the impact of the project on the state of the acoustic climate in areas legally protected against noise

The analysis should include the results of environmental noise measurements from the operation of the wind farm, carried out within 6 months of the commissioning of the facility, at four points with coordinates in the state 1992 system, i.e.:

- x= 311 730, y = 386 130, Old Grodków section,
- x= 311 850, y = 386 240, Stary Grodków section,
- x= 312 970, y = 386 100, Nowa Wieś Mała section,
- x= 311 810, y = 383 720, Nowa Wieś Mała section.

The analysis in the aforementioned scope should be submitted to the Regional Director for Environmental Protection in Opole as the competent authority to issue a decision on environmental conditions within 9 months from the date of commissioning the facility.

VI. The characteristics of the entire project constitute attachment no. 1 to this decision on environmental conditions.

STATEMENT OF REASONS

Altiplano Sp. z o.o. with its registered office in Gdańsk, by letter dated 24 June 2010 (date of receipt by the Regional Director for Environmental Protection in Opole is 28 June 2010), applied to the Regional Director for Environmental Protection in Opole for issuing a decision on environmental conditions for the project involving **“Construction of the Bąków 2E wind farm with auxiliary infrastructure in the commune of Grodków, Opolskie Voivodeship”**.

Due to the fact that the project will be implemented in part in closed areas belonging to the Polish State Railways (PKP), i.e. on the following plots of land: no. 155, Nowa Wieś Mała section, no. 312, Tarnów Grodkowski section, and no. 319 and 329, Półwiosek section, the authority competent to issue a decision on environmental conditions, pursuant to Article 75(6) of the Act of 3 October 2008 *on the Provision of Information on the Environment and Environmental Protection, Public Participation in Environmental Protection and Environmental Impact Assessments* (Journal of Laws No. 199, item 1227, as amended), referred to as the Environmental Protection Act, is the regional director for environmental protection.

The application for the decision on environmental conditions was accompanied by:

- a) the project information sheet;
- b) a copy of the cadastral map, certified by the competent authority, covering the area where the project is predicted to be implemented, and covering the area affected by the project;
- c) a photocopy of the land register covering the area where the project will be implemented and covering the area affected by the project.

For the projects for which the authority conducting the proceedings is the regional director for environmental protection, the application for a decision on environmental conditions should be accompanied by an extract from the local spatial development plan, if such a plan was adopted, or information about its absence.

The area intended for the project is subject to the provisions of:

- the local spatial development plan approved under Resolution No. XXXV/376/2006 of the Grodków Municipal Council of 27 September 2006 and Resolution No. XXV/263/08 of the Grodków Municipal Council of 30 December 2008 amending the resolution on the local spatial development plan for certain villages in the commune of Grodków.
- the local spatial development plan approved under Resolution No. XLIV/452/10 of the Grodków Municipal Council of 3 November 2010 for the village of Żarów.

The authority analysed the provisions of the local spatial development plan and confirmed the project to be compatible with its provisions.

Having familiarised itself with the submitted application, the authority called for supplementing the project information sheet in its letter no. RDOŚ-16-WOOS-6613-032/1/10/mw of 8 July 2010. Under letter no.

L.Dz.04/07/2010/W of 20 July 2010 (date of receipt by the Regional Director for Environmental Protection in Opole: 26 July 2010) the kip was supplemented with missing information.

Pursuant to § 4 of the Regulation of the Council of Ministers of 9 November 2010 on projects likely to have a major environmental impact (Journal of Laws No. 213, item 1397), in accordance with which the current provisions apply to the proceedings on decisions referred to in Article 71(1) and Article 72(1) of the Environmental Protection Act, initiated before the entry into force of this regulation, the project in question was classified under the Regulation of the Council of Ministers of 9 November 2004, in force until 14 November 2010, on determination of types of projects likely to have a major environmental impact and detailed conditions connected with qualifying a project to prepare a report on environmental impact (Journal of Laws No. 257, item 2573, as amended). The planned project involving the construction of a wind farm, pursuant to § 3(1)(6) (*systems using wind power to produce energy with a total height of no less than 30 m, not listed in § 2(1)(5)*) of this Regulation, is classified as a project which may potentially significantly affect the environment.

As the number of parties to the proceedings exceeds 20, pursuant to Article 49 of the Act of 14 June 1960 – *Code of Administrative Procedure* (Journal of Laws of 2000, No. 98, item 1071, as amended) hereinafter referred to as the Code of Administrative Procedure and 74(3) of the Environmental Protection Act, the parties were informed about the stages of the proceedings in the form of announcements. The announcements were posted for a period of 14 days.

The list of parties to the proceedings constitutes an attachment to the application dated 24 June 2010, supplemented by the application dated 25 October 2011 for a decision on environmental conditions for the project under the name “Construction of the Bąków 2E wind farm with auxiliary infrastructure in the commune of Grodków, Opolskie voivodeship” located, together with the entire documentation on the case, at the office of the Regional Directorate for Environmental Protection in Opole.

In the course of the proceedings, pursuant to Article 64 of the Environmental Protection Act, by letter No. RDOŚ-16-WOOS-6613-32/4/10/mw of 30 July 2010, the authority requested the opinion of the State District Sanitary Inspector in Brzeg on the need to conduct the environmental impact assessment of the project and, in the event of such necessity, to determine the scope of the report. Notification of the parties to the proceedings about:

- initiation, at the request of ALTIPLANO Sp. z o.o., of the proceedings for the issuance of a decision on environmental conditions of consent for the execution of the project under the name: “Construction of the ‘Bąków 2E’ wind farm with auxiliary infrastructure”;
- a request, by letter no. RDOŚ-16-WOOS-6613-32/4/10/mw of 30 July 2010, to the State District Sanitary Inspector in Brzeg for an opinion on the need to conduct the environmental impact assessment of the abovementioned project and, in the event of such necessity, the scope of the report;
- the lack of possibility to settle the case within the time limit specified in Article 35 of the aforementioned Act of the Code of Administrative Procedure, was made in the form of announcements:
 - on the notice boards of
 - Regional Director for Environmental Protection in Opole, from 2 August 2010 to 16 August 2010;
 - Municipal Office of Grodków, from 10 August 2010 to 25 August 2010;
 - Municipal Office of Skoroszyce, from 4 August 2010 to 18 September 2010;
 - and in the vicinity of the site of the planned project, i.e. in the villages of:
 - Żelazna from, .10 August 2010 to 25 August 2010
 - Stary Grodków, from 4 August 2010 to 18 August 2010;
 - Żarów, from 9 August 2010 to 24 August 2010;
 - Nowa Wieś Mała, from 7 August 2010 to 1 September 2010;
 - Młodoszowice, from 20 August 2010 to 4 September 2010;
 - Gnojna, from 8 August 2010 to 22 August 2010;
 - Kopice;
 - Starowice Dolne:
 - Bąków;
 - Kolnica;
 - Wojsław;
 - Lubiąż.

Announcements posted in the following villages: Kopice, Starowice Dolne, Bąków, Kolnica, Wojsław and Lubiąż without were destroyed or lost from the notice boards and were not returned to the Regional Director for Environmental Protection in Opole.

On 2 August 2010, information about the application was placed on the publicly available data list (www.ekoportal.pl).

In letter No. NZ/BK-4325-1-29/10 dated 10 August 2010 (date of receipt by the Regional Director for Environmental Protection in Opole: 13 August 2010) The State District Sanitary Inspectorate in Brzeg expressed an opinion on the need to conduct the environmental impact assessment of the project and defined the scope of the report in accordance with the requirements of Article 66(1) of the Environmental Protection Act. In the opinion of the State District Sanitary Inspectorate in Brzeg, the implementation of the investment in question, due to the vicinity of other farms, its interference with individual elements of the natural environment may significantly affect the environment within the scope of emission of noise into the environment, impact on other elements of the environment and generation of hazardous waste.

Taking into account the nature, scale and location of the project, in particular the possibility of its negative impact on the acoustic climate in the protected areas, and at the same time taking into account the opinion of the State District Sanitary Inspectorate in Brzeg, in decision no. RDOŚ-16-WOOS-6613-032/5/10/mw of 31 August 2010, the authority decided on the need to conduct the environmental impact assessment of the project and determined the scope of the environmental impact report. At the same time, under decision no. RDOŚ-16-WOOS-6613-032/5/10/mw of 31 August 2010, pursuant to Article 63(5) of the Environmental Protection Act, it suspended the proceedings for issuing a decision on environmental conditions for the project under the name "Construction of the Bąków 2E wind farm with auxiliary infrastructure in the commune of Grodków, Opolskie Voivodeship".

Notification of the parties to the proceedings about:

- issuance of decision no. RDOŚ-16-WOOS-6613-032/5/10/mw of 31 August 2010 on the need to conduct an environmental impact assessment of the project under the name "Construction of the 'Bąków 2E' wind with the auxiliary infrastructure" and determining the scope of the environmental impact report.
- issuance of the decision no. RDOŚ-16-WOOS-6613-032/6/10/mw of 31 August 2010 suspending the proceedings for issuing the decision on environmental conditions of consent to the implementation of the project under the name "Construction of the 'Bąków 2E' wind farm with auxiliary infrastructure", until the applicant submits the environmental impact report.

was made in the form of announcements:

- on the notice boards of
 - Regional Director for Environmental Protection in Opole, from 31 August 2010 to 14 September 2010;
 - Municipal Office of Grodków, from 9 September 2010 to 24 September 2010;
 - Municipal Office of Skoroszyce, from 2 September 2010 to 16 September 2010;
- and in the vicinity of the site of the planned project, i.e. in the villages of:
 - Żelazna, from 6 September 2010 to 20 September 2010;
 - Żarów, from 9 August 2010 to 24 August 2010;
 - Kolnica, from 5 September 2010 to 18 September 2010;
 - Stary Grodków, from 3 September 2010 to 17 September 2010;
 - Nowa Wieś Mała;
 - Kopice;
 - Starowice Dolne;
 - Bąków;
 - Młodoszowice;
 - Wojsław;
 - Lubiąż;
 - Gnojna.

Announcements posted in the following villages: Nowa Wieś Mała, Kopice, Starowice Dolne, Bąków, Młodoszowice, Wojsław, Lubcz and Gnojna were destroyed or lost from the notice boards and were not returned to the Regional Director for Environmental Protection in Opole.

On 14 September 2011, information on the issued decision on the need to conduct the environmental impact assessment of the project was placed on the publicly available data list (www.ekoportal.pl).

By letter dated 15 September 2011 (date of receipt by the Regional Director for Environmental Protection in Opole: 15 September 2011). Altiplano submitted a report on the environmental impact for the project under the name: "Construction of the Bąków 2E wind farm with auxiliary infrastructure in the commune of Grodków, Opolskie Voivodship," prepared in June 2011 by Grupa Doradcza SMDI, SMDI Doradztwo Inwestycyjne Sp. z o.o. sp. k., with its registered office in Warsaw, team of authors composed of: Beata Bojanowska, MSc; Diana Brzozowska, MSc; Ewa Jaroszyńska, attorney at law, Krzysztof Mielniczuk, MSc Eng.; Maciej Stryjecki, MSc Eng.; Krzysztof Kręciproch, Eng. (acoustic analysis, field and electromagnetic radiation analysis); Romuald Cisakowski, MSc (ornithological monitoring); Paweł Kmiecik, MSc Eng (chiropterological monitoring); Anna Bartnik, MSc Eng (chiropterological monitoring); Krzysztof Badora PhD (landscape analysis).

In connection with the above, the Regional Director for Environmental Protection, under decision no. WOŚ.4210.1.2011.IOC of 22.09.2011, commenced the proceedings for issuing a decision on environmental conditions for the project under the name "Construction of the Bąków 2E wind farm with auxiliary infrastructure in the commune of Grodków."

In letter no. WOŚ.4210.1.2011.IOC of 10 October 2011, the investor was requested to supplement the submitted documentation with original excerpts from the land register, covering the area where the project would be implemented and the area which would be affected by the project, copies of the cadastral maps certified by the competent authority, covering the area where the project would be implemented and the area which would be affected by the project. The numbers of plots of land in the closed areas through which the project will run also needed to be specified. By letter of 25 October 2011, ref. no. 13/10/11/W, the missing data were provided.

On 11 October 2011, information about the environmental impact report for the project under the name "Construction of the Bąków 2E wind farm with auxiliary infrastructure in the commune of Grodków, Opolskie voivodship", was placed on the publicly available data list (www.ekoportal.pl).

Acting in accordance with Article 77(1)(2) of the Environmental Protection Act, by letter no. WOŚ.4210.1.2011.IOC.5 of 4 November 2011, the authority requested the opinion of the State District Sanitary Inspector in Opole before issuing the decision on environmental conditions.

In connection with the Investor's clarification of the location of the project, the parties to the proceedings identified at that stage were informed about all its previous elements, i.e:

- initiation, at the request of ALTIPLANO Sp. z.o.o. of 24 June 2010, of the proceedings for issuing a decision on environmental conditions of consent for the execution of the project under the name: "Construction of the 'Bąków 2E' wind farm with auxiliary infrastructure":
- a request, by letter no. RDOŚ-16-WOŚ-6613-32/4/10/mw of 30 July 2010, to the State District Sanitary Inspector in Brzeg for an opinion on the need to conduct the environmental impact assessment of the abovementioned project and, in the event of such necessity, the scope of the report;
- opinion no. NZ/Bk-4325-1-29/10 issued by the State District Sanitary Inspector in Brzeg on the necessity to conduct the environmental impact assessment of the aforementioned project on 10 August 2010;
- decision no RDOŚ-16-WOŚ-6613-32/4/10/mw of 31 August 2010 on the need to conduct the environmental impact assessment for the aforementioned project. No complaints may be lodged against this decision;
- decision no. RDOŚ-16-WOŚ-6613-32/4/10/mw of 31 August 2011 to suspend the proceedings for issuing a decision on environmental conditions for the above-mentioned project until the applicant submits the report on environmental impact;
- change the case number from RDOŚ-16-WOŚ-6613-32/4/10/mw to WOŚ.4210.1.2011.IOC in accordance with the Office Instructions of the General Directorate for Environmental Protection and Regional Directorates for Environmental Protection;
- decision no. WOŚ.4210.1.2011.IOC of 22 September 2011 on commencing the proceedings for issuing the decision on environmental conditions for the abovementioned project in connection with receiving the environmental impact report;
- the request to ALTIPLANO Spółka z o.o. in letter no. WOŚ.4210.1.2011.IOC of 10 October 2011 to supplement the request with the original excerpts from the land register covering the area where the project will be implemented along with the connection infrastructure and access roads;

- the request in letter no. WOOS.4210.1.2011.IOC of 4 November 2011 to the State District Sanitary Inspector in Brzeg for an opinion before issuing a decision on environmental conditions of consent for the execution of the aforementioned project;
- the impossibility of processing the application for a decision on environmental conditions for the aforementioned project within the time limit specified in Article 35 § 3 of the aforementioned Act of the Code of Administrative Procedure, due to its complicated nature and the necessity to conduct the proceedings on the environmental impact assessment of the project, and the expected time limit for processing this application until 31 January 2011.

in the form of announcements:

- on the notice boards of
 - Regional Director for Environmental Protection in Opole, from 14 November 2011 to 28 November 2011;
 - Municipal Office of Grodków, from 17 November 2011 to 2 December 2011;
 - Municipal Office of Skoroszyce, from 18 November 2011 to 2 December 2011;
- and in the vicinity of the site of the planned project, i.e. in the villages of:
 - Stary Grodków, from 18 November 2010 to 2 December 2010;
 - Wojśław, from 22 November 2011 to 7 December 2011;
 - Kopice, from 22 November 2011 to 7 December 2011;
 - Półwiosek, from 22 November 2011 to 5 December 2011;
 - Żarów, from 22 November 2011 to 7 December 2011;
 - Nowa Wieś Mała;
 - Żelazna;
 - Starowice Dolne;
 - Tarnów Gródkowski.

Announcements posted in the following villages: Nowa Wieś Mała, Żelazna, Starowice Dolne, Tarnów Grodkowski were destroyed or lost from the notice boards and were not returned to the Regional Director for Environmental Protection in Opole.

Pursuant to Article 79(1) of the Environmental Protection Act, before issuing the decision on environmental conditions, the authority ensured the possibility of public participation in the proceedings as part of which the environmental impact assessment of the project was conducted.

Pursuant to Article 33(1)(2) of the Environmental Protection Act, the authority made public the information on:

- the initiation of the procedure
- the subject of the decision to be issued in the case,
- the authority competent to issue the decision and the authority competent to issue opinions,
- opportunities to consult the necessary documentation regarding the case and the place where it is made available for inspection,
- the possibility to submit comments and applications,
- the method, place and time limit for submitting comments and applications,
- the authority competent to consider comments and applications.

Public announcement was made by means of a notice

- on the notice board:
 - Regional Director for Environmental Protection in Opole, from 9 December 2011 to 30 December 2011;
 - Municipal Office of Grodków, from 14 December 2011 to 4 January 2012;
 - Municipal Office of Skoroszyce, from 15 December 2011 to 5 January 2012;
- and in the vicinity of the site of the planned project, i.e. in the villages of:
 - Stary Grodków, from 15 December 2011 to 2 December 2010;
 - Żelazna, from 15 December 2011 to 5 January 2012;
 - Nowa Wieś Mała, from 15 December 2011 to 5 January 2012;
 - Tarnów Grodkowski, from 15 December 2011 to 5 January 2012;
 - Kopice, from 30 December 2011 to 20 January 2012;
 - Starowice Dolne, from 15 December 2011 to 10 January 2012;

- Wojsław, from 16 December 2011 to 7 January 2012;
 - Półwiosek, from 20 December 2011 to 10 January 2012;
 - Żarów.
- on the website of Public Information Bulletin of the Regional Director for Environmental Protection in Opole from 24 January 2012

The announcement posted in Żarów was destroyed or disappeared from the notice boards and was not returned to the Regional Director for Environmental Protection in Opole.

Within the time allowed for submitting comments and requests, no comments and requests were received from the public.

In letter no. NZ/BK-4325-1-29/10 dated 1 December 2011, the State District Sanitary Inspector in Opole gave a positive opinion for the execution of the project indicating the necessity:

1. to carry out as-built measurements of the environmental noise level in the nearest protected areas in extremely unfavourable conditions, i.e. at the maximum acoustic power of the turbines of 106.0 dB(A), which was declared by the Investor as the limit for the power of the turbines; having the greatest impact on exceeding the environmental noise level in the nearest protected areas. The aforementioned condition was not included in the decision in question as it results directly from the force of law, i.e. Article 76 of the Act of 27 April 2001 – Environmental Protection Law (Journal of Laws of 2008 No. 25, item 150, as amended).
2. to include solutions aimed at minimising the negative environmental impact of the project, taking into account the applicable regulations, in the construction and as-built design. The conditions set out in point III of this decision ensure compliance with the environmental quality standards for the system and thus limit the negative environmental impact of the project.

Notification of the parties to the proceedings about:

- the positive opinion no. NZ/BK- 4325-1-29/10 issued by the State District Sanitary Inspector in Brzeg on 1 December 2011, concerning the project under the name “Construction of the ‘Bąków 2E’ wind farm with auxiliary infrastructure”;
- the possibility to comment on the collected materials before the issuance of the decision on environmental conditions of consent for the execution of the aforementioned project;
- the impossibility of processing the application for a decision on environmental conditions for the aforementioned project within the time limit specified in Article 35 § 3 of the aforementioned Act of the Code of Administrative Procedure, due to its complicated nature and the necessity to conduct the proceedings on the environmental impact assessment of the project, and the expected time limit for processing this application until 31 January 2012.

was made in the form of announcements:

- on the notice boards of
 - Regional Director for Environmental Protection in Opole, from 9 December 2011 to 23 December 2012;
 - Municipal Office of Grodków, from 14 December 2011 to 28 December 2011;
 - Municipal Office of Skoroszyce, from 15 December 2011 to 5 January 2012;
- in the vicinity of the site of the planned project, i.e. in the villages of:
 - Żarów, from 15 December 2011 to 30 December 2011;
 - Żelazna, from 15 December 2011 to 29 December 2011;
 - Stare Grodków, from 15 December 2011 to 29 December 2012;
 - Tarnów Gródkowski, from 15 December 2011 to 29 December 2011;
 - Kopice, from 30 December 2011 to 13 January 2012;
 - Półwiosek, from 20 December 2011 to 3 January 2012;
 - Wojsław, from 16 December 2011 to 7 January 2012;
 - Nowa Wieś Mała;
 - Starowice Dolne.

Announcements posted in the following villages: Nowa Wieś Mała, Starowice Dolne, were destroyed or lost from the notice boards and were not returned to the Regional Director for Environmental Protection in Opole.

Notification of the parties to the proceedings about:

- the possibility to comment on the collected materials before the issuance of the decision on environmental conditions of consent for the execution of the project under the name “Construction of the ‘Bąków 2E’ wind farm with auxiliary infrastructure”:
- the impossibility of processing the application for a decision on environmental conditions for the aforementioned project within the time limit specified in Article 35 § 3 of the aforementioned Act of the Code of Administrative Procedure, due to its complicated nature and the necessity to conduct the proceedings on the environmental impact assessment of the project, and the expected time limit for processing this application until 28 February 2012.

was made in the form of announcements:

- on the notice boards of
 - Regional Director for Environmental Protection in Opole, from 31 January 2012 to 14 February 2012;
 - Municipal Office of Grodków, from 31 January 2012 to 14 February 2012;
 - Municipal Office of Skoroszyce, from 31 January 2012 to 14 February 2012;
- in the vicinity of the site of the planned project, i.e. in the villages of:
 - Żarów from 31.01.2012r. to 14.02.2012r;
 - Żelazna, from 31 January 2012 to 14 February 2012; .
 - Stare Grodków, from 31 January 2012 to 14 February 2012;
 - Tarnów Grodkowski, from 31 January 2012 to 14 February 2012;
 - Kopice from, 31 January 2012 to 14 February 2012;
 - Półwiosek from, 31 January 2012 to 14 February 2012;
 - Nowa Wieś Mała, from 31 January 2012 to 14 February 2012;
 - Starowice Dolne, from 31 January 2012 to 14 February 2012;
 - Wojsław from, 31 January 2012 to 14 February 2012

In the course of the proceedings, the parties did not file any comments or requests.

Having analysed the complete set of submitted documents, the authority made the following findings.

The submitted report analyses the variant of the project selected for implementation and alternative variants. The first alternative variant was the broadest variant of the project, consisting of 13 wind power plants, making it possible to achieve the maximum efficiency of energy production in the area considered by the investor.

Subsequent alternative variants were created by reducing the above-described broadest variant of the project based on the conclusions resulting from analyses performed for the purposes of the environmental impact report: analysis of potential social conflicts, landscape analysis, ornithological monitoring, chiropterological monitoring, habitat inventory, analysis of impact on the integrity, coherence and subject of protection of Natura 2000 areas and acoustic analysis. After having verified the project within the framework of these studies, the investor abandoned the construction of 1 power plant, changed the location of a part of the power plants, accepted limitations on the sound power of the turbines and the need to shut down the following turbines: EW68, EW69, EW71, EW74, EW75 and EW77 in August, from dusk to dawn, at wind speeds below 6 m/s. As a result, the variant for implementation was selected. After analysing the content of the submitted materials, it has been concluded that the variant selected for implementation by the investor is the preferable one for the environment. It takes into account the recommendations contained in the ornithological and chiropterological report and the demands contained in the landscape and acoustic analysis of the project. Therefore, the authority agreed he conditions of project implementation in this variant.

Having analysed the content of the report, points I, II and III of this decision set out the environmental conditions for the execution of the project and the conditions to be included in the documentation required for the issuance of the building permit, in order to minimise the negative environmental impact of the planned project, including the location of 12 wind turbines.

Predicted impact of the planned project at the execution stage on:

soil and ground surface – the impact will be mainly due to earthworks to prepare the area for the implementation of the investment.

During the construction of the proposed project (power plant foundations, installation of the power plant, road, electricity network, etc.), construction waste of group 17, characteristic of construction, installation and finishing works (including soil and earth from contaminated areas), will be generated. Waste generated during the

construction will be collected within the construction site, in a designated area, in special containers. Hazardous waste will be collected in a separate container suitable for this type of waste. Once the containers are full, the waste will be handed over to companies with the appropriate permits for recovery or treatment. Some of the waste generated during the construction may be handed over by the holder to individuals or organisational units. Soil from and around the assembly yard and the areas of the new access roads and cable trenches will be heaped and the area will be restored to its original state upon the completion of the project. Soil from the cable trenches will be used for backfilling. Soil and soil from the excavated soil for the foundations will be managed partly on site, while the rest will be removed to a place designated by the commune. The method and conditions for the management of the earth masses will be specified in the building permit decision. The proper collection of the generated earth masses, transport, processing and storage will prevent negative impacts on the earth surface and indirectly on the other elements of the natural environment.

Soil and water environment – the impact on surface water, groundwater and soil and water environment at the construction stage will be mainly related to the organisation of the construction site and its temporary facilities. Construction facilities will be created locally and will mainly serve as parking areas for machinery, vehicles and staff welfare facilities.

It is assessed that, with the proper storage of construction materials, proper location and securing of the construction facilities, the use of efficient construction equipment and provision of portable toilets, there will be no adverse impact on the soil and water environment. Such situations may only occur in case of emergencies. Indirect impacts on groundwater may also occur at the construction stage due to the dewatering of excavations for the wind turbine foundations and cable lines. They may cause a short-term lowering of water levels (drainage effect). It is therefore recommended to plan the investment works in such a way that the foundations, after construction and assembly, are immediately covered with concrete and the cable trenches are backfilled as soon as possible, immediately after the cables have been laid.

natural environment – based on the natural analyses carried out in the report, it has been concluded that the impact of the project on the natural elements of the environment at the construction stage may consist of:

- the direct destruction of vegetation (mainly field crops) in the area where the construction of the power plant, roads, assembly yards and cables is planned (which is also associated with the destruction of breeding, resting or feeding grounds of local animal species);
- animals being disturbed due to increased vehicle traffic, noise and dust,
- the drainage of nearby areas as a result of excavations for the foundations and cable trenches
- the possibility of small animals falling into the foundation pits and cable trenches.

However, the vegetation will be restored after the construction is complete (within a few months), with the exception of the areas directly occupied by the power plants and roads. Animals will be disturbed only for a short term and they should return to their breeding grounds, resting sites or feeding areas after the construction is complete. During the construction stage, the project is not expected to have a significant negative impact on the natural elements of the environment, including the integrity, coherence and subject of protection of Natura 2000 areas.

The time limit indicated in point II.1.1.9. of this decision for the removal of trees and shrubs covers the period when protected species of birds nesting in the trees are not breeding. The following species have been identified as breeding in the area in question during the breeding season: Eurasian tree sparrow, starling, bunting, Eurasian blackcap, buzzard, linnet, red-backed shrike, magpie, crow, chiff-chaff and Eurasian collared dove. The recommendation that an ornithological survey be carried out in the event of nesting on trees and shrubs to be felled in order to avoid damage to the breeding grounds of protected species of the above-mentioned birds.

The time limit for removal of the ground cover indicated in point II.1.1.11 of this decision covers the period during which protected bird species nesting on the ground or in herbaceous vegetation do not breed. Lark, yellow wagtail, whinchat, marsh warbler, corn bunting, stonechat, common whitethroat and Montagu's harrier have all been recorded on the site during the breeding season. The recommendation to carry out an ornithological survey in the event of nesting of protected bird species in the area intended for the removal of soil cover is to avoid destruction of the breeding grounds of the protected species of the aforementioned birds.

atmospheric air – the construction works may involve negative impacts affecting the state of atmospheric air and acoustic climate around the investment. During the wind turbine construction works, there will be emissions of pollutants into the air, originating from combustion of fuel (diesel oil) in engines of construction machinery and vehicles delivering materials, secondary dusting due to vehicle traffic in the area of construction works and dusting due to movement of earth masses, cement and construction aggregates. These impacts will include the work area and a zone approximately located approx. 15 – 20 m away from the construction site, away from built-up areas.

acoustic climate – the source of negative acoustic impact at the stage of construction works will be the operation of heavy construction equipment (wheel excavators, loaders, bulldozers), in particular during the construction of foundations and site levelling. In addition, sound intensity will increase in the vicinity of the routes of vehicles transporting construction materials. Taking into account the transient nature of the project execution phase and the fact that the construction and assembly works will take place mainly during daytime, it should be considered that this stage will not cause permanent negative changes in the environment and will not result in exceeding the permissible levels of noise in the environment.

Landscape, cultural landscape and historical monuments – the construction stage of the wind farm will involve a temporary reduction in the aesthetic value of the landscape as a result of the works and organisation of the works facilities. The construction of the wind farm will result in changes to the cultural landscape through the introduction of its new permanent elements, i.e. the wind turbines. During excavation for the foundations and cable trenches, there is a possibility of encountering archaeological monuments. Therefore, in such a situation, this decision requires the investor to suspend construction works and contact the monument protection services in order to agree further actions.

The predicted impact of the planned project at the operation stage on:

soil and ground surface – during the operation of the wind power plant, waste may be generated from maintenance and repair works carried out on the site. This will be waste from groups 13,15,16 and 17. All waste generated during the operation of the wind farm will be collected on an ongoing basis by a maintenance company. This includes hazardous waste. Waste generated during the operation of the wind farm will not be collected or stored at the wind farm site.

surface water and groundwater – at the operation stage of the wind farm, no negative impacts on the soil, water and air environment are expected.

atmospheric air – at the operation stage of the wind farm, no negative impacts on atmospheric air are expected.

acoustic climate – the operation of the wind farm will result in constant noise emissions to the environment. Noise generated by the wind turbines will mainly come from the movement of rotor blades (aerodynamic) and, to a lesser extent, from the operation of the generator. The acoustic impact of the project will be long-term and related to the duration of operation of the wind power plant. However, the noise generated by the wind farm will not exceed the applicable standards, provided that the parameters of the power plant specified in point I of this decision, in particular the acceptable sound power of individual turbines, are maintained. Part of the land closest to the proposed wind farm has the function of single-family residential areas. The village of Stary Grodków and Nowa Wieś Mała will also be located in the vicinity of the planned wind farm. The residential areas of these villages have single-family dwellings, which are most exposed to the impact of the planned wind farm. The accompanying report also analyses the cumulative impact in terms of noise emissions to the environment with the following farms: Bąków, Bąków 2A, 2B, 2C, 2D, Gaj Oławski, Bolechów, Hajduki Nyskie, Skarbimierz, Lipniki, Gracze, Jutrzyna, Jaszów, Wierzbnik and Grodków. It has been demonstrated that there is no cumulative impact between the wind farms due to the fact that they are located at least 2 km away from each other.

The distance between the nearest residential buildings and the location of individual wind turbines.

EW68	approx. 890 m to the west: residential buildings in Nowa Wieś Mała.
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EW69	approx. 1400 m to the west: residential buildings in Nowa Wieś Mała
EW70	approx. 740 m to the west: residential buildings in Żarów
EW71	approx. 1,120 m to the west: residential buildings in Nowa Wieś Mała
EW73	approx. 1,060 m to the east: residential buildings in Nowa Wieś Mała
EW74	approx. 1,600 m to the west: residential buildings in Nowa Wieś Mała
EW75	approx. 670m to the south-west: residential buildings in Stary Grodków
EW76	approx. 950m to the west: residential buildings in Żarów
EW77	approx. 990m to the south-west: residential buildings in Stary Grodków
EW78	approx. 970m to the west: residential buildings in Żarów
EW79	approx. 780m to the north-west: residential buildings in Żarów
EW80	approx. 1,100m to the north-west: residential buildings in Żarów

electromagnetic field and radiation – the operation of the wind farm will result in permanent emission of electromagnetic field and radiation. However, its impact will be negligible and will not exceed the applicable standards.

human health and life – the operation of the wind farm will not have a significant negative impact on living conditions and human health. Painting the tower wings with matt paints will prevent the effect of light reflections that could be troublesome for observers, and the distance kept from buildings will minimise the effect of shadow flicker. The most onerous impact of the wind farm is noise emission, which, however, will not exceed the applicable standards.

natural environment – according to the nature studies attached to the environmental impact report, the planned wind farm may cause impacts on some species of birds and bats. However, these impacts will not be significant, provided that the minimising and mitigating measures indicated in the conclusion of this decision are applied.

Migration routes directing the movement of bats towards wind turbines should not be created. Open space acts as a barrier to reduce bat mortality caused by these facilities.

White light illumination may disorient passing birds and direct their movements towards the wind turbines and lead to a concentration of insects in the vicinity of the operating turbines. Significant numbers of insects may in turn attract feeding bats. Avoiding lighting other than that prescribed by air traffic safety regulations is a measure to minimise the mortality of birds, bats and insects, which may include protected species.

The low frequency of light flashes illuminating the turbines reduces the possibility of passing birds getting disoriented. This condition is intended to reduce the risk of birds colliding with the power plant.

Pre-development monitoring of the chiropterofauna on the site has shown increased bat activity in the future locations of the following wind turbines: EW68, EW69, EW71, EW74, EW75 and EW77 in August. In view of the above, point II.2.2.9. of this decision imposes an obligation to periodically shut down the above turbines, i.e.: in the period from 1 August to 31 August, from 7.30 PM to 5.30 AM, with no rain and at wind speeds below 6m/sec.

The use of matt paints will prevent sun reflections blinding passing birds and thus make it easier for them to see and avoid the working turbines, reducing the risk of collisions.

The recommendation to carry out a post-execution analysis is related to the identified presence in the area of a number of protected bird and bat species, including species particularly vulnerable to collisions with the structural elements of wind turbines and pressure shock, i.e. barotrauma.

The project in question will not affect areas requiring special protection due to the presence of plant and animal species or their habitats or natural habitats under protection, including Natura 2000 areas and other forms of nature conservation.

The enclosed report also analyses the cumulative impact on birds and bats of the individual farms. It is demonstrated that there is no significant negative impact on birds and bats, as maintaining the distance between the locations of the individual wind turbines of about 500 m and the existence of several kilometres of free space between the clusters of power plants will allow the existence of free flight corridors for the species possibly appearing in the future which are afraid of the wind turbines

material assets – according to the report, no significant negative impact of the investment on material assets is expected. The results of the analyses carried out in the areas where the wind farms are operating do not unequivocally indicate that there is a connection between the construction of a wind farm and a decrease in land prices. The wind farm will be constructed only in typically agricultural areas, as indicated in the local spatial development plans, which was consulted with the residents of the commune.

Landscape, cultural landscape and historical monuments – the operation of the wind farm will have an impact on the landscape. This impact, however, cannot be described as positive, neutral or negative, as this is purely a matter of the observer's subjective assessment. The conditions specified in the conclusion of the decision to minimise the impact on the landscape were established on the basis of the landscape analysis, the content of which shows that the wind turbines can be a clearly dominant element of landscape.

Neither the execution nor the operation of the investment in question will pose a threat of a serious accident as defined in the Environmental Protection Act.

Due to the location of the project (ca. 50 km away from the national borders) and its nature (operation causes only local impacts), the investment does not require proceedings for a transboundary environmental impact.

Having analysed the content of the "Environmental Impact Report...", point III of this decision sets out the environmental conditions that must be taken into account in the documentation required for the issuance of a building permit decision, in order to minimise the negative environmental impact of the planned project.

Point IV of this decision states that there is no need to carry out the environmental impact assessment and the proceedings on a transboundary environmental impact within the proceedings for the issuance of the decision referred to in Article 72(1)(1) of the Act on Environmental Protection. It has been considered that the data on the project available at the stage of issuing the decision on environmental conditions allow, in the opinion of the authority, for a sufficient assessment of the project's environmental impact, including the cumulative impact, which is absent in this case, as well as that the project is not expected to have a significant negative impact on areas requiring special protection due to the occurrence of protected plant and animal species or their habitats or natural habitats, including Natura 2000 areas and other forms of nature conservation.

Point V of this decision obliges the Applicant to carry out a post-execution analysis, in 3 stages and based on the results of monitoring the impact of the wind farm on birdlife and chiropteroфаuna. The recommendation to carry out a post-completion analysis consisting of post-execution monitoring is related to the fact that a number of protected birds and bats have been identified in the area.

The recommendation to shut down the turbines (rotor stopping) is based on the need to minimise the negative impact on birdlife and chiropteroфаuna that may be demonstrated during the post-execution analysis. The use of such solutions is recommended by the European Commission in guidelines published in 2010 (European Commission. 2010. Guidance Document: Wind energy developments and Natura 2000), as one of the primary ways to minimise the impact of a wind farm on bats and birds. The wind speed at which the turbine should be shut down periodically has been determined during the studies referred to in the above-mentioned European Commission guidelines. According to these studies, wind speeds of less than 6 m/s lead to more than 80 per cent of bat death events caused by power plants. In addition, in order to confirm the environmental noise levels in the protected areas obtained on the basis of the calculations performed in the Report, an obligation was imposed to perform a post-execution analysis regarding the impact of the investment on the acoustic climate.

Appendix No. 1 to this decision is the project characteristics.

In view of the above, after assessing the environmental impact of the project, the Regional Director for Environmental Protection in Opole, taking into account:

- the opinion of the relevant sanitary inspection authority,
- findings contained in the environmental impact report,
- the results of the public participation procedure,

has issued this decision on environmental conditions.

Instruction

Pursuant to Article 72 section 3 of the Environmental Protection Act, the decision on environmental conditions is attached to the application for issuance of decisions referred to in Article 72(1) of this Act. This application should be submitted no later than within 4 years from the date on which the decision on environmental conditions became final, subject to section 4.

Pursuant to Annex to the Act of 16 November 2006 on Stamp Duty (Journal of Laws No. 225, item 1635, as amended), stamp duty was collected for the issuance of this decision in the amount of PLN 205 (in words: two hundred and five zlotys), which was paid to the account of the City Office of Opole.

The parties may appeal against this decision to the General Director for Environmental Protection in Warsaw, through the Regional Director of Environmental Protection in Opole, within 14 days of the date of delivery of the decision.

/Stamp: REGIONAL DIRECTOR FOR
ENVIRONMENTAL PROTECTION IN
OPOL/

**Regional Director
for Environmental Protection in
Opole**

/Signature/
Alicja Majewska

Attachment:

Characteristics of the planned project, pursuant to Article 82(3) of the *Environmental Protection Act*

Copies to:

1. Altiplano Sp. z o.o, ul. Abrahama 1 A, 80-307 Gdańsk

CC:

1. Other parties to the proceedings notified by way of a notice pursuant to Article 49 of the Code of Civil Procedure.
2. ad acta

Appendix No. 1 to the decision on environmental conditions of 15 February 2012

Characteristics of the project involving the construction of the Bąków 2E wind farm with auxiliary infrastructure in the commune of Grodków, Opolskie voivodeship.

The planned Bąków 2E wind farm is a project for the production of electricity from a renewable source that is wind.

The project will consist of:

- up to 12 wind power plants;
- internal connection infrastructure, in the form of power 30 kV cable lines and telecommunication lines (optical fibres), connecting individual power plants into cable circuits, which will be then connected to an external substation (not being part of the Bąków 2E farm)
- access roads to the power plant, manoeuvring, assembly and storage yards,

The power plants will be located between the villages of Żarów, Stary Grodków and Nowa Wieś Mała, in the commune of Grodków, Opolskie Voivodeship, on the following plots of land:

Facility	Plot no.	Surveying section
EW 68	176/12	Nowa Wieś Mała;
EW 69	176/12	Nowa Wieś Mała;
EW 70	77	Żarów
EW 71	176/12	Nowa Wieś Mała;
EW 73	134	Żarów
EW 74	176/12	Nowa Wieś Mała;
EW 75	176/12	Nowa Wieś Mała;
EW 76	94	Żarów
EW 77	176/12	Nowa Wieś Mała;
EW 78	28/1	Żarów
EW 79	34/1	Żarów
EW 80	34/1	Żarów

The tower of each power plant will be a steel or concrete tubular (conical) structure, consisting of several or a dozen segments (depending on the model). The diameter of the base of the tower will be approximately 4 – 6 m, while the diameter of the top will be approximately 3 – 4 m. At the top of each tower there will be a rotating nacelle that positions itself with a rotor depending on the wind direction. The propellers are three blades made of glass fibre reinforced plastic.

The parameters of the wind turbines will be as follows:

- total height: up to 200 m (comprising maximum tower height: up to 140 m and maximum rotor radius: up to 60 m);
- maximum rotor diameter: 120 m;
- zone below the rotor – not less than 60 m.
- maximum sound power of individual turbines – 106.0 dB(A).

The power plants will be founded on footings or piled foundations. In order to ensure that the electrical and technical connections are located above the expected level of any flood water, the foundations may be placed on artificially excavated ground elevations of up to 3 m above sea level.

There are plans to construct medium-voltage underground (cable) power lines connecting individual wind turbines with an external substation (not being part of the farm) and underground telecommunication lines are planned.

In addition, there are plans to build roads to allow access to the power station through the fields and to reconstruct the existing roads to allow the transport of the finished components from which the power stations will be assembled.

**Regional Director
for Environmental Protection in
Opole**
*/Signature/
Alicja Majewska*