



MARITIME OFFICE IN GDYNIA

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Reference number: **00005269.2022/W**

Gdynia, on 04/08/2022

Case number: **INZ1.8103.43.2022.MG**

C-Wind Polska Sp. z o.o.

Re.: Interpretation of the provisions of the ruling of 01/12/2021 of the Director of the Maritime Office in Gdynia approving the implementation conditions for the project titled the BC-Wind Offshore Wind Farm (reference INZ.8103.135.2021.AD)

In response to the letter of 11/07/2022 (date of receipt: 11/07/2022), in which Mr Kacper Kostrzewa, the representative of the Investor, C-Wind Polska Sp. z o.o., requested the Director of the Maritime Office in Gdynia to explain doubts concerning the wording of the ruling mentioned above, and pertaining to:

1. item II para. 2 item j) of the ruling

“Archaeological supervision shall be provided during the works. If an object is encountered, not identified yet, which may be considered to be historic, actions shall be taken in accordance with the provisions of the Monument Protection and Custody Act of 23 July 2003 (Dz. U. [Journal of Laws] of 2021, item 710, as amended), hereinafter referred to as the “Monument Protection Act”, including the following activities:

- all the works which may damage or destroy the uncovered item shall be suspended;
- as far as possible, the item and the place of the discovery shall be protected with available means;
- the competent Director of the Maritime Office in Gdynia shall be notified of the discovery of the object located in Polish sea territories.”

The wording used by the Director of the Maritime Office in Gdynia indicates the need to oblige the Investor to provide a legal entity with legally required qualifications to conduct archaeological supervision through:

- 1) the readiness to provide archaeological supervision throughout the construction period,
- 2) formulating the guidelines as to the working method as appropriate for exploratory archaeological research results obtained by the Investor in the process of project implementation preparation, and
- 3) in the event of encountering a monument, not identified yet, to undertake supervision and actions on the construction site, in accordance with the provisions of the Monument Protection and Custody Act of 23 July 2003;

2. item II para. 2 item b), the third indent of the ruling:

“the schedule of the works on the BC-Wind OWF shall be adapted to the implementation schedule for other nearby projects to prevent the build-up of adverse environmental impacts. To reduce the noise from the piling process, the works shall proceed at maximum two locations at a time. This concerns the construction of the BC-Wind OWF, and the adjacent offshore wind farms.”

The above wording used by the Director of the Maritime Office in Gdynia indicates the need to oblige the Investor to act in such a way, when creating and implementing the time schedule of construction of

the BC-Wind OWF, which will take into account the time schedules of other projects constructed in the neighbourhood of the BC-Wind OWF, including the adjacent offshore wind farms, which time schedules have been made public or available at the request of that Investor. Taking into account the data mentioned above shall ensure the simultaneous compliance by all the investors, on the reciprocity basis, with the requirements stemming from legally valid administrative decisions, implemented or coinciding in terms of the time schedule, concerning the BC-Wind OWF and other projects.

The requirement in question is instructive (coordinating) in the course of construction and does not mean that the commencement of the BC-Wind OWF depends on the creation or implementation of the schedules of other projects. Nor does that mean that any of the schedules of others entities, regardless of the resulting date of the commencement of the project, has priority over others. No schedule is a basis for giving preference to projects whose construction commenced earlier than the implementation of the BC-Wind OWF, nor does such schedule mean that the BC-Wind OWF schedule must be subordinated to the progress of other projects.

\This document was signed electronically\

On behalf of the Director of the Maritime Office

Anna Stelmaszyk-Świerczyńska

Deputy Director of the Maritime Office for Technical
Matters

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