

LAND ACQUISITION AND
RESETTLEMENT ACTION PLAN

FINAL REPORT
ON THE IMPLEMENTATION OF
MEASURES SPECIFIED
IN THE LA&RAP

WORKS CONTRACT 1B.3/2

*Construction of berth mooring
infrastructure on the Lower and Border
Odra and new marking of the shipping
route*

ODRA-VISTULA
FLOOD MANAGEMENT PROJECT





FINAL REPORT ON THE IMPLEMENTATION OF MEASURES SPECIFIED IN THE LAND ACQUISITION AND RESETTLEMENT ACTION PLAN

ODRA-VISTULA FLOOD MANAGEMENT PROJECT

THE LAND ACQUISITION AND RESETTLEMENT ACTION PLAN HAS BEEN PREPARED FOR THE WORKS CONTRACT IMPLEMENTED BY THE STATE WATER MANAGEMENT POLISH WATERS – THE REGIONAL WATER MANAGEMENT AUTHORITY IN SZCZECIN.

SUBCOMPONENT 1B:

FLOOD PROTECTION ON MIDDLE AND LOWER ODRA RIVER

CONTRACT 1B.3/2:

Construction of berth mooring infrastructure of the Lower and Border Odra and new marking of the shipping route.

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PROJECT IMPLEMENTATION UNIT:

State Water Management Polish Waters represented by
the Director of the State Water Management Polish Waters
the Regional Water Management Authority in Szczecin
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ODRA-VISTULA FLOOD MANAGEMENT PROJECT

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LIST OF ABBREVIATIONS USED IN THE DOCUMENT

1B.3/2	Reference No. of Works Contract 1B.3/2 Construction of berth mooring infrastructure on the Lower and Border Odra and new marking of the shipping route.
The World Bank (WB)	International Bank for Reconstruction and Development
PCU	Odra-Vistula Flood Management Project Coordination Unit
CEB	Council of Europe Development Bank (CEB)
Project/Undertaking	Construction of berth mooring infrastructure on the Lower and Border Odra and new marking of the shipping route
PIU	Project Implementation Office – a separate organisational unit within the PIU, responsible for the Project implementation
PIU/Employer/Investor	Project Implementation Unit – State Water Management Polish Waters The Regional Water Management Authority in Szczecin ul. Tama Pomorzańska 13 A 70-030 Szczecin
Consultant Engineer	A company or legal person engaged by the Employer to supply services (for example, those defined herein)
Contract / Task / Investment Project	Works Contract 1B.3/2
KOWR, Branch in Szczecin	National Support Centre for Agriculture Regional Office in Szczecin
Structure	A functionally separated material scope being a part of Task 1B.3/2
OP 4.12	Reference of the document including the principles of performing involuntary resettlement required when the Task is funded under a loan from the World Bank – Operational Policy 4.12 – Involuntary Resettlement.
PAP	Project Affected Person(s)
LA&RAP	Land Acquisition and Resettlement Action Plan
Project/OVFMP	Odra-Vistula Flood Management Project
PGW WP	State Water Management Polish Waters
EMP	Environmental Management Plan
PR	A permanent restriction in using a real property
Contractor	A company/legal person exercising Works Contract 1B.3/2 AARSLEFF sp. z o.o. with its registered office in Warsaw

1. INTRODUCTION

This document has been prepared in accordance with the requirements set out in the Project Operations Manual and the Resettlement Policy Framework to document the land acquisition process and to assess whether it has met the requirements and guidelines contained in the World Bank's Operational Policy OP 4.12. Resettlement and whether there are any spaces that should be filled or require the Investor's response.

In accordance with the assumptions adopted in the Land Acquisition and Resettlement Action Plan, the ex-post evaluation was carried out within a maximum period of six months from the full implementation of the LA&RAP and confirms that its objectives were met and properly documented.

It is confirmed that all the measures described in the LA&RAP were implemented and that each entity affected by the project (family, individual, public entities) received compensation and that their living conditions were improved or at least restored.

This Report includes a report on the implementation of the measures planned in the LA&RAP for the Works Contract 1B.3/2 Construction of berth mooring infrastructure on the Lower and Border Odra and new marking of the shipping route. This Task included the construction of berth mooring facilities for icebreakers in the form of dolphins located beyond the boundary of the shipping route at seven independent locations at the section of the Odra from the mouth of the Nysa Łużycka to Szczecin, and the installation of new marking of the shipping route. The task was carried out as part of the Odra-Vistula Flood Management Project (OVFMP) to enable safe and effective ice-breaking.

Key dates of Contract execution:

- | | |
|--|--|
| 1. Date of signing the agreement: | July 12, 2021 |
| 2. Date of handing over the construction site: | July 30, 2021 for
locations in Szczecin,
Osinów Dolny, Zatoń
Dolna, Pławidło, and Biała
Góra.
August 30, 2021 for
the location in Kunice |
| 3. Works commencement date: | November 2, 2021
(reporting works)
November 23, 2021
(physical commencement of
works) |
| 4. Works completion date: | November 15, 2022 ¹ |
| 5. Quality Guarantee and Warranty Period end date: | November 15, 2027
(60 months from the date
of the final acceptance) |

¹ Date as of September 30, 2022

As indicated above, the planned date of works completion is November 15, 2022 (as of September 30, 2022), which means that the works are still ongoing. Regardless, land acquisition, resettlement, and compensation measures have been completed. Therefore, it is possible to make this assessment.

Scope of the completed Task:

The task No. 1B.3/2, titled Construction of mooring facilities on the lower and border Oder river and new signage on the shipping route included the construction of icebreaker mooring facilities (in the form of dolphins located beyond the boundary of the shipping route) in seven independent locations at the section of the Odra from the Nysa Łużycka to Szczecin, and the installation of new marking of the shipping route.

The mooring places built as part of Task 1B.3/2 are as follows:

- Szczecin – 34.8 km of the Odra
- Biała Góra/Rapice – 548.4 km of the Odra
- Kunice – 572.0 km of the Odra
- Pławidło – 595.3 km of the Odra
- Ługi Górzycykie – 607.5 km of the Odra
- Osinów Dolny – 663.2 km of the Odra
- Zatoń Dolna – 688.1 km of the Odra

Detailed location of the dolphins:

- at 34.8 km of Western Odra, near the left bank, in parallel to Kolumba Street in Szczecin, above the Jaskółcza Island located near the Szczecin Główny railway station, on the real property that constitutes registered plot number **20/4**, precinct Śródmieście 47, commune the City of Szczecin;
- at 548.4 km of the Odra, downstream the town of Rapice, at the watch-tower of the Border Troops – Biała Góra, on the real property that constitutes registered plot number **523/5**, precinct 0008 Rapice, commune of Cybinka;
- at 572.0 km of the Odra, downstream the town of Kunice, on the real property that constitutes registered plot number **162**, precinct 0012 Kunice, commune of Słubice;
- at 595.3 km of the Odra, ca. 4 km downstream the town of Nowy Lubusz (Pławidło), on the real property that constitutes registered plot number **77**, precinct 0001 Pławidło, commune of Słubice;
- at 607.5 km of the Odra, upstream the town of Ługi Górzycykie, on the real property that constitutes registered plot number **183**, precinct 0001 Górzycy, commune of Górzycy;
- at 663.2 km of the Odra, at the town of Osinów Dolny, on the real property that constitutes registered plot number **2/1** and number **1**, precinct 0009 Osinów Dolny, commune of Cedynia;
- at 688.1 km of the Odra, downstream the town of Zatoń Dolna, on the real property that constitutes registered plot number **290**, precinct 0002 Zatoń Dolna, commune of Chojna.

It should be pointed out that the implementation of the Investment Project and the construction of mooring infrastructure for icebreakers in the form of dolphins located outside the shipping route does not fall under the definition of flood-control structures in accordance with the Act of July 8, 2010 on

special principles of preparation for the execution of investments in the field of flood-control structures (special purpose Flood Protection Act). Thus, the implementation of the Project was based on the provisions of the construction law, i.e. regulations under the Act of July 7, 1994 Construction Law.

The implementation of the Task required the purchase of real property, but it was not related to any physical or economic impact. It was only necessary to acquire part of real property included in the Agricultural Property Stock of the Treasury, which was **plot number 2/1**, located within precinct 0009 Osinów Dolny, cadastral unit 320602_5, Cedynia – G, farmland and class N, which was the property of the Treasury – the National Support Centre for Agriculture of the Regional Office in Szczecin. The indicated real property was the subject of a lease agreement concluded with a natural person. Other real property on which the Investment Project was implemented was also owned by the State Treasury, but it was not the subject of lease or other agreements, and in addition it was in the property pool managed by the Investor, therefore there was no need to acquire rights to it.

There were no residential buildings and other buildings in the area of the Task implementation. Only the location on the territory of the city of Szczecin was connected with the performance of works in the neighbourhood of developed real properties. In some locations, there were infrastructure elements in the form of flood embankments and hard surfaced dirt roads.

Below are the addresses of the websites where information on the implementation of the Investment Project and on the preparation of the LA&RAP was made available:

- www.wszczecinie.pl;
- www.odrapcu2019.odrapcu.pl;
- www.bs.rzgw.szczecin.pl;
- www.cedynia.pl;
- www.slubice.pl
- www.cybinka.bip.net.pl;
- szczecin.uw.gov.pl

The paper version of the LA&RAP was also available at:

- PGW WP RZGW in Szczecin,
- City Hall in Szczecin, the Department of Crisis Management and Population Protection;
- Head of the Implementation Unit of the Odra-Vistula Flood Management Project
- Town Hall in Cedynia;
- Town Hall in Słubice;
- Town Hall in Cybinka.

2. SUMMARY OF THE MAIN ACTIONS CARRIED OUT UNDER THE CONTRACT

2.1. Project Goal Overview

The main purpose of the OVFMP is to protect the persons residing at the floodplains situated in specified parts of the catchment areas of the two largest Polish rivers (Vistula and Odra), against serious floods. As part of one of the subcomponents of the Project, this Task was carried out, which was aimed at flood protection in the Middle and Lower Odra, covering the areas most at risk of

flooding, in order to enable effective and safe ice-breaking operations in the areas of the communes indicated in Chapter 1.

2.2. Information on the Investor's administrative activities and the Contractor's civil law transactions, obtained decisions and the status of their implementation

For the Task described herein, the Investor obtained the following decisions:

1. Environmental Permit issued by the Mayor of Cedynia on May 13, 2019, ref.: PIOS.6220.6.2018.AP;
2. Environmental Permit issued by the Mayor of Słubice on May 6, 2019, ref.: WI.622.6.2018.AK;
3. Environmental Permit issued by the Head of the Górzycza Commune on April 5, 2019, ref.: GWOŚ.6220.12.10.2018;
4. Environmental Permit issued by the Mayor of Szczecin on May 16, 2019, ref.: WOŚr-II.6220.1.22.2019.DMł;
5. Environmental Permit issued by the Mayor of Cybinka on June 3, 2019, ref.: RGN-IV.6220.05.2018;
6. Environmental Permit issued by the Head of the Chojna Commune on June 10, 2019, ref.: BPI.6220.4.2018.MK and the decision of June 13, 2019 regarding the correction of an obvious typographical error in the date of the permit;
7. Decision of the Minister of Maritime Economy and Inland Waterways issued on October 26, 2019, ref.: DOK.DOK3.9700.54.2019.MM PW-102476 (Water Permit);
8. Decision of the Minister of Maritime Economy and Inland Waterways issued on August, 4, 2020, ref.: DOK.DOK3.9700.26.2020.MM PW-133313 (Water Permit);
9. Decision of the Governor of Zachodniopomorskie Voivodeship No. 126/2020 issued on October 8, 2020 (Building Permit);
10. Decision on the location of the public purpose investment issued by the Mayor of the Chojna Commune on September 12, 2019, ref.: DIR.6733.9.2019.JT;
11. Decision of the Governor of Zachodniopomorskie Voivodeship No. 58/2020 issued on May 15, 2020 (Building Permit);
12. Decision on the location of the public purpose investment issued by the Mayor of the Górzycza Commune on July 4, 2019, ref.: GT.6733.3.2019;
13. Decision on the location of the public purpose investment issued by the Mayor of the Słubice Commune on November 19, 2019, ref.: WGN.6733.16.2019.JW;
14. Decision on the location of the public purpose investment issued by the Mayor of the Słubice Commune on November 19, 2019, ref.: WGN.6733.17.2019.JW;
15. Decision on the location of the public purpose investment issued by the Mayor of the Cybinka Commune on December 2, 2019, ref.: RZP-V.6733.06.2019.

The implementation of the Task required only the acquisition of rights to a real property included in the Agricultural Property Stock of the Treasury constituting **plot number 2/1**, located in precinct 0009 Osinów Dolny. It was the only plot on which a PAP was identified – a lessee, who was a natural person running a farm. The real property in question constituted only a small part of the total area of the farm

ran by the PAP. Because the real property is located in an inter-embankment zone, it was acquired on the basis of art. 258(5) of the Act of July 20, 2017, Water Law, according to which the Polish Waters represent the Treasury and exercise the ownership rights of the Treasury with respect to the land real properties owned by the Treasury situated in an inter-embankment zone, the real properties at flood embankments and the flood embankments adjacent to the inland surface running waters, as referred to in Art. 212(1)(1), as well as with respect to the buildings, structures and other facilities located on such real properties, including water facilities used to carry out the tasks set forth in the provisions of the Act.

At the request of the Investor, the Governor of the Zachodniopomorskie Voivodeship issued on November 5, 2019 a decision on the representation of the Treasury and the exercise of ownership rights of the Treasury by the State Water Management Polish Waters, ref.: GN-2.752.154.2019.BW.

For the Task in question, the Investor prepared a draft Land Acquisition and Resettlement Action Plan, which was subject to public consultations lasting from February 14, 2020 to February 28, 2020. The "No objection" of the World Bank for this document was obtained on April 7, 2020. The provisions of the LA&RAP were implemented for the entire period of assembly and construction works. As part of public consultations, an open meeting was held on March 2, 2020 at 4:30 PM in the Cedynia Town Hall, to which all interested parties were invited. In the course of the LA&RAP being available to the public, no requests or comments were submitted. The meeting was attended only by the employees of the Cedynia Town Hall and the Mayor of the Commune (despite the fulfilment of the information obligation, posting information about the publication of the document and the meeting on the websites indicated in item 1, as well as the involvement of local authorities, which invited parties concerned).

Because the only PAP in this Task was classified as belonging to a particularly sensitive group due to their age, the Consultant and a representative of the PIU went to the PAP's place of residence in order to present all information related to LA&RAP document in person before the meeting described above. All information was forwarded to the person taking care of the PAP because the PAP did not agree to the meeting due to their state of health.

The Investment Project was carried out on 8 real properties, 7 of which were already owned by the State Treasury – State Water Management Polish Waters (the Investor). One real property was owned by the State Treasury – National Support Centre for Agriculture Regional Office in Szczecin. None of the plots were owned by private individuals. There was no need to impose permanent restrictions in the manner of using real property on these properties.

Table 1. List of properties on which the Investment Project was implemented

Item	Dolphins - location on Odra river	Plot No. Total plot area	Commune / Precinct	Location of land	Reference of the owner/perpetual usufructuary/manager of the Lessee	Owner Private - Pr Public - Pu Commune - Co Forests - Fr
1.	34.8 km	20/4 6.3646 ha	Szczecin, 1047 Śródmieście	Western Odra	Ownership: State Treasury State Water Management Polish Waters	Pu
2.	548.4 km	523/5 59.29 ha	Cybinka, 0008 Rapice	Western Odra	Ownership: State Treasury State Water Management Polish Waters	Pu

3.	572.0 km	162 54.40 ha	Słubice, 0012 Kunice	Western Odra	Ownership: State Treasury State Water Management Polish Waters	Pu
4.	595.3 km	77 48.75 ha	Słubice, 0001 Pławidło	Odra	Ownership: State Treasury State Water Management Polish Waters	Pu
5.	607.5 km	183 42.13 ha	Górzycza, 0001 Górzycza	Western Odra	Ownership: State Treasury State Water Management Polish Waters	Pu
6.	663.2 km	2/1 19.67 ha * ²	Cedynia, 0009 Osinów Dolny	-	Ownership: State Treasury National Support Centre for Agriculture Regional Office in Szczecin one active lessee (the entire plot)	Pu
7.	663.2 km	1 46.37 ha	Cedynia, 0009 Osinów Dolny	Western Odra	Ownership: State Treasury State Water Management Polish Waters	Pu
8.	688.1 km	290 26.2491 ha	Chojna, 0002 Zatoń Dolna	Western Odra	Ownership: State Treasury State Water Management Polish Waters	Pu

2.3. Summary of activities related to the payment of compensation

Only one PAP was identified during the preparation of the LA&RAP – the lessee of the real property owned by the State Treasury – KOWR OT in Szczecin, i.e., plot No. 2/1, precinct 0009 Osinów Dolny, with an area of 19.67 ha. The lease agreement was concluded on September 15, 1998. According to the information obtained from the Agency for Restructuring and Modernisation of Agriculture of June 4, 2020, plot No. 2/1 in precinct Osinów Dolny was not declared for payments under the direct support system in the years 2004-2020 (EU subsidies).

Due to the fact that the real property was owned by the Treasury, there was no need to take action to acquire it (expropriation). However, due to the fact that the real property was part of the agricultural property of the State Treasury, which is managed by KOWR, it was necessary to take the actions provided for in Polish regulations in order to determine the representation of the State Treasury and the exercise of the ownership right of the ST by PGW WP. The above occurred on the basis of the administrative decision of the Governor of the Zachodniopomorskie Voivodeship of November 5, 2019, which determined the representation of the State Treasury and the exercise of the ownership rights of the State Treasury by the State Water Management Polish Waters – ref. GN-2.752.154.2019.BW, in relation to the land property owned by the State Treasury, marked as plot No. 2/1 with an area of 19.67 ha, located in an inter-embankment zone, in precinct 0009 Osinów Dolny, in the commune of Cedynia.

However, bearing in mind the existing possibility of ensuring the lessee's continued use of the subject of the lease, the Investor proposed that a new contract be concluded. PAP said they were ready to continue the agreement and continue to use the real property in the same manner as before. By implementing the joint arrangements, the Parties concluded on July 7, 2020 a land lease agreement for land with an area of 19.67 ha, i.e. the entire real property, as a continuation of the lease agreement

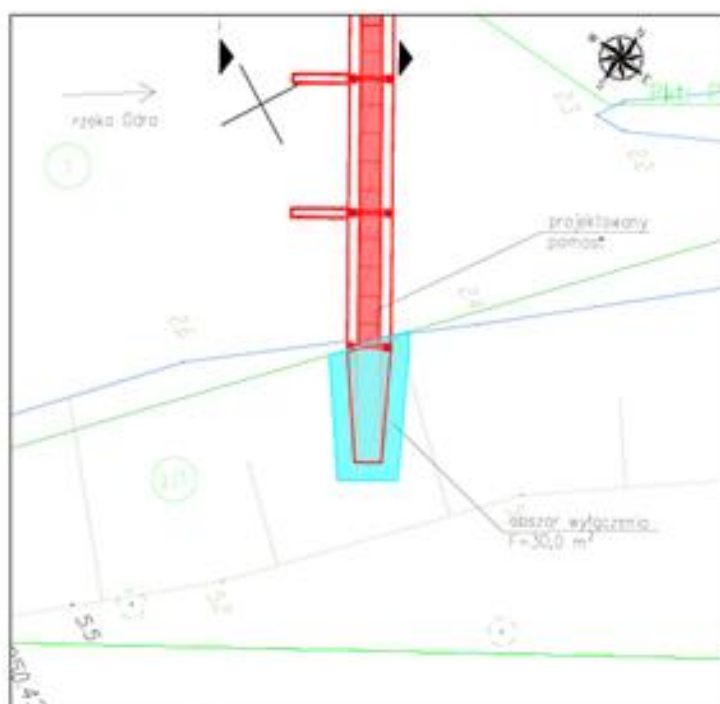
*² The area indicated in the table is the total area of the real property. The area occupied is 0.003 ha.

in force before obtaining the finality decision of the Governor of the Zachodniopomorskie Voivodeship of November 5, 2019. On May 15, 2020, Decision No. 58/2020 of the Governor of the Zachodniopomorskie Voivodeship approving the construction design and granting the building permit for the project "Construction of mooring facilities at lower and border Oder river and new waterway signage at km 663.2 of Oder river" was issued for plots No. 2/1 and No. 1, Osinów Dolny precinct, Cedynia commune, Gryfino district (ref. AP-1.7840.1.65-2.2020.GZ).

It had been agreed with the lessee that an area of 0.003 ha would be designated on part of the real property, on which a fragment of the platform was built and which is necessary to use the structure. By a statement of September 17, 2020, the Investor terminated the real property agreement in part (to the extent necessary to implement the investment project) with a one-month notice period effective at the end of the month. The agreement was terminated in the scope of 30 m² on October 31, 2020. Otherwise, the parties remain bound by the lease agreement.

Pursuant to § 12 (4) of the Lease Agreement, the lessor could unilaterally exclude from the subject of the lease all or part of the real property in the event that a building permit or a permit for the implementation of the investment is issued, with a 1-month notice period calculated at the end of the calendar month. The above was agreed with the PAP.

Figure 1. Area of exclusion from the lease agreement



The situation of the lessee has not changed, except for the exclusion from the lease agreement of a small fragment located on the side of the river (0.015% of the total land). However, the Investor commissioned an independent appraiser to prepare a report in order to determine the amount of possible compensation due to the PAP. It was agreed that the PAP should be entitled to a refund of the rent paid for 2020 for the area excluded from the agreement. The property appraiser made the calculations, indicating that the agreement was terminated effective September 22, 2020, and the

applicable 1-month notice period calculated at the end of the calendar month expired on October 31, 2020. Thus, the lessee was entitled to a refund of the rent paid to the Lessor in advance for the area of 30m² for the period from November 1, 2020 to December 31, 2020.

At an annual rate of 81 PLN/ha (which was in force in accordance with the previously applicable agreement), i.e., for 1 month, it is 6.75 PLN/ha/month or 0.000675 PLN/m²/month. For a period of 2 months and an area of 30 m², this is the amount of: 0.000675 PLN/m²/month × 30 m² × 2 months = PLN 0.0405 ≅ PLN 0.00. It was also established that the lessee of plot 2/1 does not incur any other charges, including statutory ones, related to the subject of the lease (property tax). The lessee did not incur any charges related to the lack of payments under the direct support system in the years 2004-2020. In accordance with the prepared opinion, the compensation for the lessee as a result of termination of the lease agreement for a 30 m² part of the real property constituting plot number 2/1, precinct 0009 Osinów Dolny, commune of Cedynia, district of Gryfino, Zachodniopomorskie Voivodeship is: PLN 0.00

The Investor provided PAP with the prepared opinion and obtained approval both in terms of the method of determining the amount of compensation and its final result through the PAP statement of November 26, 2020. The conclusion of a new lease agreement was sufficient to meet the expectations of the PAP. Due to the fact that only part of the real property is designated for the investment project, the situation of the lessee from before the commencement of the investment project has not changed. Consequently, the impact on the PAP was assessed as insignificant, and the actions taken by the Investor were considered sufficient. In fact, the small part of the real property occupied was not used by the lessee for agricultural purposes due to its location directly by the river bank (photo below).



Table 2. Summary of monitoring indicators used in the implementation of Task 1B.3/2 implemented by PGW WP – RZGW in Szczecin

Indicator	Information source	Monitoring frequency	Progress indicator
Parameters assumed			
The number of properties acquired	Civil-law contracts , Consultant's Records	Monthly/Quarterly	1
The number of Project Affected Persons (PAP)	Land and Mortgage Registers, excerpts from land register, lease contracts concluded, visits on task site	Continuous updates during the arrangement and payment of compensations	1
The amount of all expenses on resettlement, including compensations (planned)	Consultant's Records	Monthly/Quarterly	PLN 10,000.00
Parameters achieved			
The amount of all expenses on resettlement, including compensations (actual)	Investor's financial records	Monthly/Quarterly	PLN 0,00
The number of properties acquired	Investor's/Consultant's Records	Monthly/Quarterly	1
Performance indicators			
Number of complaints	Investor's/Consultant's Records	Monthly/Quarterly	0
Number of complaints examined	Investor's/Consultant's Records	Monthly/Quarterly	0
Compensations paid, other	Investor's financial records	Monthly/Quarterly	PLN 0.00

Table 3. Summary of the costs of implementing the LA&RAP

Item	Compensation amount	Total in PLN
Expenses incurred on the property, including any structures, plantings and improvements	PLN 0.00	PLN 0.00
Court fees	PLN 0.00	PLN 0.00
LA&RAP implementation costs**	-	PLN 4,100.63 ³
Unforeseen costs	PLN 0.00	PLN 0.00

As explained herein, no PAP has been established other than the lessee who, instead of monetary compensation, was offered a new lease agreement excluding an area constituting 0.015% of the total plot area.

2.4. Preparing and adopting the Land Acquisition and Resettlement Action Plan for implementation

For the Task described in this report, the Investor prepared a draft LA&RAP, which was subject to public consultations in the period from February 14, 2020 to February 28, 2020 (14 days). The above was possible after obtaining the conditional "No objection" of the World Bank regarding the draft document on January 13, 2020.

³ The cost of the valuation and the costs of notices in the press related to the publication of LA&RAP.

After completing the work on the draft LA&RAP and obtaining the approval of the World Bank for the commencement of the publishing procedure on its basis, this document was the subject of public consultations conducted in accordance with the requirements of the World Bank operational policy OP 4.12. Resettlement, the purpose of the consultation was to enable natural persons, institutions, and all interested parties to become acquainted with the content of this document and to provide them with the opportunity to submit any comments, queries, and requests related to its content.

In accordance with Operational Policy OP 4.12, the publication of the Draft Land Acquisition and Resettlement Action Plan began on February 14, 2020, when an announcement was published on the following websites:

- www.wszczecinie.pl,
- www.odrapcu2019.odrapcu.pl,
- www.bs.rzgw.szczecin.pl,
- www.cedynia.pl,
- www.slubice.pl,
- www.cybinka.bip.net.pl,
- szczecin.uw.gov.pl,

and in local newspapers:

- the Szczecin supplement to Gazeta Wyborcza,
- Kurier Szczeciński.

All interested parties could read the electronic version of the document on the websites of PGW WP RZGW in Szczecin (www.szczecin.wody.gov.pl), BKP (www.odrapcu2019.odrapcu.pl), OVFMP (www.bs.rzgw.szczecin.pl), and the paper version in:

- PGW WP RZGW Szczecin,
- City Hall in Szczecin, the Department of Crisis Management and Population Protection,
- Head of the Implementation Unit of the Odra-Vistula Flood Management Project,
- Town Hall in Cedynia,
- Town Hall in Słubice;
- Town Hall in Cybinka.

The public consultation notice was also posted on the notice boards in the Town Halls indicated above.

All interested parties could submit comments and applications regarding the draft LA&RAP in writing to the Engineer – Consultant's office address or to the Investor's address and verbally for the record or in electronic form to the e-mail address: projektBS@wody.gov.pl or odra.szczecin@sweco.pl during the public consultation period. RZGW in Szczecin was the competent institution for the consideration of comments and requests.

Due to the identification of one PAP whose age resulted in them being qualified as vulnerable, the Investor's and Consultant's representatives personally went to their place of residence in order to present the LA&RAP, clarify any doubts, and inform them about the planned activities. The above was forwarded to the person taking care of the PAP due to the PAP's poor health.

After the 14-day period of the document being available to the public as part of public consultations, an open meeting was held on March 2, 2020 at 4:30 PM in the Cedynia Town Hall, to which all interested parties were invited. In the course of the LA&RAP being available to the public, no requests or comments were submitted. Apart from the representatives of the Investor, the Consultant, and the Project Coordination Unit, the meeting was attended only by the employees of the Cedynia Town Hall and the Mayor of the Commune (despite the fulfilment of the information obligation, posting information about the publication of the document and the meeting on the websites indicated in item 1, as well as the involvement of local authorities, which invited the parties concerned). At the meeting, only two questions were asked, one about the manner of conducting works, and one about the basis for obtaining real property constituting plot No. 2/1, precinct 0009 Osinów Dolny. The representatives of the Investor and the Consultant clarified the doubts.

After the public consultation, the final version of the LA&RAP was prepared. The "No objection" of the World Bank for this document was obtained on April 7, 2020.

After obtaining the "No objection" clause of the World Bank, the final LA&RAP was made available to the interested parties, i.e., posted on the websites of the Investor and the Odra-Vistula Flood Management Project Coordination Unit, and remains there until the completion of the Contract implementation. The provisions of the LA&RAP were implemented both before the commencement and throughout the period of implementation of assembly and construction works. As indicated above, the works are still ongoing, however, no further actions are foreseen for the implementation of the LA&RAP for this task.

2.5. Scope of executed works

Task 1B.3/2 included the construction of berth mooring facilities for icebreakers in the form of dolphins located beyond the boundary of the shipping route at seven independent locations at the section of the Odra from the mouth of the Nysa 1B.3/2 Szczecin, and the installation of new marking of the shipping route. The mooring places were located in the following places:

- | | |
|--------------------|------------------------|
| → Szczecin | – 34.8 km of the Odra |
| → Biała Góra | – 548.3 km of the Odra |
| → Kunice | – 572.0 km of the Odra |
| → Pławidło | – 595.3 km of the Odra |
| → Ługi Górzycyckie | – 607.5 km of the Odra |
| → Osinów Dolny | – 663.2 km of the Odra |
| → Zatoń Dolna | – 688.0 km of the Odra |

Dolphins were built on the Odra. The detailed location, specifying the km of the Odra and indicating the town, is shown below.

- at 34.8 km of Western Odra, near the left bank, in parallel to Kolumba Street in Szczecin, above the Jaskólcza Island located near the Szczecin Główny railway station, on the real property that

constitutes registered plot number **20/4**, precinct Śródmieście 47, commune the City of Szczecin,

- at 548.3 km of the Odra, downstream the town of Rąpice, at the watch-tower of the Border Troops – Biała Góra, on the real property that constitutes registered plot number **523/5**, precinct 0008 Rąpice, commune of Cybinka;
- at 572.0 km of the Odra, downstream the town of Kunice, on the real property that constitutes registered plot number **162**, precinct 0012 Kunice, commune of Słubice;
- at 595.3 km of the Odra, ca. 4 km downstream the town of Nowy Lubusz (Pławidło), on the real property that constitutes registered plot number **77**, precinct 0001 Pławidło, commune of Słubice;
- at 607.5 km of the Odra, upstream the town of Ługi Górzyckie, on the real property that constitutes registered plot number **183**, precinct 0001 Górzycza, commune of Górzycza;
- at 663.2 km of the Odra, at the town of Osinów Dolny, on the real property that constitutes registered plot number **2/1** and number **1**, precinct 0009 Osinów Dolny, commune of Cedynia;
- at 688.1 km of the Odra, downstream the town of Zatoń Dolna, on the real property that constitutes registered plot number **290**, precinct 0002 Zatoń Dolna, commune of Chojna.

During the works, the Contractor provided archaeological supervision over the entire construction site. During the implementation of the Contract, no archaeological sites or other traces of historic objects were found. Near the planned berth in the city of Szczecin, facilities entered into the register of historic monuments have been identified; nevertheless, all the historic monuments are located outside the immediate investment site, and its implementation had no effect on them. On the territory of other locations and in their immediate vicinity there are no cultural goods and historic monuments.

The Task area was also subject to sappers' supervision. Prior to the commencement of the works, the area was surveyed for unexploded ordnance. No dangerous items of military origin were found during the works.

During the execution of the works, the local community did not submit any complaints to the Engineer or to the Employer.

Photographs of the subject of the contract:



After the completion of the construction and assembly works, there was no need for the Contractor to repair the access roads.

2.6. People who have benefited from the implementation of the Contact

The residents of towns, villages, and Communes, as well as the entities conducting business activity in the area where the Investment Project was implemented and which are located in floodplains, benefited from the implementation of the Contract. The implementation of the project was aimed at flood protection and enabling effective and safe icebreaking, which had a direct impact on the inhabitants of the entire area. As a consequence, it should be recognised that the beneficiaries of the

Project were not only all residents of the Investment Project area, but also the residents of the area not located directly in the area of the Investment Project, as this area is protected against floods and proper and safe icebreaking is possible.

To sum up, the implementation of the Contract directly increased the sense of security of the broadly understood local community. At the meeting organised at the end of the LA&RAP publication period described in this document, the Mayor of one of the communes indicated that he supports the project and is aware of the improved flood protection.

There were no residential buildings and other buildings in the area of the Task implementation. Only the location on the territory of the city of Szczecin was connected with the performance of works in the neighbourhood of developed real properties. However, no deepening works, change of the bank line, or interference in land plots were planned. Construction works were carried out only from water, which was directly related to the lack of impact on private persons.

In some locations, there were infrastructure elements in the form of flood embankments and hard surfaced dirt roads. Only in the vicinity of the mooring place located in the city of Szczecin was the existence of facilities entered into the register of historic monuments established, and they were located outside the direct area of the investment project. The implementation of the project did not affect them in any way. Moreover, there were no water intakes or other elements of technical and social infrastructure, significant for the local community that could require compensation or special measures.

In the area of the task implementation, the majority of lands are marked in the register of lands and buildings as Sw – lands under running surface waters.

The execution of the works proceeded without conflict. This was the result of the correct implementation of the measures indicated in the Land Acquisition and Resettlement Action Plan for the Contract for works 1B.3/2 and the Contractor's implementation of the recommendations of the Environmental Management Plan for the Work Contract 1B.3/2, i.e., mitigating measures – minimising the negative impacts.

3. PRINCIPLES OF THE LA&RAP IMPLEMENTATION ADHERED TO DURING THE IMPLEMENTATION OF THE CONTRACT

During the works, the principles resulting from the generally applicable provisions of Polish law, the World Bank's OP 4.12 policy, LA&RAP, and EMP were observed.

The above concerned both the measures related to the acquisition of rights to properties, the Investor's measures related to the compensation for the PAP, as well as the manner of carrying out the works, which minimised the negative impacts on the persons affected by the project. The guiding principle of the measures was to achieve the effect of improving or at least restoring the living conditions of the PAP and ensuring long-term sustainable use of environmental resources in this area. Principles that were applied in the process of land acquisition and resettlement are consistent with the assumptions set out in the general OVFMP programme document, the so-called Land Acquisition and Resettlement Policy Framework (LA&RPF), available at:

<https://odrapcu.pl/projekt-opdow/popdow-dokumenty/>

3.1. Minimising the acquired area

One of the key principles that was applied during the design works was the principle of minimising the area of permanent and temporary acquisition.

As part of the implementation of the Investment Project, in accordance with the principle of minimising the acquired area, it was decided that the works would generally be carried out from water. As a result, the implementation of the project took place almost exclusively on properties owned by the State Treasury – State Water Management Polish Waters in the area marked Sw (lands under running surface waters), and thus specific measures in the field of limiting the acquired area were not necessary.

In the scope of works carried out on plot number 2/1, precinct 0009 Osinów Dolny, which was the subject of a lease agreement between the PAP and KOWR OT in Szczecin, and is currently the subject of a lease agreement between the PAP and PGW WP – RZGW in Szczecin, measures have been taken to limit areas of acquisition. During the design works, the minimum area necessary for the construction of the platform and for its use, maintenance, and possible repairs (30.00 m²) was agreed.

The works were carried out only from water, while no deepening works were performed, the bank line was not changed, and there was no interference in the land plots (apart from the construction of the platform on part of real property).

At the stage of implementation of the works under the Investment Project, there were no additional and previously unforeseen acquisitions of real property.

3.2. Minimising impacts at the stage of construction works

Before commencing the works, the Investor launched an information campaign on the planned implementation of the Contract. However, there were no people affected by the Project, in connection with whom more extensive measures would have had to be taken. Previously, all necessary information was provided to the offices of communes in which the project was carried out. Information about the possibility of submitting complaints in accordance with the provisions contained in the LA&RAP was also provided at that time.

In connection with the implementation of the Contract, there was no need to temporarily acquire real property or use other real property for the needs of the Investment Project other than that indicated in this document. The above was possible due to the implementation of the investment project and the execution of works from water, which was due to the implementation of the principle of minimising the impact of the investment project at the stage of construction works.

3.3. Minimising impacts by informing the parties of their rights

Since the commencement of the works related to the acquisition of real property, the Investor fulfilled the information obligation in relation to the entities that could be classified as PAP.

After obtaining information on the area of the planned investment project and establishing that the properties are solely owned by the State Treasury, including one real property remaining under the management of the National Support Centre for Agriculture Regional Office in Szczecin, a letter was

sent to this entity informing about the Project along with a request for information on potential lessees of the real property on which the Task was planned.

Then, after receiving the above data, an information letter about the Project was delivered to the lessee, identified as a PAP, with an appended questionnaire and a request to fill it out and send it back. According to the questions included therein, the lessee could present any possible doubts, conclusions or comments related to the Investment Project. Subsequently, they were systematically informed about the planned activities and provided with the draft LA&RAP and the Investor together with the Consultant organised a meeting with the PAP.

As already indicated, the lessee was the only PAP identified. However, due to the fact that entities operating on the territory of the city of Szczecin were found in area further away from the project area, information letters have been sent to all the found entities, where the planned date of commencement of construction works was indicated as well as the scope of those works on the territory of the city of Szczecin.

The Investor did not receive any requests or complaints related to the implementation of the Investment Project.

3.4. Mitigating the impacts through organisational measures

Minimising the impacts during the performance of the Contract was also done through organisational measures implemented at the stage of construction and assembly works. Measures implemented:

1. In the case of a real property that is the subject of a lease agreement – design works were performed in such a manner as to minimise the area of the real property acquired for the investment implementation.
2. In order to determine whether the lessee is entitled to compensation for possible losses incurred in connection with the expiry of the agreement, a licensed property appraiser was commissioned to prepare a valuation.
3. All costs of the measures mitigating and compensating for the adverse impacts were included in the costs of the Project as eligible expenditure.
4. During the construction works, the required distances to overhead power lines were maintained. This ensures the minimisation of social impact resulting from the effects on the power infrastructure (power failures). Installations for electricity distribution at the construction site were designed and executed, as well as maintained and used so that they do not pose fire or explosion risk, and protect the employees, to the sufficient extent, against electric shock.
5. All works carried out near the existing underground utilities were performed manually to prevent damage.
6. All the works that cross or are conducted on or near utility networks were supervised by the owner of those networks.
7. Proper organisation of construction and assembly works was ensured: the construction works were performed only during the day from 6:00 a.m. to 10:00 p.m.

3.5. Minimising impacts through formal and legal measures

No compensation was paid under the Investment Project, as no PAPs other than the lessee were identified. The PAP received compensation in the form of a new lease agreement concluded for the same land, excluding an area of 30 m². Therefore, the situation of the PAP did not change as a result of activities under the Project.

An opinion was prepared by the property appraiser, on the basis of which it was established that the PAP was not entitled to compensation because they did not suffer any damage, including the loss of any future benefits. The opinion was forwarded to the PAP along with the information about the option of not accepting the valuation. The PAP accepted its content, both in terms of the method of determining the compensation and its amount.

4. PUBLIC CONSULTATIONS

Throughout the entire period of preparation for the execution and execution of the Contract, the public was being informed about the Project.

The local community was informed about the planned investment project via notices provided to Commune Offices and Town Halls, and, after determining the entities that could be classified as PAPs in the future, the letters were provided directly to these entities. Detailed information about the investment project was also provided to entities conducting business activities further away from the implemented project, which could be interested in the Project.

Due to the fact that the PAP was classified as particularly vulnerable due to their age and health condition, they were contacted via e-mail, telephone, and letters. During the consultations, all relevant information concerning the situation of the PAP and the use of the leased real property was obtained. As a result of ongoing measures and talks with employees of KOWR OT in Szczecin and the PAP, it was agreed that the PAP will continue the lease agreement, to which PGW WP would be a party.

In addition, public consultation was conducted in connection with the preparation of the LA&RAP. The purpose of the consultation was to enable natural persons, institutions, and all interested parties to become acquainted with the content of this document and to provide them with the opportunity to submit any comments, queries, and requests related to its content.

According to the Operational Policy of the World Bank OP 4.12, the publication of the Draft LA&RAP document began on February 14, 2019, when the announcement appeared in local newspapers, offices, and websites indicated in this document. The public consultation notice was also posted on the notice boards in the Town Halls in Cedynia, Słubice, and Cybinka.

The notice invited individuals, authorities, and institutions concerned to consult the Draft LA&RAP document for Works Contract 1B.3/2. The published notice also contains information about the planned meeting open to all interested parties, which took place as part of the public consultation on the draft LA&RAP (including the date, time, place, and purpose of the meeting).

All interested parties could read the electronic version of the document in the period from February 14, 2019 to February 28, 2019, on the websites of PGW WP RZGW in Szczecin

(www.szczecin.wody.gov.pl), BKP (www.odrapcu2019.odrapcu.pl), OVFMP (www.bs.rzgw.szczecin.pl), and the paper version in:

- PGW WP RZGW Szczecin,
- City Hall in Szczecin, the Department of Crisis Management and Population Protection,
- Head of the Implementation Unit of the Odra-Vistula Flood Management Project,
- Town Hall in Cedynia,
- Town Hall in Słubice;
- Town Hall in Cybinka.

No questions or requests were submitted to PGW WP RZGW Szczecin during the period for asking questions about the published draft of the Land Acquisition and Resettlement Action Plan.

After the 14-day period of the document being available to the public as part of public consultations, an open meeting was held on March 2, 2020 at 4:30 PM, in the Cedynia Town Hall, to which all interested parties were invited.

Apart from the KWT Team, the Investor's representative, and two people from the BKP, the only participants of the meeting were the employees of the Cedynia Town Hall and the Mayor of the Cedynia Commune. Despite the fulfilment of the information obligation, posting information on the publication of the document and the meeting on the websites indicated in item 1, and the involvement of local authorities, which invited interested persons, no residents appeared at the meeting. At the meeting, only two questions were asked, one about the manner of conducting works, and one about the basis for obtaining real property constituting plot No. 2/1, precinct 0009 Osinów Dolny. The representatives of the Investor and the Consultant clarified the doubts.

At the meeting (open to anyone interested in the implementation of the Project), during the public discussion, each participant could submit oral and written comments regarding the draft LA&RAP. During the meeting, there were no additional comments or questions, which would require more time to answer. Two questions asked during the meeting concerned the issues described in detail in the LA&RAP document; they were discussed and explained during the meeting and did not require supplementing the draft LA&RAP.

Before the meeting, representatives of KWT and a representative of PIU went to the PAP's place of residence; the PAP did not agree to a conversation due to their poor health. All information was forwarded to the person taking care of the PAP along with a request to inform the PAP.

A report from the meeting was prepared and sent to the World Bank. After obtaining the "No objection" clause of the World Bank, the final LA&RAP document was made available to the interested parties, i.e., posted on the OVFMP PCU website, and it remains there until the completion of the Contract.

5. MECHANISM FOR THE SUBMISSION OF COMPLAINTS AND REQUESTS

The mechanism for the submission of complaints and requests concerning all matters related to the execution of the Contract 1B.3/2 was implemented at the beginning of the entire process and was valid for the duration of the execution, functioning, and closure of the Contract in question. All interested parties were entitled to file a complaint or request in one of the following three places:

1. Directly in the main Project office, which will serve as a consultation point: Office of the Consultant Engineer:

SWECO Polska Sp. z o. o.
ul. Łyskowskiego 16
71-641 Szczecin

2. Directly at the Employer's office:

State Water Management Polish Waters
RZGW in Szczecin
ul. Tama Pomorzańska 13A
70-001 Szczecin

3. Directly at the site office.

4. In addition, complaints and requests may be submitted:

→ by mail to the addresses indicated above

→ via e-mail to the following addresses:

e-mail: projektBS@wody.gov.pl

e-mail: odra.szczecin@sweco.pl

6. SUMMARY

The main objective of the Project, in the scope of the Contract for works 1B.3/2, i.e., protecting the inhabitants of floodplains in certain parts of the Vistula and Odra river basins against serious floods and to enable effective and safe icebreaking operations, was achieved by the construction of mooring facilities for icebreakers in the form of dolphins located outside the waterway, at seven independent locations. This eliminated the need to incur financial expenses for the removal of flood damage.

In addition to the economic aspect, the non-measurable social aspect of the implementation of the investment project in question, consisting in ensuring a sense of security of the local community living in the communes where the Investment Project was implemented, is equally important.

Works contract 1B.3/2 did not cause any physical or economic resettlement. The impact of the Contract did not adversely affect entrepreneurs or agricultural activity. There were also no impacts in terms of loss of income sources, jobs, access to infrastructure, loss of the ability to conduct agricultural activity, loss of the ability to use natural assets/access to parks, reserves, access to educational institutions, cultural institutions, etc. The only identified PAP is the lessee. Moreover, the acquisition of rights to the entire real property enabled the Investor to conclude a new lease agreement with the PAP. Consequently, the situation of the lessee did not change.

Throughout the duration of the Contract, interested parties had the opportunity to submit complaints and requests regarding the implementation of the Contract. No complaint was received during the Investment Project implementation.

During the preparation of the Contract for implementation, as well as after the preparation of the draft LA&RAP, public consultations were conducted – this process was carried out in accordance with World Bank standards and Polish legislation.

During the works, the principles resulting from Polish legislation, the World Bank's OP 4.12 policy, and LA&RAP were observed. This concerned both the acquisition of real property necessary to implement the Contract and the manner of carrying out the works. The guiding principle of the measures was to achieve the effect of improving or at least restoring the living conditions of the PAP and ensuring long-term sustainable use of environmental resources in this area.

After the implementation of Works Contract 1B.3/2, the standard of living of the local community was restored or improved, a new lease agreement was concluded with the PAP, and everyone in the area where the Investment Project was implemented was protected against flooding.

The Investor's activities and the implementation of the Project did not cause physical or economic resettlement of households and direct, negative impact. Thanks to the implementation of the measures indicated in the LA&RAP, the living conditions of the local community improved and long-term sustainable use of environmental resources in this area was ensured.

7. ATTACHMENTS

1. Lease Agreement of July 7, 2020;
2. Statement of the lessor of September 17, 2020 with a signed map;
3. Statement of PAPs of November 26, 2020 regarding the acceptance of the valuation and compensation in the amount of PLN 0.