



REGIONAL DIRECTOR FOR ENVIRONMENTAL PROTECTION IN GDAŃSK

RDOŚ-Gd-WOO.420.68.2023.KB.4
ePUAP

Gdańsk, 02nd of October 2023

RESOLUTION

Pursuant to Article 108, Section 1, Item 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 (Journal of Laws of 2023, item 1094, as amended) – 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 2023, item 775 as amended) – hereinafter referred to as the CAP Act, and in connection with § 2, Section 1, Item 61 of the Regulation of the Council of Ministers of 10 September 2019 on projects likely to have a significant impact on the environment (Journal of Laws of 2019, item 1839 as amended), at the request of the Investor: Elektrownia Wiatrowa Baltica-1 Sp. z o. o. (represented by proxy Mr Radosław Opiola, letter ref: EWB1-RDOS-0069 dated 18.09.2023) in the case for issuing a decision on environmental conditions and, therefore, for determining the scope of the environmental impact assessment report of the project (hereinafter referred to as the EIA report),

I hereby decide

for the project named '**Baltica 1+ Offshore Wind Farm**', located in the Exclusive Economic Zone (EEZ) of the Republic of Poland, on the eastern side of the Central Shoal Area, at a depth range of approx. 30 to 55 m, at a distance of approx. 80 km north of the coastline, and in the vicinity of the Smołdzino and Łeba municipalities, Pomeranian (Pomorskie) voivodship, as below:

1. **Determine the need for** a transboundary environmental impact study.
2. **Impose a requirement** to prepare in Swedish, Danish and Finnish the following documentation necessary for this procedure:
 - a) an application for the environmental decision,
 - b) a project information sheet – containing up-to-date, basic information about the planned project on paper and in electronic form,
 - c) those parts of the environmental impact assessment report which enable the country on whose territory the planned project may have impact to assess the possible significant transboundary environmental impact assessment – on paper and in electronic form.

JUSTIFICATION

On 18.09.2023 the Regional Director for Environmental Protection in Gdańsk received an application from the Investor: Elektrownia Wiatrowa Baltica-1 Sp. z o.o. (represented by proxy Mr Radosław Opiola) dated 18.09.2023, for the issuance of a decision on environmental conditions for the project entitled: 'Baltica 1+ Offshore Wind Farm'.

The above application was accompanied by:

1. Project Information Sheet (5 copies + CD version);
2. a map in a scale ensuring the legibility of the presented data with the indication of the predicted area where the project will be implemented and the predicted area which will be affected by the project, with the electronic recording of this map;
3. the powers of attorney for Ms Natalia Kaczmarek, Mr Radosław Opiola and Mr Juliusz Gajewski to represent the company;
4. Proof of payment of stamp duty for the issuance of the decision (PLN 205) and powers of attorney (PLN 51).

In connection with the above, by means of a notification dated 25.09.2023, marked RDOŚ-Gd-WOO.420.68.2023.KB.1, the said Authority informed the Investor about the initiation of proceedings in the case and about the possibility of becoming acquainted with the documents and submitting possible comments and applications. Information on the application was placed on the publicly available data list Ekoportal (www.ekoportal.pl) under No. 604/2023, maintained pursuant to Article 21 of the EIA Act.

Pursuant to § 2, Section 1, Item 5 of the Regulation of the Council of Ministers of 10 September 2019 on projects likely to have a significant impact on the environment (Journal of Laws of 2019, item 1839, as amended), the planned project is qualified as 'installations using wind energy for the generation of electricity with a total nominal power of not less than 100 MW, located on the marine areas of the Republic of Poland'.

In addition, the helipads, that can be potentially installed on offshore substations, may be qualified as projects likely to have a significant impact on the environment (§ 3 Section 1 Item 61 of the aforementioned Regulation 'airports other than those listed in § 2, Section 1, Item 30 or helipads, excluding helipads referred to in the Regulation of the Minister of Health of 27 June 2019 on the hospital emergency department (Journal of Laws of 2021, item 2048)').

In connection with the above, pursuant to Article 71 Section 2 Item 1 of the EIA Act, the implementation of the project requires a decision on environmental conditions.

The planned project consists of the construction, operation and demolition of the offshore wind farm. The maximum nominal electrical power of the Baltica 1+ OWF will be 1185 MW.

The area of the Baltica 1+ OWF is located in the Exclusive Economic Zone (EEZ) of the Republic of Poland, on the eastern side of the Central Shoal Area, at a depth range of approx. 30 to 55 m, at a distance of approx. 80 km north of the coastline, and in the vicinity of the Smółdzino and Łeba municipalities, Pomeranian (Pomorskie) voivodship, as below:

The power produced by the Baltica 1+ OWF will be transmitted onshore via an electricity connection, which will constitute a separate project and will be subject to a separate procedure for issuing a decision on environmental conditions.

Taking into account the fact that the project may always have a significant impact on the environment and due to the fact that it is located on the marine area, pursuant to Article 75 Section 1 Item 1 Letters (c) and (r) of the EIA Act, the competent authority for the examination of the case is the Regional Director for Environmental Protection in Gdańsk.

The area of the Baltica 1+ OWF will cover a territory of approximately 131.2 km², with an estimated OWF build-up area of approximately 115.5 km². In Table 1, geocentric coordinates of the Baltica 1+ OWF area boundary break points have been given. In Table 2, geocentric coordinates of the breakdown points of the boundary of the built-up area have been given.

Table 1. Geocentric coordinates of the Baltica 1+ OWF area boundary break points.

Point no	Geocentric Geodetic Reference System GRS80	
	Geodetic latitude Φ	Geodetic longitude λ
1	55°42'03,578" N	17°38'03,776" E
2	55°41'42,750" N	17°35'40,167" E
3	55°35'07,271" N	17°34'46,304" E
4	55°35'02,979" N	17°35'21,458" E
5	55°30'41,569" N	17°35'23,627" E
6	55°30'12,088" N	17°35'26,269" E
7	55°30'43,741" N	17°35'29,710" E
8	55°30'50,044" N	17°35'29,579" E
9	55°30'51,960" N	17°35'26,574" E
10	55°31'03,386" N	17°35'24,930" E
11	55°31'18,831" N	17°35'01,235" E
12	55°32'00,143" N	17°34'57,333" E
13	55°32'06,143" N	17°34'55,243" E
14	55°32'55,258" N	17°34'38,489" E
15	55°33'21,993" N	17°34'29,364" E
16	55°34'32,451" N	17°34'29,913" E
17	55°35'45,433" N	17°34'31,685" E
18	55°36'30,395" N	17°35'14,925" E
19	55°38'22,098" N	17°37'38,792" E
20	55°40'06,245" N	17°39'43,134" E
21	55°40'42,880" N	17°40'06,677" E
22	55°40'46,332" N	17°40'09,008" E
23	55°40'49,222" N	17°40'18,179" E
24	55°40'52,370" N	17°40'28,173" E
25	55°40'52,946" N	17°40'30,000" E
26	55°40'55,518" N	17°40'38,168" E
27	55°40'58,667" N	17°40'48,162" E
28	55°41'01,815" N	17°40'58,158" E
29	55°41'04,962" N	17°41'08,153" E
30	55°41'08,110" N	17°41'18,150" E
31	55°41'11,257" N	17°41'28,146" E
32	55°41'14,404" N	17°41'38,143" E

Point no	Geocentric Geodetic Reference System GRS80	
	Geodetic latitude Φ	Geodetic longitude λ
33	55°41'17,551" N	17°41'48,141" E
34	55°41'20,697" N	17°41'58,139" E
35	55°41'23,844" N	17°42'08,137" E
36	55°41'26,990" N	17°42'18,136" E
37	55°41'30,136" N	17°42'28,136" E
38	55°41'33,281" N	17°42'38,135" E
39	55°41'36,427" N	17°42'48,136" E
40	55°41'39,572" N	17°42'58,136" E
41	55°41'42,717" N	17°43'08,137" E
42	55°41'45,862" N	17°43'18,139" E
43	55°41'49,006" N	17°43'28,141" E
44	55°41'52,151" N	17°43'38,143" E
45	55°41'54,127" N	17°43'44,430" E
46	55°41'55,295" N	17°43'48,146" E
47	55°41'58,438" N	17°43'58,150" E
48	55°42'01,582" N	17°44'08,153" E

Table 2. Geocentric coordinates of the breakdown points of the boundary of the built-up area of offshore wind turbines, offshore substations and cable lines within the Project territory.

Point no	Geocentric geodetic coordinates – the ETRS89 reference system	
	Geodetic latitude Φ	Geodetic longitude λ
1	55°30'20,610" N	17°36'07,799" E
2	55°30'12,088" N	17°35'07,822" E
3	55°30'43,741" N	17°34'54,415" E
4	55°31'18,832" N	17°35'01,234" E
5	55°32'00,014" N	17°34'57,332" E
6	55°32'06,143" N	17°34'55,242" E
7	55°32'55,258" N	17°34'38,488" E
8	55°33'21,993" N	17°34'29,364" E
9	55°34'32,451" N	17°34'29,913" E
10	55°35'45,433" N	17°34'31,685" E
11	55°36'30,395" N	17°35'14,925" E
12	55°36'49,169" N	17°35'39,084" E
13	55°38'22,098" N	17°37'38,791" E
14	55°38'39,732" N	17°37'59,828" E
15	55°38'58,575" N	17°38'22,315" E
16	55°40'49,761" N	17°44'15,277" E
17	55°35'07,271" N	17°44'15,288" E
18	55°35'02,979" N	17°44'01,016" E
19	55°30'41,569" N	17°38'35,575" E

The wind turbines and offshore electrical substations (MSEs) will be located inside the area designated by the decision on the permit for the construction and use of artificial islands, structures and equipment on Polish marine areas (PSzW), taking into account the provisions of this permit. The implementation of the Project will also take into account other restrictions resulting from separate regulations, such as the Regulation of the Council of Ministers of 14 April 2021 on the adoption of the spatial development plan for internal sea waters and territorial sea and the exclusive economic zone on a scale of 1: 200,000 (Journal of Laws of 2021, item 935, as amended), which prohibits on the area POM.60 .E, where the Project is located, the construction of artificial islands and structures within 2 km of the Natura 2000 site 'Hoburgs bank och Midsjöbankarna' (SE0330308) boundary, which is an important wintering ground for seabirds and the main population area for harbour porpoises on the Baltic Sea.

The basic infrastructure of Baltica1 OWF includes:

- offshore wind turbines – nacelle with rotor and support structure (above-water part, interface and underwater part);
- offshore substation(s) consisting of offshore transformer stations and, in case of HVDC solution, also the offshore converter stations;
- medium- or high-voltage offshore power cable lines, including accessories, connecting the wind turbines to the offshore electrical substations (MSEs).

Table. 3 Key technical parameters of the Baltica 1+ OWF infrastructure.

Parameter	Data characterising the parameter
Wind farms	
Maximum OWF nominal power	1185 MW
Power of a single farm	15 to 25 MW
Maximum number of wind farms	from 47 units if 25 MW units will be used up to 79 if 15 MW units will be used
Maximum rotor diameter of the wind turbine	from 236 m for 15 MW units to 310 m for 25 MW units
Minimum clearance between rotor working area and sea surface	20 m
Maximum height of the wind farm above sea level.	330 m
Offshore electrical substations	
Maximum number of MSEs	5
Parameters of power cable lines in the power transmission system within the	
Power transmission technology	HVAC or HVDC
Type of power cable	three-core with aluminium and/or copper conductors and with optical fibres inside the cable construction
Nominal voltage of the power cable conductor	66 kV or 170 kV

Parameter	Data characterising the parameter
Maximum cross-sectional area of the power cable conductor	2500 mm ²
Maximum depth of the cable line under the seabed	6 m under the seabed or exceptionally on the seabed with permanent safeguards
Maximum length of cable lines	165 km

The Baltica 1+ OWF area is located in the north-central part of the EEZ of the Republic of Poland at a distance of approx:

- 2 km from the Swedish EEZ border;
- 73 km from the Danish EEZ border;
- 78 km from the Russian EEZ border;
- 86 km from the Lithuanian EEZ border;
- 94 km from the Latvian EEZ border;
- 214 km from the German EEZ border.

The border of the OWF Baltica 1+ area is located at a distance of approx. 2 km from the border of the Swedish EEZ and approx. 73 km from the border of the Danish EEZ. Thus, taking into account the type and scale of anticipated implementation activities and previous knowledge on environmental impacts of offshore wind farms, it is very likely that transboundary impacts will occur in the area of the above mentioned countries, as a result of construction, operation and demolition of the Baltica 1+ OWF. The source of such impact may be e.g., the emission of underwater noise, generated during the installation of wind turbine foundations and electrical substations, with respect to marine mammals and fish (including cumulative impact with other planned and executed offshore wind farms). The impact of the Baltica 1+ OWF may accumulate with the impact of, among others, the Baltica-1 OWF (maximum installed power up to 900 MW), whose investment area is adjacent to the area of this project and the Baltic I OWF (maximum installed power up to 1560 MW), located at a distance of approx. 1.4 km from the project. For both of the abovementioned wind farms, with which there may be a cumulative impact on the environment and its elements, in the procedure for issuing the environmental decision, the necessity to conduct proceedings on transboundary impacts on the territory of Sweden and Denmark has been determined. These countries should therefore be given the opportunity to review this information.

Table 4. Preliminary list of potential transboundary impacts resulting from the implementation of the Baltica 1+ OWF.

Environment or human activity subject to transboundary impact	Impact
Protected areas	To the north, at a distance of 2 km from the Baltica 1+ OWF construction area, is the Natura 2000 site Hoburgs bank och Midsjöbankarna (SE0330308) designated in the Swedish EEZ. According to the Standard Site Data Form, the objects of conservation in this area are two natural habitats - Sandbanks permanently covered by shallow water (code: 1110) and Reefs (code: 1170), three bird species: black guillemot (<i>Cephus grylle</i>),

Environment or human activity subject to transboundary impact	Impact
	<p>common eider (<i>Somateria mollissima</i>) and long-tailed duck (<i>Clangula hyemalis</i>), and harbour porpoise (<i>Phocoena phocoena</i>) (SDF 2016). A number of threats with negative impacts on this site were identified in the SDF, of which the following were considered the most important: shipping routes (D03.02), active fisheries (F02.02), oil spills at sea (H03.01). The following were identified as medium level threats: net fishing (F02.01.02), surface water pollution (limnic, terrestrial, marine and brackish water) (H01) and nitrogen inputs (H04.02), and the following were identified as low level threats: non-native foraging species (I01).</p>
Birds	<p>The set of wind turbines, whose structures will rise to a maximum height of 330 m above sea level, may represent a permanent obstacle to bird migration.</p>
Benthic organisms	<p>Sedimentation of the bottom sediment lifted to the pelagic water during construction of the support structures and linear infrastructure of the Baltica1+ OWF may adversely affect the functioning of plant and animal benthic groups within the sedimentation reach, which is likely to extend beyond the Polish EEZ border.</p>
Underwater sound	<p>Activities mainly related to the construction of support structures (mainly piling) generate noise, which may extend to marine areas beyond the EEZ of the RP. The negative impact of underwater noise will be particularly significant for marine mammals and fish with swim bladders.</p>
Shipping	<p>The area of the Baltica 1+ OWF will be a navigational obstacle and will cause a permanent change in shipping routes for ships – the usual route to and from Klaipeda port currently runs through the area.</p>
Fishing	<p>The area of the Baltica 1+ OWF may be excluded in whole or in part from commercial fishing, which may result in a reduction of fishing on this area of the Baltic Sea.</p>

Based on the submitted documents (including the project information sheet), the body in question determined that it is necessary to conduct proceedings on transboundary impact originating from the territory of the Republic of Poland (also due to the location of other nearby offshore wind farms, i.e. the Baltica-1 and the Baltic I OWFs) due to its location close to the border of the Polish-Swedish EEZ, about 73 km from the border of the Polish-Danish EEZ, and about 500 km from the Polish-Finnish EEZ, and also due to the nature and character of this impact.

In view of the above, there is likely to be a transboundary impact on Swedish, Danish and Finnish territories and an appropriate investigation is necessary.

Pursuant to Article 108, Section 1, Item 1 of the EIA Act, the applicant is obliged to translate the documentation referred to in Article 108, Section 4 into the language of the State on whose territory the project may have an impact.

It was therefore decided as at the outset.

NOTICE

The Party may lodge a complaint against this order with the General Director for Environmental Protection, through the body issuing the order, within 7 days of its delivery.

Regional Director for Environmental Protection in
Gdańsk
Anna Tchorzewska
/electronically signed/

ATTN:

1. Investor through the Proxy – Mr Radosław Opióła, Maritime Institute – Gdynia Maritime University, Długi Targ 41/42, 80-830 Gdańsk.
2. aa.

Drawn up by Karina Bodziach, phone: +48 58 683 68 62

For information:

1. General Director for Environmental Protection Jerozolimskie 136 Av., 02-305 Warszawa – ePUAP.