

**State Water Holding “Polish Waters”
Regional Water Management Authority
in Szczecin**

LAND ACQUISITION AND RESETTLEMENT ACTION PLAN

for

Odra-Vistula Flood Management Project
co-funded by:

the World Bank (WB), Loan Agreement no. IBRD 8524 PL
the Council of Europe Development Bank (CEB), Framework Loan Agreement no. LD
1866
State Budget

Subcomponent 1.B: Flood Protection on the Middle and Lower Odra

WORKS CONTRACT 1B.2

Modernization works on boundary sections of Odra River, Stage I to provide Good
Condition for Ice-breaking

[Final document](#)

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ODRA-VISTULA FLOOD MANAGEMENT PROJECT

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LAND ACQUISITION AND RESETTLEMENT ACTION PLAN

Subcomponent 1B: Flood protection of the Middle and Lower Odra,

WORKS CONTRACT 1B.2 Modernization works on boundary sections of Odra River, Stage I to provide Good Condition for Ice-breaking

This Land Acquisition and Resettlement Action Plan is prepared for Contract 1B.2 executed by the State Water Holding Polish Waters – Regional Water Management Authority in Szczecin.

PROJECT IMPLEMENTATION UNIT:

State Water Management 'Polish Waters'

Regional Water Management Authority

in Szczecin Tama Pomorzańska 13 A Street, 70-030 Szczecin.

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Szczecin – September 2020

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List of abbreviations used in the document

1B.2	Designation of Works Contract 1B.2 Task Modernization works on boundary sections of Odra River, Stage I to provide Good Condition for Ice-breaking
ARMA	Agency for Restructuring and Modernisation of Agriculture
The World Bank (WB)	International Bank for Reconstruction and Development
PCU	Coordination Unit for the Odra-Vistula Flood Management Project
CEB	Council of Europe Development Bank (CEB)
LBR	Land and Building Register
GIS	Geographic Information System a system of information on the terrain, consisting of a database covering a specified area as well as the procedures and techniques for systematic collection, updating and sharing of data
CSO	Central Statistical Office of Poland
Joint Venture (Consortium)	Joint Venture Sweco Consulting Sp. z o.o./ Sweco Nederland B.V./ Sweco Engineering Sp. z o.o./ Ekocentrum – Wrocławski Ośrodek Usług Ekologicznych Sp. z o. o
Project / undertaking	1B.2 – Modernization works on boundary sections of Odra River, Stage I to provide Good Condition for Ice-breaking
PIO	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 Regional Water Management Authority in Szczecin Tama Pomorzańska 13 A Street 70-030 Szczecin
CC	Act of 23 April 1964 the Civil Code (Journal of Laws of 2018, item 1145, as amended),
Consultant Engineer	A company or legal person engaged by the Employer to supply services (for example, those defined herein)
Contract / Task / Investment	Works Contract 1B.2
KOWR	National Support Centre for Agriculture Regional Office
CAP	the Law of 14 June 1960 – Code of Administrative Procedure (Journal of Laws 2020, item 256, as amended)
LA&RPF	Land Acquisition and Resettlement Policy Framework

NBP	Narodowy Bank Polski (National Bank of Poland)
NGO	Non-governmental Organisation
SAC	Supreme Administrative Court
Structure	A functionally separated material scope being a part of Task 1B.2
EIA	Environmental Impact Assessment
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)
IPIP	Investment Project Implementation Permit
LA&RAP	Land Acquisition and Resettlement Action Plan
Project/OVFMP	Odra-Vistula Flood Management Project
PGL LP	State Forest Management Authority ‘Lasy Państwowe’
RZGW	State Water Holding ‘Polish Waters’
RDP	Rural Development Programme
EMP	Environmental Management Plan
RDOŚ	Regional Directorate for Environmental Protection
Land Register Regulation	Regulation of the Minister of Regional Development and Construction of 29 March 2001 on the register of lands and buildings (consolidated text Journal of Laws of 2019, item 393)
Appraisal Regulation	Regulation of the Council of Ministers of 21 September 2004 on the appraisal of properties and preparing appraisal reports (Journal of Laws of 2004, No. 207, item 2109, as amended)
ST	State Treasury
Sp. z o.o.	Limited liability company
S.A.	Joint-stock company
Flood Act	Act of 08 July 2010 on special principles of preparation for the execution of investments in the field of flood-control structures (consolidated text Journal of Laws 2019, item 933, as amended)
TO	A permanent restriction in using a real property
RPM	The Real Property Management Law of 21 August 1997 (Journal of Laws of 2020, item 65)
CL	The Construction Law of 7 July 1994 (Journal of Laws 2019, item 1186, as amended)
WL	Act of 20 July 2017 Water Law (Journal of Laws of 2020, item 310.)
PAC	Provincial Administrative Court

Contractor	A company / legal person exercising Works Contract 1B.2
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1. Key definitions

Key definitions used herein:

Real property price – an amount negotiated with the real property owner, due to him for the real property or a part thereof, based on the value of that property determined by a licensed property appraiser. The amount of compensation for the real property shall not be lower than the cost of replacing the lost asset, excluding the depreciation of assets resulting from the age, condition or any other factor related to the assets.

Cut-off date – the date of completing the property inventory and the list of Project Affected Persons. The persons who remain on the Project site after the cut-off date shall not be entitled to compensation or any other form of assistance. Similarly, no compensation shall be paid for fixed assets (such as buildings, plants, fruit trees or tree stands) after the end date of the inventory or, alternatively, after the deadline agreed.

Economic resettlement – the loss of over 20% agricultural land, if the revenue of the Project Affected Person (PAP) is largely based on agriculture.

Physical resettlement – the loss of the place of residence or commercial facilities, such as shops or workshops, or facilities necessary to generate revenue.

Special assistance groups – the people who due to their gender, ethnic group, age, mental or physical disability, difficult financial standing or social position, are more vulnerable to the adverse effects of resettlement than other groups, and who may have a limited possibility to file claims, use assistance during the resettlement or use their right of share in the benefits of the investment project.

Resettlement cost – the scope of compensation for the lost goods / properties / expenditure, which covers the replacement value of the goods / properties and the costs of carrying out the resettlement and taking the related actions.

Social impact – in the light of OP 4.12, a social impact associated with expropriation is defined as any direct loss, whether social or economic, which arises out of the expropriation of a real property or the permanent restriction in the manner of using or access to the real property.

Compensation – a value paid in money or as a replacement property for the properties and assets which have been acquired or are affected by the Project. A compensation is paid if the owner must transfer his real property to the State Treasury (State Water Holding 'Polish Waters' – Regional Water Management Authority in Szczecin). In accordance with the Polish laws, in this respect the compensation may be paid from the moment when the building permit generally becomes final and binding as well as in any case before the real property is taken over and seized for construction purposes.

OP 4.12 Involuntary Resettlement – the Operational Policy setting out the principal rules and procedures being a basis of the WB approach to involuntary resettlement due to investment projects.

Project Affected Person (PAP) – any person who, due to the project implementation, loses his or her ownership right or other benefits from his or her developed infrastructure (used for

residential, agricultural or breeding purposes), or loses his or her annual or multi-annual crops and yield or other related or movable assets, in full or in part, whether permanently or temporarily. PAPs may also include the members of a local community or other persons affected by the actions related to the project.

Natural person – the civil-law definition of a human, from the moment of birth until the moment of death.

Legal person – legal persons are the State Treasury and organisational units which are accorded legal personality by specific regulations.

Bona fide possessor – a person who uses a thing, treating it as his/her property, and is erroneously convinced that he/she has the right of ownership, but this erroneous conviction is justified by the circumstances.

Mala fide possessor – a person who uses a thing, treating it as his/her property, but is or should be aware that he/she is not its owner.

Revenue – an increment in property gained from carrying out a business or agricultural activity on a real property, including from the sale of such property.

Involuntary resettlement – a resettlement is involuntary if it is carried out without the consent of the person being resettled (against his/her will) or under a consent granted under duress (without the possibility to object to the resettlement), for example by expropriation.

Limited liability company – a company established by one or more persons for any lawful purpose.

Expropriation – a process involving the deprivation or restriction of a right in a real property, enjoyed by a particular person, under an individual legal act.

Value of expenditure – the amount due to the user, negotiated with the person incurring expenditure on the real property, or an amount based on the value of expenditure determined by a licensed property appraiser.

Replacement value – a compensation for lost goods, appraised based on their replacement/market value, including all transaction costs (such as taxes and registration fees), aimed at a sufficiently effective replacement of the lost goods (replacement value). Replacement value is the amount required to replace the lost assets, excluding the depreciation of arising out of the age, condition or another factor relating to the assets.

Purchase / voluntary sale – a transaction involving a paid acquisition of a right to a real property from its owner/possessor, for a price accepted by both parties, if the owner may reject the transaction. If a project resorts to expropriation, the purchase is not deemed voluntary (as it does not involve a wilful buyer and wilful seller).

The following terms used herein alternatively: **land – real property – plot**, as the context requires, are defined as in the following legal acts:

- CC – land, real property;
- RPM Law – real property, plot of land;
- Land Register Regulation: land, registered plot (abbreviated herein as ‘plot’); and
- Operational Policy 4.12 – land.

2. Introduction

The document constitutes the Land Acquisition and Resettlement Plan (LA&RAP) for Contract 1B.2 – Modernization works on boundary sections of Odra River, Stage I to provide Good Condition for Ice-breaking, carried out by the PIU/RZGW Szczecin/RZGW (Investor) as part of the Odra-Vistula Flood Management Project (OVFA), co-financed by the International Bank for Reconstruction and Development (World Bank) (the Loan Agreement of 10 September 2015), the Council of Europe Development Bank (CEB) (the Loan Agreement of 24 May 2016) and the State Budget. The scope of the study applies only to Contract 1B.2 and does not refer to the entire OVFMP.

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. The OVFMP covers the following five Components:

Component 1 – Flood Protection of the Middle and Lower Odra,
Component 2 – Flood Protection of Nysa Kłodzka Valley,
Component 3 – Flood Protection of the Upper Vistula,
Component 4 – Institutional Strengthening and Enhanced Forecasting; and
Component 5 – Project Management and Studies.

The Components include Subcomponents. Component 1 is divided into the following three Subcomponents:

- 1A (Flood protection of areas in Zachodniopomorskie voivodeship),
- 1B (Flood protection on the Middle and Lower Odra), and
- 1C (Flood protection of the town of Słubice). The names of the Components and Subcomponents are given as in the Project Operations Manual for the ‘Odra-Vistula Flood Management Project’, which is available on:

http://odrapcu.pl/doc/POM_PL.pdf

Works Contract 1B.2 will be carried out as part of Component 1, Subcomponent 1B – Flood Protection on the Middle and Lower Odra.

All Tasks within Sub-Component 1B solve the problems related to flood protection in a comprehensive manner, covering the areas that are most vulnerable to flood. Subcomponent 1B contains the following Tasks:

- 1B.1/1 (a) – Reconstruction of river control infrastructure on Odra river – adaptation to the conditions of Class III waterway from Ścinawa to Nysa Łużycka mouth – Stage II.
- 1B.1/1 (b) – Reconstruction of road bridge in Krosno Odrzańskie, including the access road.
- 1B.2 – Modernization works on boundary sections of Odra River, Stage I to provide Good Condition for Ice-breaking
- 1B.3/1 – Construction of mooring base for icebreakers.
- 1B.3/2 – Construction of mooring facilities at lower and border Odra river and new waterway signage.
- 1B.4/2 – Dredging of Klucz-Ustowo ditch.

- 1B.5/1 – Reconstruction of bridge to ensure a minimum clearance – a railway bridge at km 733.7 of Regalica river in Szczecin.
- 1B.5/2 – Reconstruction of bridge to ensure a minimum clearance – a road bridge at km 2.45 of Warta river in Kostrzyn nad Odrą.
- 1B.5/3 – Reconstruction of bridge to ensure a minimum clearance – a railway bridge at km 615.1 of Odra river in Kostrzyn nad Odrą.
- 1B.6/1 – Flood protection for the town of Nowa Sól and the areas located downstream of Krosno Odrzańskie – Nowa Sól Stage I and II.
- 1B.6/2 – Flood protection for the town of Nowa Sól and the areas located downstream of Krosno Odrzańskie – Wężyska-Chlebowo.
- 1B.7 – WWW Widawa - Reconstruction of flood protection systems in the communes of Czernica, Długotłęka, Wisznia Mała, and Wrocław.
- 1B.8 – Flood Protection of Krosno Odrzańskie town.

2.1. Description of Task 1B.2

Modernisation works on the border Odra river are the subject of the planned project. Work under Task 1B.2 will be carried out in two stages: Stage I – to provide Good Condition for Ice-breaking and Stage II – Reconstruction and modernisation of regulatory development on the border Odra river. This document applies only to Stage I.

Modernisation works are planned to be carried out on the Odra river, on sections with a total length of about 24.4 km. The planned works will include the following sections of the Odra river:

1. Section: 581.0 – 585.7 km – Słubice region;
2. Section: 604.0 – 605.0 km – Górzycza region – Reitwein;
3. Section: 613.5 – 614.7 km – Kostrzyn nad Odrą region;
4. Section: 645.5 – 654.0 km – Gozdowice region – Stara Rudnica;
5. Section: 654.0 – 663.0 km – Stara Rudnica region – Osinów Dolny.

As part of the planned modernization, works related to:

- demolition and reconstruction of the existing groynes and the construction of new groynes.
- demolition and reconstruction of the existing longitudinal dams and the construction of new dams.
- demolition and reconstruction of the existing river walls and revetments and the construction of new ones.

The project further includes dredging works (so-called auxiliary dredging) to be performed at selected river sections. Possible execution of accompanying dredging will depend on the observation that will be carried out after the execution of a given section of the works. This monitoring will consist in checking whether significant amounts of bottom material are deposited at a distance of 500 m below a given section, as a result of the works carried out on it. Monitoring should continue throughout the duration of the construction works, as well as after their completion, until the flow stabilizes. In the event of a deposit of bottom material, excavation works will be carried out on these sections, in order to open the watercourse trough and ensure proper water run-off.

The sections of the river planned for reconstruction under the project will be part of the implementation of the provisions of the “*Polish-German agreement on joint efforts to improve the condition of waterways on the Polish-German border (flood protection, flow and shipping conditions)*” signed in Warsaw on 27 April 2015, under which a comprehensive reconstruction of the control structures of the border section of the Odra river on the total length of ca. 95 km. The Polish-German agreement defines the so-called limiting places, i.e. places on the border Odra river, where regulatory structures need to be modernised.

The existing system for regulating the Odra river is in an unsatisfactory state. Many control structures show significant damage, and some spurs are completely absent. The greatest shortcomings are identified in the existing regulation of the border Odra in the scope of expansion to low water. In addition, the lack of uniform maintenance guidelines for both shores has been a problem, as a result of which the current regulatory system does not maintain the agreed spacing of control lines and uniform heights of control structures.

As a result, the boundary section is characterized by the instability of morphological processes in the river channel, leading to significant limitations of navigation depths.

2.2. Task Site

This project will be carried out on the Odra river in the area of three counties, five communes located in Zachodniopomorskie voivodeship and Lubuskie voivodeship, i.e. in the area of:

- Cedynia commune – district of Gryfino, Zachodniopomorskie voivodeship,
- Mieszkowice commune – district of Gryfino, Zachodniopomorskie voivodeship,
- Kostrzyn nad Odrą commune – Gorzów district, Lubuskie voivodeship,
- Górzycy commune – Słubice district, Lubuskie voivodeship,
- Słubice commune – Słubice district, Lubuskie voivodeship.

As indicated above, the works cover the following sections of the river Odra:

1. Section: 581.0 – 585.7 km – Słubice region;
2. Section: 604.0 – 605.0 km – Górzycy region – Reitwein;
3. Section: 613.5 – 614.7 km – Kostrzyn nad Odrą region;
4. Section: 645.5 – 654.0 km – Gozdowice region – Stara Rudnica;
5. Section: 654.0 – 663.0 km – Stara Rudnica region – Osinów Dolny.

As part of Stage I, modernisation works are planned to be carried out on Odra river, on sections with a total length of about 24.4 km, of which about 6.9 km are located in Lubuskie voivodeship and about 17.5 km in Zachodniopomorskie voivodeship.

The project will be carried out in designated sections of the Odra River range, where there is currently a regulatory structure in the form of spurs, longitudinal dams, coastal insurance and coastal bands, which are planned for renovation, reconstruction or demolition. The works will be carried out in areas of diverse spatial development. Some of the works will be carried out in the vicinity of forested areas, meadows and farmlands. In several places, tasks will be carried out in the vicinity of built-up areas.

Below is a list of acquired land, broken down by communes. Details of individual plots can be found in Annex 5.

Commune	Permanently acquired plots	Permanently acquired plots (ha)	Permanent acquisition of PAP property	Time-limited plots	Time-limited parcels (ha)
1B.2	<p>All: 43</p> <ul style="list-style-type: none"> • Pr: 1 <p>• LP: 1 and 2 plots under perpetual usufruct of LP</p> <ul style="list-style-type: none"> • Pu: 26 • RZGW: 15 	<p>Total: 68.7734 ha (0.0755 ha is owned by Pu and in perpetual usufruct of LP)</p> <ul style="list-style-type: none"> • Pr: 0.0357 ha • LP: 0.0987 ha • Pu: 68.639 ha 	<ul style="list-style-type: none"> • 1 plot is owned by a natural person • 1 plot is owned by a legal person • 2 plots are under perpetual usufruct of legal persons • 4 plots are subject to lease agreements 	<p>All: 117</p> <ul style="list-style-type: none"> • Pr: 33 <p>• LP: 3 and 2 plots under perpetual usufruct of LP</p> <ul style="list-style-type: none"> • Pu: 78 • RZGW: 3 	<p>Total: 23.9338 ha (0.2591 ha is owned by Pu and in perpetual usufruct of LP)</p> <ul style="list-style-type: none"> • Pr: 3.9108 ha • LP: 0.4202 ha • Pu: 19.6028 ha
Słubice	<p>Permanent: 7, 3 of which of RZGW</p> <p>Temporary: 12, 2 of which of RZGW</p>	<p>Total: 17.2552ha</p> <ul style="list-style-type: none"> • Pr: 0 ha • Pu: 17.2552 ha • LP: 0 ha 	<p>Relocation of households: 0</p> <p>1 plot is the subject of a lease agreement</p>		<p>Total: 3.1889 ha</p> <ul style="list-style-type: none"> • Pr: 0 ha • Pu: 3.1889 ha • LP: 0 ha
Górzycza	<p>Permanent: 4, 3 of which of RZGW</p> <p>Temporary: 7</p>	<p>Total: 2.4636 ha</p> <ul style="list-style-type: none"> • Pr: 0 ha • LP: 0 ha • Pu: 2.4636 ha 	<p>Relocation of households: 0</p>		<p>Total: 0.8691 ha</p> <ul style="list-style-type: none"> • Pr: 0 ha • Pu: 0.8691 ha • LP: 0 ha
Kostrzyn nad Odrą	<p>Permanent: 1 - RZGW</p> <p>Temporary: 0</p>	<p>Total: 0 ha</p> <ul style="list-style-type: none"> • Pr: 0 ha • LP: 0 ha • Pu: 0 ha 	<p>Relocation of households: 0</p>		<p>Total: 0 ha</p> <ul style="list-style-type: none"> • Pr: 0 ha • Pu: 0 ha • LP: 0 ha
Mieszkowice	<p>Permanent: 7, 2 of which of RZGW</p> <p>Temporary: 44</p>	<p>Total: 33.3639 ha</p> <ul style="list-style-type: none"> • Pr: 0.0357 ha • LP: 0 ha • Pu: 33.3282 ha 	<p>Relocation of households: 0</p> <p>1 plot is the subject of a lease agreement</p>		<p>Total: 4.3201 ha</p> <ul style="list-style-type: none"> • Pr: 1.6377 ha • Pu: 2.6620 ha • LP: 0.0204 ha
Cedynia	<p>Permanent: 24, 7 of which of RZGW</p> <p>Temporary: 65, 1 of which of RZGW</p>	<p>Total: 15.6907 ha</p> <ul style="list-style-type: none"> • Pr: 0 ha • LP: 0.0987 ha (including 0.0755 ha - Pu) • Pu: 15.592 ha (including 0.0755 in perpetual usufruct of LP) 	<p>Relocation of households: 0</p> <p>2 plots are subject to lease agreements</p>		<p>Total: 15.5557 ha</p> <ul style="list-style-type: none"> • Pr: 2.2731 ha • Pu: 12.8828 ha (including: 0.2591ha under perpetual usufruct of LP) • LP: 0.3998 ha

Table 1: investment plots for each of the Communes

Pr = Private
OP = Legal person (company)
Pu = All properties owned by the State Treasury, including all levels of government and government agencies, as well as communes, voivodeships, and districts (with the exception of properties owned by the State Treasury - RZGW in Szczecin due to the lack of necessity to obtain any rights to the plot).
PAP = Project Affected Persons
* Temporary acquisition of properties does not cause physical relocation of households.

In the case of properties owned by the State Treasury, in accordance with the general principle of representation concerning the State Treasury properties resource derived from the Real Property Management Act of 21 August 1997, the representative body is the head of the district, who performs the task of government administration.

According to the above list, the project is planned to be implemented on 43 plots. The vast majority of them are owned by the State Treasury (38 properties), of which 16 properties are owned by the State Treasury - RZGW in Szczecin. 3 properties are owned by local government units. Only one plot is owned by a natural person and one legal person. In addition, two properties are the subject of a perpetual usufruct agreement which is established for the benefit of the companies.

117 plots of land will be used for temporary activities. However, temporary activities should be considered as not significantly affecting the ability of the owners or users of the plot to use the

property, as the restrictions are primarily related to the need to mow greenery in the vicinity of spurs. According to the data collected, 35 out of 117 properties are owned by private entities. There is no need to permanently acquire the plots in question and acquire ownership rights to them for the benefit of the State Treasury. They will be temporarily occupied as these plots do not need to be subject to permanent restrictions on use. Planned mowing of grasses and associated temporary restrictions will not change the purpose and manner of using the properties, but constitute an action to minimise the impact of investment works on ornithofauna before the loss of breeding birds nesting in scurvies.

In addition, it should be pointed out that the scopes of restriction in use to secure the right to enter the real property may be changed. The Investor shall endeavour to limit the scope of temporary restrictions of the real property and their duration.

According to the information gathered, the four properties (which are part of 43 properties intended for permanent acquisition referred to above) for which permanent acquisition is planned are the subject of lease agreements and one of them is leased to two entities – a natural person and a limited liability company. The subject of the lease agreements are properties constituting plots with the following numbers:

- 792/6, precinct 0010, located in Słubice, where it is the subject of a lease agreement established for the benefit of a natural person and for the benefit of sp. z o.o.,
- 280/1, precinct 0015, located in Cedyňa – lease agreement established for a natural person,
- 86/7, precinct 0002, located in Mieszkowice – lease agreement established for a natural person,
- 494, precinct 0014, located in Cedyňa – lease agreement established for the benefit of a natural person.

All issues related to the indicated contracts are described in Chapter 4.2.3. *EU subsidies and lessees.*

2.3. Entities responsible for implementing the Project

As from 1 January 2018, the main entity responsible for national water management is the State Water Holding 'Polish Waters' (also referred to as 'Polish Waters'), seated in Warsaw.

RZGW was founded under the Act of 20 July 2017 – Water Law (WL) and the statute given under the Regulation of the Minister of Environment of 28 December 2017. (Journal of Laws 2017, item 2506). 'Polish Waters' is a state-owned legal person (Article 9(14) of the Public Finance Act of 27 August 2009 – Polish Journal of Laws 2009, item 1240, as amended).

One of the tasks of the SWM PW is comprehensive, broadly understood water management in Poland, including investments. The entity also represents the State Treasury and exercises its ownership rights with regard to the water, water equipment and other property related to water management, owned by the State Treasury. A detailed list of the rights and obligations, including the division of competence between the internal units and separated bodies, is set out in Article 240 of the WL. Polish Waters consists of the following organisational units: The National Water Management Authority seated in Warsaw, regional water management authorities, basin boards and water supervision offices.

In Article 536 of the WL, the legislator has regulated the issues regarding the continuation of projects commenced before the date the Law entered into force, by transferring to 'Polish Waters'

the rights and obligations arising from the contracts and decisions concerning projects carried out on the public water bodies owned by the State Treasury, and concerning principal drainage equipment, including the contracts financed or co-financed by foreign resources, which were previously implemented by regional water management authorities, provinces, province marshals or competent provincial organisational units. Article 526 of the WL stipulates that from the date the Law enters into force, 'Polish Waters' shall also perform the tasks of the previous President of the National Water Management Authority, the previous directors of regional water management authorities, and province marshals, which involve the maintenance of water and other property of the State Treasury related to water management and water management projects. It should be noted that all the receivables, liabilities, rights and obligations of the previous National Water Management Authority and the regional water management authorities have become receivables, liabilities, rights and obligations of Polish Waters. Therefore, it was a general succession from the previous regional boards to Polish Waters.

The reform of the water management was caused by the Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 (the so-called Water Framework Directive), which establishes a framework for Community action in the field of water policy. The reform was a condition which Poland had to satisfy in order to use the resources from the European Union operational programmes for 2014–2020.

The Project Implementation Unit (PIU) for this Task is the National Water Management Authority 'Polish Waters', which has legal personality and exercises the ownership rights for and on behalf of the State Treasury. The National Water Management Authority in Szczecin is an internal unit of Polish Waters. Therefore, the National Water Management Authority 'Polish Waters' will hold the status of the Investor with regards to the performed task.

3. Basic principles adopted in the LA&RAP¹

The principal objective of this Land Acquisition and Resettlement Action Plan is to acquire properties necessary to implement the Works Contract in line with Polish legal regulations and the World Bank's Operational Policy OP 4.12, in a way to minimise the adverse impacts on the project affected persons, improve or at least restore their living conditions and ensure long-term and sustainable use of environmental resources in that area.

Unless adequate mitigation and prevention measures are planned and implemented, land acquisition may generate and strengthen inequalities and cause social exclusion and permanent environmental damage. Therefore, in planning and implementing the property acquisition process, it is required to apply the following principles:

1. Permanent and involuntary land acquisition shall be minimised or avoided where possible. Where permanent acquisition is unavoidable, the procedures and requirements outlined in this LA&RAP shall be followed to mitigate the impact of the land acquisition on the parties interested.
[http://www.odrapcu.pl/doc/OVFMP/Ramowy dokument dotyczacy Przesiedlen i Pozyskiwania Nieruchomosci.pdf](http://www.odrapcu.pl/doc/OVFMP/Ramowy_dokument_dotyczacy_Przesiedlen_i_Pozyskiwania_Nieruchomosci.pdf)
2. The land acquisition procedures shall ensure that the living conditions of people are improved or at least restored to pre-project level.
3. All project affected persons (PAPs) shall be properly consulted and given the possibility to actively and effectively participate in improving the Project, and shall be given access to mechanisms enabling the submission of complaints and applications. The public consultation should account for the needs of vulnerable groups and those arising from participants' gender identity.
4. Project Affected Persons shall be provided access to fair, just and inexpensive appeal procedure conducted before an independent authority or before a court, which should be carried out without undue delay.
5. All land acquisition processes, whether permanent or temporary, shall be conducted in line with the procedures set forth in Polish legal regulations and in OP 4.12, as per the LA&RPF, and shall be elaborated in specific LA&RAPs. The LA&RAPs must be consistent with the LA&RPF.
[http://www.odrapcu.pl/doc/OVFMP/Ramowy dokument dotyczacy Przesiedlen i Pozyskiwania Nieruchomosci.pdf](http://www.odrapcu.pl/doc/OVFMP/Ramowy_dokument_dotyczacy_Przesiedlen_i_Pozyskiwania_Nieruchomosci.pdf)
6. This LA&RAP concerns permanent or temporary land acquisition, as well as permanent or temporary restrictions in using the property, which may in particular result in the (permanent or temporary) loss of revenue or the reduction of living standards.
7. The implementation of the LA&RAP shall be monitored and documented, and evaluated upon completion.
8. The process of public participation and the protective and mitigation measures shall be carried out in line with the principle of equal treatment regardless of age, sex or disability of the project affected persons. Particular attention must be paid to the households where a member or members belong to the vulnerable groups.

¹ The contents of this section are in line with the LA&RPF.

9. Land Acquisition and Resettlement Action Plans are prepared and implemented as integral parts of the Project. All costs of planning and implementing the compensation measures shall be included in the costs and benefits of the Project.
10. The persons economically affected by the Project, in particular those who have been subject to expropriation, shall be compensated before the start of construction works on the expropriated property.
11. As part of compensatory activities, priority will be given to the compensation on a “land for land” basis by granting real property with similar production potential. Monetary compensation shall be used where the acquisition of the real property or a part thereof has no impact on the possibility to use the real property for its previous purposes as well as where the person economically affected by the project expresses their will to receive monetary compensation.
12. The properties subject to temporary acquisition upon the completion of works shall be restored to their previous condition, so to enable their owners or users to use the properties as before the Project implementation.
13. Regardless the title to the real property, all project affected persons shall receive various forms of support, according to the Compensation Measures Matrix included in the LA&RPF. The absence of a title to the real property should not be a bar to the compensation and/or any other form of support. Detailed principles of real property acquisition, conducting the social participation procedure and mitigating, preventive, protective and compensatory measures are stipulated herein.

The purpose of the LA&RAP is, *inter alia*, to gather basic social and economic information on the project affected persons, to identify the impacts, to determine the mitigating and compensating measures taken against any adverse impacts, and to assess whether the conditions for further management on the properties covered by the project have been restored (both for properties owned by natural persons and public entities). The LA&RAP also specifies the procedures, budget and deadlines to achieve the said purposes.

Based on determined indicators, the LA&RAP shall be subject to continuous monitoring and updates conducted by the Consultant's team and by the PIO, as the works proceed and in case any new factual or legal circumstances which affect the implementation of its provisions. This will allow, *inter alia*, for the provision of relevant information to the project affected persons, early identification of risks, and the implementation of methods that will enable the mitigation or elimination of those risks. The results of the monitoring will be presented in monthly and quarterly reports.

An *ex-post* assessment will be conducted six months after full implementation of the LA&RAP and evaluating and documenting its outcomes.

4. Minimising the impact

4.1. Social impacts – general

In the light of OP 4.12, a social impact associated with property acquisition is defined as any direct loss, whether social or economic, which arises out of the expropriation of a real property or the permanent restriction in the manner of using or access to the real property.

The social impacts caused by the Investment Project, and thus by the land acquisition which often leads to resettlement, may be classified into the following categories:

- 1) **Impact related to the effects of the Investment:**
 - a/ direct impacts,
 - b/ indirect impacts,
- 2) **Impact related to the severity of the implemented Investment:**
 - a/ significant impacts,
 - b/ minor impacts,
- 3) **Subjective impacts:**
 - a/ favourable impacts,
 - b/ adverse impacts.

Re. 1. According to §3 of the World Bank's Operational Policy OP 4.12 *Involuntary Resettlement*, the said Policy covers only direct impacts which are caused by the involuntary taking of land or the involuntary restriction of access to parks and protected areas, resulting in adverse impacts on the livelihood of the project affected persons.

'Direct social impact' means any consequence immediately related to the taking of a parcel of land or to restrictions in the use of legally designated parks or protected areas, during the Investment Project financed or co-financed by the World Bank. People directly affected by land acquisition may lose their home, farmland, property, business, or other means of livelihood; a reduction in living standard is also possible. In other words, they lose their ownership, control over the real property and the rights of use.²

OP 4.12 does not apply to long-term indirect impacts caused by the Investment Project, for example on customer loyalty (for people running a business), differences in local tastes, or other forms of intangible cost caused by the Investment Project.³

Re. 2. The severity of the Investment Project's impact on land properties largely depends on the type and purpose of the property.

Therefore, the basic criterion to assess the severity of social impacts is the percentage share of the expropriated part of the property in its entirety. Nevertheless, data obtained during the socio-economic study should be also taken into account.

² See: *Involuntary Resettlement Sourcebook, Planning and Implementation in Development Projects, The World Bank 2004, Chapter 1, page 4*

³ See: *Involuntary Resettlement Sourcebook, Planning and Implementation in Development Projects, The World Bank 2004, Chapter 1, page 19*

To assess the social impacts, for the purposes of this LA&RAP, we have adopted the following criteria, according to OP 4.12:

- minor impacts – for real properties intended for purposes other than agriculture, and for wasteland, minor impacts are such impacts where less than 20% of the land or resources of the household is lost, and there is no physical resettlement,
- significant impacts – for real properties intended for purposes other than agriculture, and for wasteland, significant impacts are such impacts where the household loses more than 20% of its land.

In assessing the severity of the impact, the information obtained from the socio-economic study has also been taken into account.

Therefore, when assessing the impacts for their severity, it is required to assess the size, purpose, use and production capacity of the land owned by the household and its part being lost. Often the land subject to acquisition is the family's only source of income, and sometimes it is not used whatsoever. In such cases, the acquisition of the same area will be subject to different compensation amounts, based on the purpose and production capacity of the land. Therefore, an important aspect to be determined during the socioeconomic study is the percentage ratio of the acquired part of land composing the household to the remaining area, and whether the part acquired generates any revenue.⁴

Sometimes, despite acquiring 100% of land, that is the whole but small land belonging to a given household, which was used by the PAP only for leisure purposes, and it is impossible to determine that the land was the family's source of revenue, the impact must be deemed minor.

For those people already in poverty, however, loss of even a small percentage of holdings may render the rest of their land unviable. In these cases, where the loss of less than 10% of the land owned by the household (which could indicate a minor impact) will only deepen poverty – for such PAPs, adequate additional measures should be taken aside from monetary compensation.⁵

Re. 3. The implementation of flood protection projects which have an impact on the entities located at the site or within the range of the Investment Project, as well as their long-term impact, may be classified as favourable. The society inhabiting the areas where Investments are carried out, will become in the future the beneficiary of the improved flood safety. Thus, it can be stated that the result of the Investment implementation in the form of increased flood protection will have only positive impact.

However, in the event of acquiring a private real property being, the subjective impressions of the project affected persons will be usually negative. There may arise adverse impacts relating to the relocation of households, but in some cases a change in the place of residence brings improvement of the PAP's living standard, and thus an impact that is initially considered adverse turns out to be favourable in the long term. In every case, attention should be paid to the negative impact of a psychological nature, in particular in case of persons belonging to vulnerable groups.

⁴ See: *Involuntary Resettlement Sourcebook, Planning and Implementation in Development Projects, The World Bank 2004, Chapter 3, page 38*

⁵ See: *Involuntary Resettlement Sourcebook, Planning and Implementation in Development Projects, The World Bank 2004, Chapter 5, page 74*

4.2. Social impacts identified for the purposes of Task 1B.2.

In the case of the execution of Task 1B.2, the acquisition of real property for the implementation of investments will take place on the basis of the Act of 8 July 2010 on special rules of preparing projects in the field of flood prevention structures (flood prevention act).

4.2.1. Properties expropriated

According to land and mortgage registers and excerpts from the LBR, the real properties, which will be subject to permanent leases, are owned by the State Treasury (38 plots), the Lubuskie voivodeship, the commune of Cedynia, a natural person and a legal person (joint-stock company).

In the case of plots owned by the State Treasury, 16 of them are managed by the Regional Water Management Authority in Szczecin, three by the National Support Centre for Agriculture Regional Office in Gorzów Wielkopolski, three by the State Forest Farm State Forests Inspectorate Mieszkowice, three by the National Support Centre for Agriculture Regional Office in Szczecin, one by the State Forest Inspectorate Rzepin, and three properties are owned by the State Treasury – KOWR, Branch in Szczecin by the Regional Environment Protection Directorate in Szczecin. Two properties owned by the State Treasury are in perpetual usufruct of legal persons – joint-stock company and limited liability company. In order to provide a clear overview of the above, the table below lists the properties owned by the State Treasury and managed or perpetual usufruct by other entities.

No.	Ownership	Management / perpetual usufruct	No. of plots
1.	State Treasury – KOWR, Branch in Szczecin	Regional Directorate for Environmental Protection	3
2.	State Treasury	The Regional Water Management Authority in Szczecin	16
3.	State Treasury	KOWR, Branch in Gorzów Wielkopolski	3
4.	State Treasury	PGL LP Rzepin Forest Inspectorate	1
5.	State Treasury	PGL LP Mieszkowice Forest Inspectorate	3
6.	State Treasury	KOWR, Branch in Szczecin	3
7.	State Treasury	Joint-stock company	1
8.	State Treasury	The body representing the State Treasury is the head of the district, performing a task in the field of government administration	8

Table 2 – list of the number of properties owned by the State Treasury in relation to which the activities will take place.

The vast majority of the properties to be seized for the purposes of this investment are owned by the State Treasury (38 out of 43) and therefore, in the case of properties not managed by RZGW, it will be necessary to transfer the representation of the SP and exercise the ownership rights of RZGW in Szczecin. It should be pointed out that in relation to seven of the properties, which are the property of the State Treasury, an application will be submitted to the province governor for confirmation by a decision of the representation of the Treasury and the exercise of ownership rights by RZGW.

As indicated in Table 1, the ownership of individual plots is vested in one natural person and one joint-stock company. In addition, two properties are under perpetual usufruct, one under perpetual usufruct by a limited liability company and the other by a joint-stock company.

Plot No. 602/3, precinct 001, located in the commune of Mieszkowice, is the property of a natural person. According to the Land and Building Register, its total area is 57.30 ha and its purpose is permanent pasture, wooded land with bushes on agricultural land and wastelands. The area to be occupied is 0.0357 ha, i.e. 0.06% of the total property. In addition, in relation to the real property, it is planned to limit the area of 1.1637 ha, which equals 2.03% of the entire real property. Due to a small percentage of the seizure of the indicated plot, it should be considered that the impact on the owner of the real property in question is insignificant.

Plot number 239/25, precinct 0009, located in the commune of Cedyňa, is owned by a joint-stock company. LBR data indicate that the total area of the property is 1.0392 ha and its purpose is urbanised areas not developed or under development. The expected area to be taken over is 0.0232 ha, which equals 2.23% of the total property. Due to both the intended use of the real property other than agricultural property and the occupation of less than 20% of the whole plot, the impact on the public limited liability company should be considered insignificant. It is also planned to limit the area of 0.1407 ha in relation to the indicated plot, i.e. 13.54% of the entire real property.

The real property marked as plot number 167/7, precinct 0009, located in the commune of Cedyňa, is owned by the commune of Cedyňa and is in perpetual usufruct sp. z o.o. According to the Land and Building Register, its total area is 1.8329 ha, and its purpose is other built-up areas and recreational and recreational areas. The area to be occupied is 0.0448 ha, i.e. 2.44 % of the entire real property. In addition, in relation to the real property, the area of 0.1050 ha will be limited, i.e. 5.73% of the total plot. As a result of the planned partial expropriation, the social impacts related to the acquisition of this real property should be considered insignificant, not only due to the small extent of the seizure, but also due to the purpose of the real property.

Plot number 160/10, precinct 0009, located in the commune of Cedyňa, is owned by the State Treasury and is in use by a joint-stock company. It should be noted that the indicated S.A. is the same entity owned by the plot number 239/25 described above, precinct 0009. The data from the LGB indicate that the total area of the property is 1.7095 ha, and its purpose is built-up agricultural lands and wastelands. The expected area to be taken over is 0.0307 ha, which equals 1.80% of the entire real property. In addition, in relation to the real property, it is planned to limit the area of 0.1541 ha, which equals 9.01 % of the entire real property. Given the small percentage of the area occupied, the impact should also be considered negligible in this case.

The property constituting plot number 43/2, precinct 0001, located in Słubice is the property of the Lubuskie voivodeship. The use of the real property, according to LBR data, is different. The area of the entire property is 0.5803 ha. The expected area to be taken over is 0.0291 ha, which equals 5.00% of the total property. In addition, in relation to the real property, it is planned to limit the area of 0.0127 ha, which equals 2.19 % of the entire real property. Despite the seizure of a significant part of the real property, the impact cannot be considered significant. This is mainly due to the fact that the acquisition of real property from a local government unit does not materially affect its position and operations.

Plot number 277, precinct 0015, located in Cedynia is owned by the commune of Cedynia. The purpose of the property, according to the data from LBR, is road. The area of the entire property is 0.30 ha. The expected area to be taken over is 0.0254 ha, which equals 8.47% of the entire real property. In addition, in relation to the real property, it is planned to limit the area of 0.0299 ha, which equals 9.97 % of the entire real property. The impact on the described property was considered insignificant. This is due to both the small area to be occupied and the fact that the acquisition of real property from the commune does not materially affect the entity's operations and position.

Having analysed the details and information about the non State Treasury owners and usufructuaries of the properties to be acquired, and the percentage of the areas to be acquired, we have concluded that no significant direct and significant impacts have been identified for the implementation of this investment. In the above-mentioned cases, the impact will be minor given a small share of acquisition and the absence of physical relocation of households.

The total area of the properties which are owned or under perpetual usufruct of natural or legal persons and which is to be acquires is 0.1344 ha.

No.	PAP category	Quantity	Direct / indirect impact	Significant / minor impact	Adverse / favourable impact
1.	Owner – natural person	1	Direct	Minor	Adverse
2.	Owner – legal person – company	1	Direct	Minor	Adverse
3.	Perpetual usufructuary – company	2	Direct	Minor	Adverse

Table 3 – types of impact of the Investment Project on the PAPs identified in the socio-economic study

With regard to the real property owned by the local authorities, i.e. the properties designated as plots number 277, precinct 0015, located in Cedynia, 167/7, precinct 0009, 43/2, precinct 0001, the impacts have been considered to be minor, as the acquisition of real property from that entity does not materially affect its position and operations.

It should also be noted that the works will be carried out primarily from the side of water, no physical and economic relocations are foreseen on narrow sections of plots directly adjacent to the river. This constitutes an additional argument to classify the execution of the works and the impact of the investment as irrelevant.

4.2.2. Time constraints

Time constraints are planned for 117 plots. However, it should be noted that the possibility of their temporary occupation does not affect the use of the real property by the owners or users of the plot, as it is primarily related to the need to mow greenery in the vicinity of spurs.

There was no identified need to take over the real property for the benefit of the State Treasury provided for a temporary restriction on use. These real properties are not necessary for the implementation of the investment, nor do they need to be subject to a permanent restriction on use. After the execution of the described works consisting in mowing the greenery, the previous owners will be able to use these properties in the current manner, due to the lack of changes. 35 out of 117 real properties are owned by private entities. Compensation for temporary restrictions will be paid in accordance with the rules detailed in Chapter 6.2.2. *Establish permanent and temporary limitations.*

It should be emphasized that both the area of time limitations as well as the plots for which time limitations are planned may be altered due to pending works on the design documentation.

4.2.3. EU subsidies and lessees

Among the real properties acquired for the purpose of the implementation of the investment, there may be real properties that are covered by aid schemes, so for which subsidies are collected or assistance is provided on the basis of an agreement with a state accredited paying agency, i.e. the Agency for Restructuring and Modernisation of Agriculture (ARMA).

The expropriation of real properties covered by the schemes in question may result in the lack of possibility to actually fulfil the obligations assumed by the beneficiary under individual schemes. This may result in the necessity to reimburse the collected payments, as well as the imposition of administrative penalties.

In order to avoid the indicated consequences, in a situation of real inability to meet the obligations, at the level of regulations of the European Union, a special mechanism and the definition of the so-called force majeure were introduced. The concept of force majeure should be understood as extraordinary and unforeseeable circumstances beyond the control of the entity invoking them, the consequences of which could not have been avoided despite due diligence. Such circumstances therefore clearly prevent the farmer from the fulfilment of contractual obligations.

Regulations include an open catalogue of situations when we are facing force majeure, including expropriation of real property. Determining whether a given situation is force majeure or not depends on the specific circumstances in which the event occurred. It must be examined whether, in those circumstances, the event was extraordinary and unforeseeable and the consequences of which could not have been avoided despite due diligence, irrespective of the entity invoking them. In order to determine that an event is a force majeure, all the above conditions must be met together. In addition, in order to apply this procedure, it is necessary to take action directly by the beneficiary. Force majeure, i.e. in the present case expropriation and/or permanent restriction of the use of the real property, must submit a written declaration together with relevant evidence. The statement together with the evidence confirming the occurrence of force majeure shall be submitted to the Head of the District Office of the ARMA within 15 working days from the date on which he or a person authorised by him/her is able to perform this action.

The Head of the District Office of ARMA shall perform relevant administrative proceedings and decide by decision if the force majeure occurred. Issuing a decision stating the occurrence of force majeure results in:

- in the case of the Rural Development Programme 2007-2013 and 2014-2020 (long-term liabilities and payments): no requirement for the farmer/beneficiary to reimburse a part or whole aid for previous years, for the year when the force majeure occurred an aid in a reduced amount may be granted. Commitments or payments are continued according to their original term (provided that eligibility criteria are met, e.g. minimum area),
- in the case of direct payments: the aid received is not reimbursed, the beneficiary retains the right to payments under direct support schemes in relation to the area or the animals that were eligible at the time of the occurrence of force majeure.

At present, it has been confirmed if part of the PAP is benefiting from aid schemes implemented by the Agency for Agriculture and Rural Development. In order to avoid the risk of repayment of the aid, the PAPs will be informed in writing of the need to take certain steps and, if the use of the aid schemes is confirmed, an additional information action will be carried out in relation to the identified farmers. In addition, during the meetings held as part of public consultations, the Consultant will inform in detail about actions minimizing the risk of reimbursement of subsidies, as well as assistance in preparing applications to the ARMA. In addition, the amount of compensation due to PAP for the excluded use of the real property will take into account the possibility of receiving subsidies, and in the event of the loss of some or all of the subsidies, the compensation will be increased by the lost amount.

In addition, the Agency for Restructuring and Modernisation of Agriculture was asked to provide information on whether the expropriation to the State Treasury of a given property or the deprivation of the possibility to use the property would result in a violation of the conditions of use of the property under the agri-environment-climate programme and whether the expropriation to the State Treasury of the leased property could be considered as the occurrence of so-called "force majeure." In response, it was confirmed that the modification of the agri-environmental commitment as a result of the investment permit could be considered a force majeure or extraordinary circumstance. At the time of notification, the date of receipt of information on such an event by the beneficiary implementing the agri-environment-climate commitment or farmers intending to commence the implementation of the Action will be important. It was pointed out that the date of submission of a written statement of the circumstances, bearing a legible signature and the date of submission within 15 working days from the date on which the farmer or a person authorised by him is able to do so and provide evidence confirming the occurrence of the extraordinary circumstances, is also relevant. It was also indicated that the agri-environment-climate payment is to be withdrawn for the period after the occurrence of force majeure or exceptional circumstances, in respect of that part of the commitment which was the subject of an event eligible for recognition as force majeure or exceptional circumstances and in respect of which it is impossible to continue the implementation of the commitment undertaken. It was informed that in the context of the planned expropriation of real property for the implementation of Task 1B.2, the effects of such an event should be directed towards the permanent inability of the beneficiaries to continue their commitments.

According to the information received, the four properties to be permanently seized are the subject of lease agreements. One of them provides for the lease to two entities – a natural person and a limited liability company. The subject of the lease agreements are the properties described below:

— plot number **792/6**, precinct 0010, located in the commune of Słubice.

The property in question is owned by the State Treasury – National Support Centre for Agriculture Regional Office in Gorzów Wielkopolski. According to the LBR, the use of the parcel in question is wastelands and permanent pastures. The total area of the property is 32.29 ha, and the planned occupation amounts to 17.1231 ha, i.e. 53.03 % of the total plot. In addition, restrictions are planned on the area of 1,6356 ha, i.e. 5.07% of the total property. The indicated plot is the subject of one lease agreement, the party of which is a natural person and sp. z o.o. According to the information received from the representatives of the company, plot no. 792/6 is covered by the aid schemes and the tenants of the indicated plot are their beneficiaries. The spurs designed as part of the investment are located in the area of the real property, which is covered by the aid program.

— plot number **280/1**, precinct 0015, located in the commune of Cedynia

The property is owned by the State Treasury – National Support Centre for Agriculture Regional Office in Szczecin. According to the LBR, the parcel in question constitutes environmental use areas. The plot is the subject of a lease agreement concluded between the State Treasury – KOWR, Branch in Szczecin and a natural person. Due to his age, the lessee revealed on the real property belongs to a vulnerable group, thus, he will receive additionally any necessary assistance, in particular related to the submission of a written statement and relevant evidence in the ARMA in case of confirmation of the use of the aid schemes. The entire area of the real property is 83.46 ha, and the planned occupation is 0.4679 ha, i.e. 0.56% of the total plot. In addition, restrictions are planned on the area of 1,6687 ha, i.e. 2.00% of the entire property.

— plot number **86/7**, precinct 0002, located in Mieszkowice commune

The property in question is owned by the State Treasury – National Support Centre for Agriculture Regional Office in Szczecin. According to the LBR, the parcel is intended for permanent pasture. The entire area of the property is 26.92 ha, and the planned occupation amounts to 4.3430 ha, i.e. 19.85% of the total plot. In addition, restrictions are planned on the area of 0,7650 ha, i.e. 2.84 % of the entire property. The indicated plot is the subject of a lease agreement concluded between the State Treasury – KOWR, Branch in Szczecin and a natural person. At this stage, no confirmation has been obtained as to the use of the aid schemes by the lessee.

— plot number **494**, precinct 0014, located in the commune of Cedynia

The real property is owned by the State Treasury – National Support Centre for Agriculture Regional Office in Szczecin in the Management Board of the Regional Directorate for Environment Protection in Szczecin. According to the LBR, the parcel is intended for environmental use areas. The indicated plot is the subject of a lease agreement concluded between RDOŚ in Szczecin and a natural person. The entire area of the real property is 59.04 ha, and the planned occupation is 1.6666 ha, i.e. 2.82% of the total plot. In addition, restrictions are planned on the area of 1,0887 ha, i.e. 1.84 % of the entire property. The indicated plot forms part of the area called the Kostrzyneckie Basin. The lessee of the indicated property is implementing an agri-environment-climate program including Package 4: "Precious habitats and endangered bird species in Natura 2000 sites", in two variants: 4.7. "Extensive use in special bird protection areas (SPAs)" and 4.8. "Conservation of breeding habitats of birds: the black-tailed godwit, snipe, redshank, or lapwing". The planned works will be carried out in the area of the real property, which is covered by the programme.

In order to identify the real properties covered by the aid schemes, measures will have to be taken to minimise the impact. Letters containing all the necessary steps to be taken to avoid the recovery of subsidies and other negative consequences related to the acquisition of the part of the real property covered by the programmes for the benefit of the State Treasury will therefore be provided. The compensation that the lessees will be entitled to in the case of acquisition of such part of the real property in connection with the investment project will constitute the number of lost subsidies.

4.3. Mitigating the impacts – organisational measures

1. The design works are carried out in a way to minimise the area of land that must be acquired, that is within the boundaries of the plots that will be objects of the voluntary

contract for transfer of real property, and of the properties already owned by the State Treasury.

2. All costs of the measures mitigating and compensating for the adverse impacts will be included in the costs of the Project as eligible expenditure.
3. Each expropriated person will be entitled to the free use of the land in the same manner until the payment of the compensation or (if no agreement is reached as to its amount) an indisputable part thereof.
4. The Employer will notify the PAPs of the actual commencement of works in time to allow them to finish their activities on the real property, however no later than 30 days in advance.
5. The properties seized temporarily after the completion of the works will be restored to their original state. Property acquisition for the purposes of temporary activities will be carried out on the terms of this LA&RAP.
6. During the construction works, the required distances from the overhead power lines will be observed. This will mitigate the social impacts caused by the influence on energy infrastructure (power supply interruptions). Power distribution systems on the construction site will be designed, built, maintained and used in such a way not to pose a fire or explosion hazard, and to sufficiently protect the personnel against electric shock.
7. All works carried out near the existing underground utilities will be performed manually to prevent damage. This will mitigate the social impacts resulting from the damage to the service infrastructure.
8. All the works that cross or are conducted on or near utility networks will be supervised by the owner of those networks. The network owners will be notified in advance of the date of work commencement.
9. Proper arrangement of construction and erection works will be ensured: the construction works may be carried out only from 6:00 a.m. to 10:00 p.m.; limitation of transports without load; limiting the idle operation of vehicle combustion engines during construction; limiting the speed of vehicles near the investment project site; limiting the operation of equipment that generates the highest noise; the construction site will only be supplied during the day. This will mitigate the social impacts caused by the nuisance connected with the implemented Investment.
10. Before commencing the works, the Employer will conduct a broad information campaign on the investment project, and will establish an information point for the Project Affected Persons, where they can file their requests and comments regarding the conducted construction works and planned acquisitions. An information brochure will be prepared and sent to all PAPs, which will inform them about the option to submit complaints (according to the LA&RAP and EMP) and contain relevant contact details.
11. An information brochure on the procedure for regulating payments received by EU farmers will be prepared.

A broader description of the measures mitigating and minimising the negative impact, including also with respect to environmental resources, is included in the document entitled: "Environmental Management Plan" (EMP).

5. Socio-economic study

5.1. Sources and methodology

The socio-economic study has been conducted by the legal and social team being part of the Consortium – Consultant responsible for preparing this LA&RAP.

The principal source of information about the development and use of the occupied properties is the analysis of GIS data, excerpts from the land and building register and entries in land and mortgage registers, and an on-the-spot verification on the Task site. The possession status of the acquired real properties has been determined based on the land and mortgage registers and by way of on-the-spot verification at the Task site. The existence of infrastructure was confirmed by analysing the GIS data, LBR excerpts and design documents, and by an on-the-spot verification at the Task site.

As regards social impacts, the basic source of information was the information acquired from available registries (such as the business register) as well as data obtained by visiting the site of the Task. We have also based on the statistics of the CSO and materials available on the Internet (the websites of the Municipal Office of Szczecin). The collected data made it possible to perform social profiling, that is to classify the PAP to a specific group of beneficiaries entitled in connection with the Task.

The Consultant first took measures to inform all the owners and users of the properties located on the project site about the range of the project and the possibility to receive compensation for a part of their property being dispossessed for project purposes. To this end, we have distributed notices to all disclosed entities having their properties on the site or within the impact range, specifying the scope of the project, the scheduled date of work commencement and the contact person from the Real Property Team in case of questions or doubts regarding the Investment Project. On the other hand, the investor has initiated an information campaign targeted at the institutions whose properties are located on the site and within the impact range of the project. In addition, after obtaining information on the concluded lease agreements for individual real properties, information letters were also provided to the established tenants. All project affected persons will be assisted in getting civic support from relevant offices and institutions.

Based on a preliminary analysis of information and the scope of the Task, we found it necessary to survey the owners of the land subject to expropriation. The survey was conducted using standardised questionnaires. The questionnaires were in-depth – aside from answering the standard questions contained in the questionnaire, the respondents could express their views on the Task in the form of free statements. The information so collected were also analysed. The Consultant, in agreement with the employees of individual Municipal Offices and Municipal Offices, provided questionnaires for their submission at the offices of the Offices, together with a request to inform the Consultant in a customary manner about the possibility of filling them in by the interested entities and then to hand over the completed questionnaires to the Consultant.

The issue that emerged in the socio-economic studies conducted by the Real Property Team was that the respondents would often refuse to participate in the survey and reluctantly answer the questions asked in the questionnaires. Questionnaires were received only from Górzycze commune. The vast majority of respondents did not choose to answer the open questions in the surveys. One of the persons indicated that she assesses the implementation of the Investment very well, as a positive and necessary project. Some respondents indicated that they have no opinion

on both the Project and flood protection. In addition, one of the respondents indicated that he judged the implementation negatively, but at the same time indicated that the project would not have any impact on his situation.

The consultant asked the employees of the offices in Słubice, Cedynia, Kostrzyn nad Odrą and Mieszkowice for information about the reasons for not submitting the completed questionnaires. The employees indicated that despite their submission and informing the residents and providing information about the Project, no one showed interest in completing the surveys.

The real properties to be acquired as part of this Task are owned by natural persons, legal persons and institutions. All these entities have been notified of the investment project and invited to participate in the meetings arranged as part of the public consultation. A total of seven meetings were organized as part of the public consultation – three of them took place in March 2019 in Cedynia, Górzycza and Mieszkowice, two in May 2019 in Kostrzyn nad Odrą and Słubice, and two meetings in December 2019 in Stary Kostrzynek and Cedynia. Meetings were organised in different locations to allow as many stakeholders as possible to take part. The detailed course and the problems and doubts raised during the meetings are described in Chapter 8. *Public consultation*.

5.2. General socio-economic data

1. Słubice commune – section: 581.0 – 585.7 km

Słubice is an urban and rural commune located in the Lubuskie Voivodeship, Słubice district. The seat of the commune is Słubice. The commune is located at the border with the Federal Republic of Germany, at the intersection of important transport routes (junction of national roads no. 29 and 31 and provincial road 137, as well as the A2 motorway – the main trans-European transport route running from Berlin through Świecko, Poznań and Warsaw to Moscow). There is also an international railway line no. 3 through the Słubice commune.

The commune area is 185.6 km². The number of parishes is 11 and the number of towns 17. The commune borders Górzycza commune in the north, Rzepin commune in the east, Cybinka commune in the south, German districts of Märkisch-Oderland and Frankfurt am Oder in the west.

The main element of the hydrographic network of the commune is the river Odra, the river Ilanka flows through the southern part of the commune Słubice over a stretch of 12 km. In the structure of the commune's area, agricultural land accounts for 45%–79% of agricultural land is intended for sowing, and 37% is made up of forests.

The bus transport in the commune is provided by PT-H Trnshand Sp. z o.o Słubice. The commune also has direct bus connections with Gorzów Wielkopolski, Kostrzyn nad Odrą, Ośno Lubuski, Poznań and Myśliborze.

In the commune there are numerous educational institutions, among others, the Public Kindergarten No. 1 “Jarzębinka” in Słubice (PS1), the Public Kindergarten No. 2 “Pinokio” in Słubice (PS2), Nicolaus Copernicus in Słubice (SP1), Primary School No. 2 by name of Tadeusz Kościuszko in Słubice (SP2), Primary School No. 3 by name of Stefan Czarniecki in Słubice (SP3), Secondary School No. 1 by name of Hm Zygmunt Imbierowicz in Słubice (G1), Secondary School No. 2 by name of Marek Kotański in Słubice (G2). In Słubice, Collegium Polonicum also operates a

joint scientific and research institution of two partner universities: Adam Mickiewicz University in Poznań and Viadrina University in Frankfurt (Oder).

The Słubice Municipal Cultural Centre is a municipal cultural institution established to support regional cultural traditions and initiatives and carry out activities in the field of cultural education of children and youth. The DRAGON provides the public with participation in artistic, cultural, educational and entertainment activities and events. The centre implements activities activating the socio-cultural movement of the voivodeship, with particular emphasis on cross-border cooperation, which is facilitated by the city's cross-border location.

Słubice also houses the Public Library of the Town and Commune in Słubice. The sports base in Słubice Municipality is the premises of Słubice Sport and Recreation Centre Sp. z o.o. in Słubice.

Few historic sites are preserved in the city. The most valuable historical buildings in Słubice include the historical, eastern Roman stadium built in 1914–1927. It is one of the oldest such facilities in Central Europe. Słubice is also home to one of the oldest Jewish cemeteries in Europe. The first mentions of him date back to July 2, 1399.

According to the data from 2018, the population of the commune is 20,069 people, including 10,480 women. The working age population is 12,644. Słubice commune belongs to the demographically young communes. The inhabitants are definitely dominated by the working-age population, which in 2018 accounted for 63.00% of the total inhabitants of the commune. It is worth noting that the number of persons of working age in rural areas of the Municipality of Słubice is increasing at the expense of the city, where the number of persons of working age is systematically decreasing.

In the commune of 6214 people (without economic entities with up to 9 people working and individual farms in agriculture) are working people, with 140 people registered as unemployed, including 40.7% of women. The share of unemployed registered in the working-age population amounts to 1.1%. Słubice commune participates in the Municipal Revitalisation Programme of Słubice Commune for the years 2017-2023 approved by Resolution No. XLIV/347/2017 of the Municipal Council in Słubice of 5 December 2017.

2. Górzycza commune – section: 604.0 - 605.0 km

Górzycza is a rural commune located in Słubice district in the north-western part of Lubuskie province. The seat of the commune is Górzycza. The commune area is 145.5 km². The number of towns is 12 and the number of parishes is 7.

The commune borders Słońsk and Kostrzyn communes in the north, Słońsk commune in the north, Ośno Lubuskie commune in the east, Rzepin and Słubice commune in the south, German district of Märkisch-Oderland in the west. The commune is located at the intersection of three regions: Gorzowska Valley, Middle Odra Valley and Osieńsko-Sulechowski Hills. The Odra river flows along the western border of the commune, approx. 15 km long. The Odra Valley, fenced by a embankment, drains the Red Canal (Struga Hand) and its tributaries. This channel flows to Warta near Kostrzyn nad Odrą.

The bus transport in the commune is provided by PT-H Trnshand Sp. z o.o Słubice. The commune also has direct bus connections with Gorzów Wielkopolski, Kostrzyn nad Odrą, Ośno Lubuski, Słubice and Sulęcín. Movement between the towns of the Górzycza commune is a problem,

especially for the inhabitants of villages located away from Górzycza and away from the main traffic routes (DK 31 and DK 22)

The commune has the following educational institutions: School Complex in Górzycza, consisting of: Public Junior High School in Górzycza and Primary School by name of Wł. Broniewski in Górzycza, Primary School by name of Kresowian in Czarnów, non-public Primary School in Pamięcia with Kindergarten Branches in Pamięcia with Filial School in Żabice.

The Municipal Cultural Centre in Górzycza operates in the commune, which conducts activities in the field of dissemination of culture and sport among the local community. GOK is an institution promoting culture in Górzycza commune, broadly understood recreation and sport, conducts statutory activities based on two facilities: Centre for Polish-German Meetings and Sports and Rehabilitation Complex. The activity of the GOK – manifests itself not only in conducting cultural and educational activities, but also in the form of numerous artistic and recreational proposals.

In 2018, the population of the commune was 4286 people, including 2127 women. The working age population is 2751. In the commune of 405 people (without economic entities with up to 9 employees and individual farms in agriculture) are working people, with 43 people registered as unemployed, including 58.1% of women. The share of unemployed registered in the working-age population amounts to 1.6%. In 2018, the revenues of the commune per capita amounted to PLN 5498. Agriculture and hunting accounted for 2.7% of commune budget revenues, and commune budget expenditure on agriculture and hunting accounted for 2.7% of expenditure.

3. Kostrzyn nad Odrą commune – section: 613,5 – 614,7 km

Commune Kostrzyn nad Odrą, located in the north-western part of Lubuskie voivodeship, in Gorzowski district. Kostrzyn nad Odrą is situated at the outlet of Warta river to Odra, in the western part of Gorzów Valley. The commune borders Boleszkowice and Dębno communes in the north, Górzycza and Słońsk communes in the south, and German district of Märkisch-Oderland in the west. The geographic location and accessibility of the commune are one of the greatest assets. National road 22 and 31 runs through the commune.

The city has a small network of intercity connections operated by PKS Gorzów Wielkopolski, PKS Myślibórz, PKS Szczecin and PT-H Trnshand Sp. z o.o Słubice.

Numerous educational institutions of the commune operate in Kostrzyn nad Odrą, among others: Primary School No. 2 by name of Przyjaciół Ziemi w Kostrzynie nad Odrą, Primary School No. 4 by name of Wojsk Ochrony Borgranicza, in Kostrzyn nad Odrą, Secondary School No. 1 by name of Friends of Kostrzyn, Secondary School No. 2 by name of European Integration, Vocational College, University of Szczecin – a resort in Kostrzyn nad Odrą.

There are also preserved fortifications, which include the Kostrzyn Fortress, earth-and-brick ruins built in 1537–1568, the ruins of Mariacki Church of 1396, the Evangelical (presently Roman Catholic) cemetery chapel of the Blessed Christ of Jesus, built at the turn of the 19th and 20th century. Kostrzyn nad Odrą is home to cultural institutions such as the Cultural Centre of Kostrzyn, the Municipal Public Library or the Kostrzyn Fortress Museum. Among the commune budgetary bodies, we may point out: The Social Welfare Centre, Environmental Self-support Centre and the Municipal Sports and Leisure Centre.

The population of the town is 17,776, 50.78% of which are women and 49.22% are men. Between 2002 and 2017, the population increased by 4.6%. The average age of inhabitants is 39.8, being

slightly lower than the average age of the inhabitants of Lubuskie voivodeship and slightly lower than the average age of the inhabitants of Poland overall. The commune area is 46.14 km². Population density is 385.3 people/km².

61.43% of inhabitants of Kostrzyn nad Odrą are of working age, 19.14% – of pre-working age, and 19.43% of inhabitants are of post-working age.

Kostrzyn nad Odrą employs 7473 people. It is significantly more than the value for the Zachodniopomorskie voivodeship and much more than the overall value for Poland. The unemployed registered in the commune are 148 people, 71.6% of whom are women. The share of unemployed registered in the working age population amounts to 1.4%.

The commune of Kostrzyn nad Odrą participates in the Municipal Programme for the Revitalisation of Kostrzyn nad Odrą for the years 2016–2020 approved by Resolution No. XXIX/210/2017 of the Municipal Council of Kostrzyn nad Odrą of 18 May 2017.

4. Cedynia commune – section: 645.5-654.0 and 654.0-663.0 km

Cedynia is an urban and rural commune located in the south-western part of the district of gryfin in Zachodniopomorskie voivodeship. The seat of the commune is Cedynia. There are 21 towns and 14 salt houses in this commune. The commune covers an area of 181 km². The commune borders Chojna commune in the north, Mieszkowice and Moryń communes in the south, German districts of Barnim, Märkisch-Oderland and Uckermark in the west. The commune lies at the junction of the Lower Odra Valley, the Myśliborski Lake District, the Freienwald Valley and the Gorzowska Plain. It is the westernmost commune in the province and in Poland. In Osinowo Dolny there is the farthest western point of Poland. The western border of the commune is defined by the river Odra. A large part of the commune is occupied by Cedynia Landscape Park. Two tourist routes pass through the commune – blue from Lubiechow Górny, through Bielinek towards Morynia and red “Nadodrzański Trail” Mieszkowice-Gryfino. In Osinowo Dolny, besides the road, there is also a river border crossing to Hohensaaten. Forest areas occupy 40% of the commune's area and agricultural land 42%.

Voivodeship roads 124 and 125 run through the commune. The distance from Cedynia to the district capital, Gryfina is 58 km. There is one post office in the commune. Bus transport in the commune is provided by PKS Gryfice. PKS Szczecin and PKS Stargard buses also arrive here – providing direct connections with Szczecin, Stargard, Gryfin, Chojna, Dębno, Moryn, Mieszkowice and Choszczno.

The commune has the following educational institutions: Complex of Schools and Kindergartens: Primary school in Cedynia by name of Bohaterów I Armii Wojska Polskiego and the Municipal kindergarten in Cedynia, the Secondary School by name of Mieszko I in Cedynia and Primary School by name of Leśników Polskich in Piasek. In the commune of Cedynia there are historic sites: Church of the Nativity of the Blessed Virgin Mary in Cedynia, Church of Our Lady of Czestochowa in Czachów, the Cistercian Monastery in Cedynia and the Town Hall in Cedynia.

According to data for 2018, the commune of Cedynia had 4306 inhabitants, of which 2146 were men and 2160 women. According to the data from 2018, the working-age population consisted of 2768 people. As at 31 December 2018, the population was 651, and 199 people were unemployed, including 50.3% of women. The share of unemployed registered in the working age population was 7.2%.

The revenues of the commune of Cedynia in 2018 amounted to PLN 5230 per capita. Own revenues accounted for 51.7% of total revenues of the commune budget, and the share of personal income tax revenues in own revenues amounted to 14.0%. 100% of property expenditures were allocated for investment purposes and investment expenditures accounted for 12.8% of the total expenditures of the commune budget.

Cedynia commune participates in the Local Revitalisation Programme of Cedynia Commune for the years 2017-2023 approved by Resolution No. XXVIII/279/2017 of the Municipal Council in Cedynia of 6 September 2017, the project titled: "Participatory development of the Revitalisation Programme of Cedynia Commune – Revitalisation of the city centre"

5. Mieszkowice commune – section: 645.5 – 650.7 km

Mieszkowice is an urban and rural commune, located in the south-western part of Zachodniopomorskie voivodeship, in the Gryfino district. The seat of the commune is Mieszkowice. The area of the commune is 239 km². The number of towns is 26, and the number of parishes is 12. The unique location of the Mieszkowice commune is determined by the proximity of large urban centres: Szczecin and Berlin. The commune borders Cedynia, Moryń and Chojna communes in the north, Boleszkowice commune in the south, and German district of Märkisch-Oderland in the west. One of the most important determinants of the geographical location of the commune is the vast valley of the lower Oder, which is its western border. One of the basic features of the commune is its location in the border zone, in the area of Polish-German interest in the creation of a "cross-border protected area in the Lower Odra Valley", as the Polish-German National Park "Lower Odra Valley."

National road 31 runs through the commune. Intercommune communication is carried out through PKS Myślibórz, which carries out connections between Szczecin, Gryfino, Chojna, Moryń, Mieszkowice, Boleszkowice, Dębno, Myślibórz, Kostrzyn, Gorzów Wielkopolski. The railway line no. 273 between Szczecin–Mieszkowice–Wrocław runs through the commune. In the commune there is also water transport associated with the Odra river, which is the main waterway in this part of Europe. Mieszkowice commune is located near the connection of two international waterways E30 and E70, transporting traffic in east-west and north-south directions.

Basic tasks in the field of education in Mieszkowice commune are carried out by the following institutions: Public Kindergarten in Mieszkowice, Primary School by name of Young Ecologists in Czelin, Primary School by name of Mieszko I in Mieszkowice, Primary School by name of Wojska Polskiego in Troszyn, Primary School by name of John Paul II in Zielin, Secondary School by name of Noblistów Polskich in Mieszkowice, Zespół Szkół Centrum Edsztatczenia Rolniczego in Mieszkowice.

Numerous organizations are active on the territory of the commune, which is a manifestation of the activity of residents on the levels of social life. Mieszkowice commune is characterized by a dynamic increase in the number of social associations and organizations. This creates favourable conditions for the development of social capital and building civil society in the commune. The commune includes the following non-governmental organizations: Koło Gospodyń Wiejskich in Troszyn, Koło Gospodyń Wiejskich in Mieszkowice, Klub Football "ODRA" in Czelin, Ludowy Zespół Sportowy "Zieloni Zielin", Ludowy Klub Sportowy "Mieszko" in Mieszkowice, Mieszkowickie Stowarzyszenie Abstynenta "Krokus", Stowarzyszenie na Rzecz Osób Niepełnosprawnych "Promyk" in Mieszkowice, Stowarzyszenie Miłośników Ziemi Mieszkowickiej. Most of the towns of Mieszkowice are old villages with medieval pedigrees and

their colonies. They contain a number of monuments of historic value, entered into the register and commune register of monuments, e.g.: the Church of Our Lady of Czestochowa in Chechnya, the Palace – built in 1720, court park in Gorzkowo.

According to the data from 2018, the population of the commune is 7134 people, including 3521 women. The working age population consists of 4513 people. In the commune there are 618 people who are working people (without economic entities with up to 9 employees and individual farms in agriculture), with 279 people registered as unemployed, including 67.4% of women. The share of unemployed registered in the working age population amounts to 6.2%. In 2018, the revenues of the commune per capita amounted to PLN 4586. Own revenues accounted for 39.4% of total revenues of the commune budget, and the share of personal income tax revenues in own revenues amounted to 25.1%. In 2016, investment expenditures accounted for 6.5% of the total expenditures of the commune budget. Agriculture and hunting accounted for 2.7% of the commune's budget revenue, and expenditure from the commune's budget for agriculture and hunting accounted for 2.3% of expenditure.

Mieszkowice commune participates in the Local Programme for the Revitalisation of Mieszkowice commune for the years 2017-2023 approved by Resolution No. XXVII/279/2017 of the Municipal Council in Mieszkowice of 21 September 2017, as amended by Resolution of 28 December 2017, number XXIX/254/2017, the project entitled: "Participatory development of the Local Revitalisation Programme in Mieszkowice Commune", co-financed with the European Union funds from the Operational Programme Technical Assistance 2014–2020.

5.3. Gender equality

Poland has introduced a legal prohibition of discrimination, which is expressed in the Constitution of the Republic of Poland of 2 April 1997. Article 32 stipulates that no one shall be discriminated against in political, social or economic life for any reason whatsoever. Discrimination against women means any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field (Article 1 of the Convention on the Elimination of All Forms of Discrimination against Women, adopted in 1979).

Willing to join the European Union, Poland had to adopt its legislation to the regulations applicable in the EU, including those governing gender equality. This has mainly brought amendments to the Labour Code, but also a change in the approach of politicians and public administration.

According to the Human Development Index (HDI) for 2012, applied by the United Nations Development Programme (UNDP), Poland is amongst the countries with a very high Human Development Index. It is ranked 39th among 187 countries, so above the average for the counties covered by EBRD activity and at a level similar to the average for Central Europe and the Baltic States. The Human Development Index consists of three components: health, education and standard of living. According to the UNDP's Gender Inequality Index (GII), Poland is classified even higher – on the 24th position in the world rank. The Gender Inequality Index is a measure representing the loss of development opportunities in a given country caused by unequal treatment, which covers three elements of evaluation: reproductive health, empowerment and labour market participation.

As regards women's participation in public life, the share of women in the elected public authorities is low. This also refers to the low percentage of female Members of Parliament. Similar negative trends are presented by other elected authorities: commune councils, district councils or province assemblies (women represent around 1/4 of all councillors). We should also highlight the noticeably low share of women among heads of communes and town mayors. What is interesting is the increase in the number of women acting as village administrators – this position is one of important functions in terms of civic participation and social capital building. Experience also shows that women are equal participants in public consultation procedures, and often even leaders due to their engagement and local activity. To conclude, we should indicate that in order to promote women and increase their representation in decision-making committees and business management, there are many citizens' initiatives and declarations by political parties, the examples set by other countries are popularised, the European Commission takes their own initiatives *ex officio*, etc., which should improve the equality of men and women in terms of participation in labour market and decision-making committees. The results for the last 10 years show a gradual progress in this field.

5.4. Particulars of the real property

This project will be carried out on the Odra river in the area of three counties, five communes located in Zachodniopomorskie voivodeship and Lubuskie voivodeship, i.e. in the area of:

- Cedyńia commune – district of Gryfino, Zachodniopomorskie voivodeship,
- Mieszkowice commune – district of Gryfino, Zachodniopomorskie voivodeship,
- Kostrzyn nad Odrą commune – Gorzów district, Lubuskie voivodeship,
- Górzycy commune – Słubice district, Lubuskie voivodeship,
- Słubice commune – Słubice district, Lubuskie voivodeship.

Works will be performed mainly from the side of water. The project will be carried out in designated sections of the Odra river range, on which there is currently a control structure in the form of spurs, longitudinal dams, coastal insurance and coastal bands, intended for renovation, reconstruction or demolition. According to *the information indicated in Table 1 – list of properties to be covered by the investment project (permanent restrictions and time constraints)*, contained in Chapter 2.2. *The area of implementation of the Task*, it should be noted that the works will be carried out in areas of diverse spatial development. Some of the works will be carried out in the vicinity of forested areas, meadows and farmlands. In several places, tasks will be carried out in the vicinity of built-up areas.

In order to implement the investment, it is necessary to seize 43 plots. The vast majority of them are owned by the State Treasury (38 properties) and three by local government units. Only one plot is owned by a natural person and one legal person. Two properties, one owned by the commune of Cedyńia and one by the State Treasury, are the subject of a perpetual usufruct agreement which is established for the benefit of the companies.

The table below presents a list of the owners and perpetual usufructuaries of the plots to be permanently seized and for whom entitlement to compensation should be established.

No.	Commune	Plot No.	Plot area (ha)	Precinct / plot location	Reference of the owner /	Owner	Acquisition planned [ha] %
1	Mieszkowice	602/3	57.30 ha	0001	Natural person	Pr	0.0357 ha 0.06%
2.	Cedynia	239/25	1.0392 ha	0009	Legal person – joint-stock company	Pr	0.0232 ha 2.23%
3.	Cedynia	167/7	1.8329 ha	0009	Cedynia commune under perpetual usufruct by a legal person – limited liability company	Pu	0.0448 ha 2.44%
4.	Cedynia	160/10	1.7095 ha	0009	State Treasury under perpetual usufruct by a legal person – joint-stock company	Pu	0.0307 ha 1.80%
5.	Cedynia	277	0.30 ha	0015	Cedynia commune	LGU	0.0254 ha 8.47%
6.	Słubice	43/2	0.5803 ha	0001 / the river Odra	Lubuskie voivodeship	LGU	0.0291 ha 5.00%

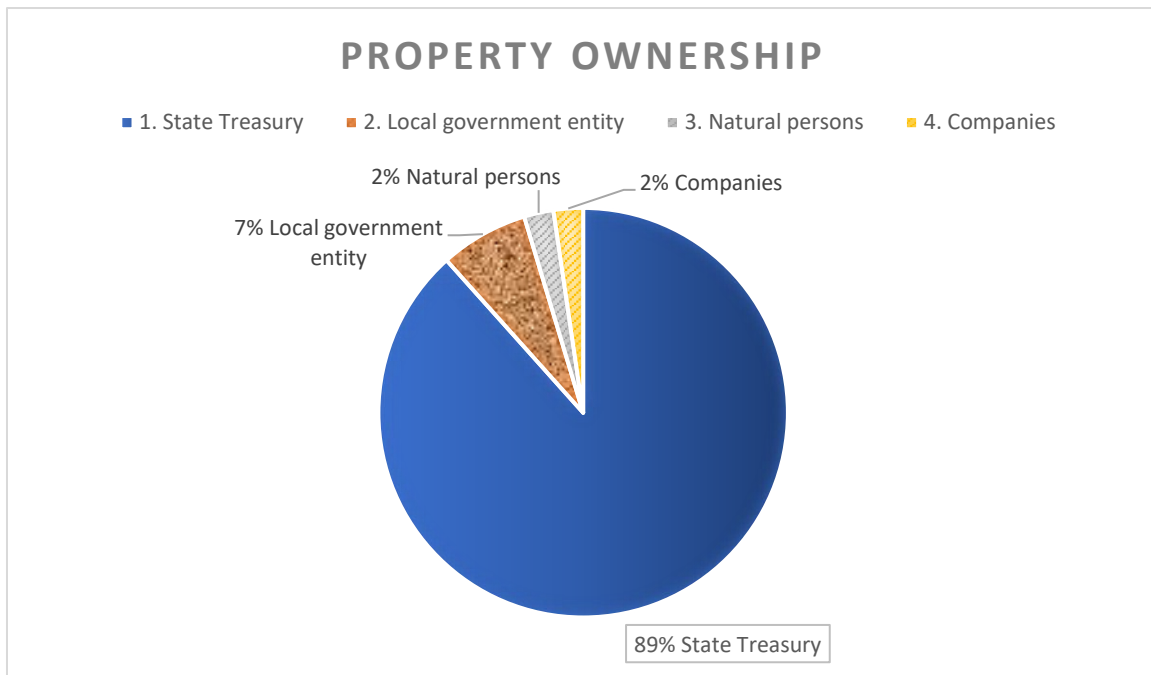
Table 4 – list of plots and owners / perpetual usufructuary entitled to compensation due to real property seizures.

There will also be time limits for the implementation of the investment, the establishment of which is planned on 117 plots. All properties to be acquired temporarily will be restored to their original condition.

According to the information gathered, the four properties for which permanent occupation is planned are the subject of lease agreements, one of which provides for the lease to two entities – a natural person and a limited liability company, and thus five PAPs were established as tenants. The contracts in question relate to properties marked as plots with the following numbers: 792/6, precinct 0010, 280/1, precinct 0015, 86/7, precinct 0002, 494, precinct 0014. All issues related to the indicated contracts are described in Chapter 4.2.3. *EU subsidies and lessees*

5.5. Conclusions of the socio-economic study

The project site is diversified in terms of ownership rights. The properties located in the area to be dispossessed are owned both by the State Treasury and by local government entities, as well as by natural persons and companies. In addition, one property owned by the State Treasury and one property owned by the commune of Cedynia are in perpetual usufruct by an LLC and a joint-stock company.



Graph no. 1 – ownership structure of properties to be expropriated for the purposes of the investment implementation.

The above chart shows the ownership structure of the properties to be acquired. A vast majority, as much as 89% of the properties owned by the State Treasury. 7% of the property is owned by local government units – the commune of Cdynia and the Lubuskie voivodeship, and 2% of the property is owned by natural persons and 2% by the company.

The conducted analysis of the documentation and visits to individual sites planned for the location of the investment demonstrated that there will be no physical or economic relocations, and the socio-economic costs of the Contract will not be significant. This is also due to the small percentage of areas of land acquired which are not owned by the State Treasury. In addition, works as part of the implementation of the investment will be carried out mainly from the water side, which also affects the fact that the planned works have a negligible impact on the situation of the owners.

6. Applicable legal provisions and methodologies

This LA&RAP for the specified Task included in Sub-Component 1B (Flood protection on Middle and Lower Odra) is based on Polish laws and, as it is funded by the World Bank, on Operational Policy OP 4.12. Involuntary Resettlement.

The Loan Agreement between Poland and the World Bank is an international law act, and by concluding it, Poland undertakes to apply the policies of the World Bank.

In the event of discrepancy between Polish legal provisions and the WB policies, it is required to apply the provisions being more favourable to the community affected by the Project.

6.1. Obligations under policy op 4.12⁶

The obligations arising from OP 4.12 apply if the Project implementation requires:

- a) the involuntary taking of land resulting in:
 - (a) relocation or loss of shelter,
 - (b) loss of assets or access to assets,
 - (c) loss of income sources or livelihood,
- b) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the Project Affected Persons.

To reduce the impacts of these activities, the borrower is obliged to prepare a LA&RPF and a LA&RAP, depending on whether specific interventions and related impacts have been identified or not.

Moreover, the following obligations result from OP 4.12:

- All feasible alternative projects should be implemented in such a way to avoid or minimise resettlement, and where resettlement may not be avoided, actions should be taken to minimise their scale and impact.
- Resettlement process should be planned and implemented as a development activity, by providing adequate means and assets allowing PAPs to participate in benefits resulting from Project implementation. The assistance should be offered to social groups affected by resettlement, in order to improve their economic status, income and livelihood, or at least to restore their previous status.
- Before the resettlement, the displaced persons should receive full compensation at replacement value, assistance in relocation as well as assistance and support in the transition period.
- The lack of title to the land should not bar compensation.
- Particular attention should be paid to vulnerable groups and individuals (e.g. single mothers, the disabled, the poor).
- The communities should be given opportunity to participate in planning, implementation and monitoring of the resettlement process.
- The resettled should be assisted in integration with the host community.

The ⁶chapter is consistent with the LA&RPF

- The resettlement process should be closely linked to the schedule of the main Task, so that the resettled receive compensation before starting the construction or other activities covered by the Project.
- The monitoring and evaluation of relocations should be performed.
- For rural or farming land, even when it is possible to apply financial compensation, land-for-land compensation is recommended, if economically feasible. Households that have completely lost their assets and have become completely unprofitable, should receive compensation equal to the value of the entire household.
- For losses that are difficult to compensate for financially, such as access to public services, access to clients or suppliers, fishery areas, access to pastures and forest areas, efforts should be made to grant access to equivalent and culturally relevant resources and income opportunities.

6.2. Polish Legal Requirements

The most important normative acts governing the acquisition of rights in real property necessary to implement the Tasks are as follows:

- The Constitution of the Republic of Poland of 2 April 1997 (Journal of Laws 1997, item 483, as amended),
- The Civil Code of 23 April 1964 (Journal of Laws 2019, item 1145, as amended), hereinafter: CC,
- The Real Property Management Law of 21 August 1997 (Journal of Laws of 2020, item 65, as amended), hereinafter RPMA,
- Regulation of the Council of Ministers of 21 September 2004 on the real property valuation and preparation of a valuation study (Journal of Laws of 2004, No. 207, item 2109, as amended)
- The Act of 8 July 2010 on special rules of preparing projects involving flood prevention structures (Journal of Laws 2019, item 933, as amended), hereinafter referred to as the Flood Act.
- The Water Law Act of 20 July 2017 (Journal of Laws of 2020, item 310, as amended), hereinafter WL.

The Civil Code governs the legal relations between natural persons and legal persons, including those related to the conclusion of real property disposal agreements. The principle of freedom of contract applies, which also covers the freedom to decide whether and with whom the contract should be made. The agreement is concluded by unanimous declarations of the parties. The Civil Code provides for a special form of concluding contracts concerning a real property. They should be made in the form of a notarial deed, otherwise being null and void. In addition to the general regulations for trading in real property, the CC introduces the rules of settlement between property possessors and owners. These regulations are semi-imperative, so the parties to the contract may settle them otherwise.

The mechanisms of involuntary acquisition of rights to real properties are included in the Special Purpose Flooding Act and the PMA.

6.2.1. Property acquisition under the Flood Act

In accordance with the provisions of the Flood Act, the expropriation of a real property or a part thereof, as well as a permanent and temporary restriction on the use of a real property or a part of a real property, shall be effected by way of an investment permit issued by the province governor at the request of the investor. The Investment Project Implementation Permit (IPIP) decision approves the division of properties, and the land demarcation lines established by the Investment Project Implementation Permit decision are the real property division lines. In addition, such a decision constitutes the basis for making entries in the land and mortgage register and the land and mortgage register.

The province governor notifies the applicant, i.e. the Investor, the owners and perpetual usufructuaries of the properties, as well as the other parties, of the initiation of the procedure for issuing the investment permit. The province governor issues the IPIP within 90 days from the date of submitting the application, however, this period does not include the time limits provided for in the laws for the performance of specific actions, the periods of suspension of proceedings and the delays caused by fault of the Applicant or by reasons not attributable to the body.

The owner or perpetual usufructuary of real property is entitled to compensation for transferring ownership of real property to the State Treasury or a local government entity. Compensation may be cash or "land for land." The Act does not indicate any preference for the land-for- land compensation, but rather assumes monetary compensation, the amount obtained should allow for purchasing a similar real property.

The amount of compensation should be agreed between the investor and the current owner, holder of perpetual usufruct right or person entitled to limited property right to the real property. It is determined separately for each of the expropriated properties through negotiations between the Investor and the entity indicated above. The negotiations are based on the independent and objective valuation prepared by the appraiser. The amount of compensation is determined in relation to the real property in the condition as of the date of issuing the IPIP by the body of first instance and in relation to the value of this real property as of the date on which the amount of compensation is determined. If the Investor and the expropriated person reach an agreement on the amount of compensation, a written agreement is concluded, specifying both the amount of compensation and the deadline and method of payment.

If the current owner or perpetual usufructuary of the property covered by the IPIP releases the property immediately but no later than within the statutory deadline, the amount of compensation will be increased by 5% of the value of the property or of the right to perpetual usufruct.

If the amount of the compensation is not agreed within 2 months from the date when the investment permit became final, the amount of the compensation is determined by the province governor by decision. The determination of the amount and payment of compensation is governed accordingly by the Real Property Management Law of 21 August 1997.

The party may also present a valuation report made by their appraiser in the proceedings before the province governor. In such case the province governor has to account for the opinion presented by the affected party in the decision determining the amount of compensation. If the affected party files remarks and motions in the proceedings, the province governor has to refer to them during the proceedings and subsequently in the issued compensation decision. The party

may appeal against the province governor's decision to the superior authority (currently the Minister of Development) within 14 days. The appeal against the decision shall be considered by the authority within 30 days. In case of appeal from the decision establishing the amount of compensation, the expropriated party may file a motion for paying the compensation in the amount stated in the contested decision. In such case the compensation is paid as stated, which does not influence the appeal proceeding. The decision issued in the appeal proceedings may be further complained against to the provincial administrative court within thirty days from the date the complainant received the judgment. The ruling of provincial administrative court may be further subject to cassation, which has to be filed for within 30 days from delivery of a copy of the judgment with substantiation to the party.

At the request of the Investor, which is justified by the social or economic interest, the province governor grants IPIP the rigour of immediate enforceability, which means that the previous owners are obliged to release the property within 90 days from the date of issuing the IPIP and that the Investor is entitled to actually take possession of the property and commence construction works. However, the above should be referred to the rules resulting from OP 4.12 of the PAP, and thus the commencement of the works depends on whether compensation has been paid.

In the event that the person entitled to compensation refuses to accept compensation or its transfer encounters difficult obstacles, such as natural disaster or martial law, and in the event that the compensation for expropriation concerns property with an unregulated legal status, Article 133 of the Real Property Management Act shall apply. Pursuant to the said provision, the Investor shall submit the amount of compensation to court deposit, in compliance with the decision by the province governor, requesting the Investor to pay the compensation to court deposit, which is equivalent to the fulfilment of the benefit. Submission to court deposit has the same effects as performance. At the same time, applying the principles and guidelines resulting from World Bank policy OP 4.12, it should be assumed that the person covered by the project will not incur any additional costs in this respect.

6.2.2. Establishment of permanent and temporary restrictions

The initiation of a proceedings for issuing the IPIP requires an application submitted by the Investor, who must identify, without limitation, the properties or parts thereof being a part of the investment project, which are necessary for its functioning, and which will not be transferred to the State Treasury or the local government unit but will be permanently restricted in use. Such properties are then also indicated in the IPIP. Restrictions that may be indicated in the IPIP, but not necessarily resulting from the Investor's request itself, are restrictions on the use of the property, taking into account areas of direct flood risk and areas of potential flood risk or special flood risk, if designated. Such properties will not be subject to a permanent change in the manner of development and will generally be able to be used by the owner or perpetual usufructuary as before the investment, but with some restrictions.

If permanent restrictions are established on the basis of the Flood Protection Act, these restrictions and any inconvenience associated with them may have a negative impact on the market value of the property and must be compensated with fair compensation. In the extreme case of loss of usefulness of the property for the owner or perpetual usufructuary, the owner may demand its purchase under civil law by submitting a request to the Investor in this regard.

In the case of compensations for permanent restrictions, we must apply the procedures and rules of valuation described herein, which concern the determination and payment of compensations for the expropriation of real property or a part thereof.

Another category of restrictions will consist in a temporary restriction on the use of the properties covered by the IPIP Decision. These are site activities, apart from those determined by the Contractor for the purposes of the operation of the construction site facilities during the execution of the works. The properties intended for temporary limitation of use on which the planned works will be carried out are not taken over for the benefit of the State Treasury as they are not necessary for the realisation of the investment and, moreover, do not need to be subject to a permanent restriction of use. After the execution of the planned works, in particular consisting solely in mowing greenery, the previous owners will be able to use these properties in the current way, due to the lack of changes or removal of existing facilities.

6.2.3. Redemption of „remnants”

If a part of the property is acquired and the remaining part is unsuitable for proper use for previous purposes (the so-called "residual"), the Investor is obliged to purchase that part of the property at the request of its owner or perpetual usufructuary.

An application for redemption of the residual may be submitted prior to the issuance of the IPIP, however, the purchase of the property itself may take place only after the issuance of the IPIP. Residues will be purchased through civil law contracts after the issue of the IPIP for this Task. If the owner or perpetual usufructuary of the property applies for the purchase of the remaining part of the property, it will be necessary to determine whether the remaining part of the property after the acquisition is actually unfit for use for previous purposes. The application should include such justification, which will then be considered by the Investor's representative. If it is considered that the request to buy back the so-called residual is justified, it will be necessary to prepare an estimate of its value by an independent appraiser. Negotiations will then be held with the owner or perpetual usufructuary regarding the amount of compensation, which will be concluded by concluding a contract for the sale of the real property (purchase of the residual property) in the form of a notarial deed and payment of compensation in the fixed amount.

6.3. Adopted mechanisms of acquiring rights in property⁷

The LA&RPF identifies a number of inconsistencies between OP 4.12 and Polish law:

OP 4.12	Polish law	Corrective instruments
<p>The lack of title to the land should not bar compensation. Persons not holding a legal title receive compensation.</p>	<p>The Polish legal system does not provide for the right to compensation of land owners/possessors who do not have a title to it (except for persons whose certificate of title to the property has been lost or who have acquired the right to the property by acquisitive prescription, that is by uninterrupted possession of the</p>	<p>For persons not holding a title to the property affected by the Task, each such case should be, however, analysed on an individual basis for whether it is allowed to use the general mechanisms provided for in the Civil Code to reach the objectives of OP 4.12.</p>

⁷ The contents of this section are in line with the LA&RPF.

	property for the period defined in the CC).	According to OP 4.12, persons affected by the investment implementation without a legal title to the real property. are not entitled to receive monetary compensation for the real property. However, they have the right to receive compensation for any structures, plantings and improvements made on the property prior to the cut-off date, and to benefit from appropriate solutions if they must be physically or economically displaced. In such cases, relevant mitigation measures will be also applied.
The WB policy requires compensation for income ⁸ (e.g. from business activity or agriculture) lost due to the acquisition of property.	Polish legal provisions do not provide for compensation for the loss of income as a result of the investment implementation.	Persons who have lost their income or employment will receive support (health insurance, vocational training, etc.) from employment offices. In case of entrepreneurs or agricultural activities, it is possible to apply general mechanisms from the Civil Code (covering loss suffered (damnum emergens) and the expected profits which are lost (lucrum cessans).
Particular attention should be paid to the needs of vulnerable groups, especially the poor, the elderly, single mothers, children and ethnic minorities.	Polish law does not require planning of particular measures to provide additional support to vulnerable groups (the elderly, the disabled, the poor and others who may have special needs).	The persons to be expropriated will be given all assistance in obtaining the support provided to citizens by authorities and institutions. Additional actions will also be taken to ensure attainment of the objectives defined in OP 4.12.
The WB policy requires additional compensation for expenses incurred by the PAPs due to their physical relocation (e.g. transport of materials) as well as assistance in the resettlement.	There is no assistance provided for citizens and enterprises to cover their removal expenses and other similar costs of involuntary relocation to a new place.	In order to cover the removal expenses and other similar costs, it is possible to apply the general mechanisms set forth in the Civil Code to attain the objectives defined in OP 4.12.
The compensation should be paid prior to physical occupation of the land for the	The Flood Act allows for a seizure of land and	In any case, works may be started only upon confirmation that the PAP has been notified in

⁸ Defined as revenue in the Polish economic environment

<p>purposes of implementation of the investment.</p>	<p>commencement of works before compensation is paid. Other cases are governed by provisions the CC and CL, which do not impose such a condition.</p>	<p>advance of the commencement of works, that the remuneration has been paid and that the consent for entering the land has been granted. An exception is where appeal proceedings have been instituted as a result of unsuccessful negotiation, absence of owners or impossibility to identify them. To minimise the risk of commencing the works before compensating for losses, the seizures of properties should be planned and carried out in advance, before the works begin.</p>
<p>Compensation for the loss of assets is based on their market value increased by any transaction costs (e.g. taxes and registration fees) and the objective is for the compensation to be enough to effectively replace the affected asset (replacement value).</p>	<p>Standard valuation methods may cause the property value to be understated relative to the prices for similar properties existing on local market.</p>	<p>The valuation will be commissioned to an independent and experienced appraiser. The opinion of an expert property appraiser should be verified by the PIU. The expropriated party should be given an appropriate time limit to read the extract from the appraisal report prepared by the appraiser. In the event of doubt as to whether the due compensation amount is sufficient, the property may be valued by an independent property appraiser at the request of the expropriated person. In any case, the appraisal must specify the replacement value.</p>
<p>It is required to prepare a socio-economic study, prepare a LA&RAP, monitor the compensating measures, resettlements and measures aimed to reinstate the quality of life, and measure the effectiveness of all the said measures.</p>	<p>Polish legal regulations do not impose the obligation to prepare the socio-economic study or to prepare the LA&RAP as such. There is no obligation to monitor and evaluate their implementation.</p>	<p>Socio-economic studies and LA&RAPs are prepared according to the LA&RPF, OP 4.12 and good practices.</p>

6.4 Valuation principles⁹

A current owner or perpetual usufructuary of land or a part of land necessary to carry out the Contract is entitled to compensation for the transfer of ownership of the property to the State Treasury or a local government entity.

In all cases, the compensation must be equal to the **replacement value**, which means the amount necessary to replace the assets, excluding their depreciation due to age, condition or any other factor. This is usually based on the market value of the property and related goods (such as plantings or other elements) plus any transaction costs required to replace it, such as taxes or fees. Compensation is determined on the basis of a valuation by a licensed property appraiser or a team of property appraisers (e.g. including an agricultural property appraiser), as required.

According to OP 4.12, with regard to real property and structures, 'replacement value' is defined as follows:

- a) for agricultural land, it is the pre-project or pre-resettlement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the land acquired for the Task purposes, plus the cost of preparing the land for performing functions similar to the land acquired for investment purposes, plus any transaction costs;
- b) for land in urban areas, it is the pre-resettlement market value of land of equal size and use, with similar or improved access to public infrastructure facilities and services and located in the vicinity of the acquired land, plus the transaction costs;
- c) for houses and other structures, it is the market cost of the materials to build a replacement structure. in quantity and of quality similar to or better than those used for building the acquired or partly affected by the investment structures, plus the cost of transporting building materials to the construction site, plus the cost of any labour and contractors' fees, plus transaction costs and fees and taxes related to new structure construction.

In determining the replacement value or the depreciation of assets and values of survived materials are not taken into account, nor is the value of benefits to be derived from the Project, deducted from the valuation of assets affected by the Project. Where Polish law does not meet the standard of compensation at full replacement cost, compensation under Polish law is supplemented by additional measures so as to meet the standard of compensation based on the replacement cost, such as support in the transition period after resettlement, which is reasonable time necessary to recreate the standard of living (including sources of income), etc.

Compensation shall be granted in the amount agreed between RZGW and the current owner, holder of perpetual usufruct right, person entitled to limited property right to the real property or person using the real property from the State Treasury. In all cases the compensation should, at least, correspond to the replacement cost of the real property or lost assets.

The amount of compensation in the case of flood protection measures is determined according to the state of the real property as of the day of the investment realisation permit issued by the body of first instance and according to the real property's value as of the day on which the amount of compensation is determined, which results directly from the flood protection act. which is also the cut-off date after which no further occupation or improvements on the land is not eligible for

⁹The contents of this section are in line with the LA&RPF

compensation and/or resettlement assistance. Compensation shall be determined based on the valuation of a professional property appraiser.

CAUTION: Valuation methods are defined in a law act in the rank of a regulation, i.e. the Regulation of the Council of Ministers of 21 September 2004 on the appraisal of properties and preparing appraisal reports, which contains details on such matters as the methods and techniques of estimating the compensation value.

6.4.1 Real property valuation ¹⁰

The amount of compensation is determined on the basis of the market value of the real property. In determining the market value of the property, the following factors in particular are taken into consideration: its type, location, use and zoning, existing technical infrastructure, overall condition and current market prices. The market value is based on the current use of the property, unless its zoning according to the purpose of the investment project increases its value. If the data from the local or regional real property market allow the appraiser to ascertain the market value of the property, the appraiser should determine the value using one of the market approaches: sales comparison approach, income approach or combined approach. Should the zoning according to the purpose of expropriation increase the property value, then its value for compensation purposes is ascertained according to the alternative use resulting from the new zoning. If the data from the local or regional real property market are insufficient to ascertain the market value of the property, the appraiser should determine its replacement value using the cost approach.

6.4.2 Valuation of plants and crops¹¹

When valuing tree stands or tree covers, if they contain suitable resources, it is necessary to value the timber included in the tree stand. If the tree stand includes no usable resources, or the value of acquirable timber is lower than the cost of reforestation and maintenance of the tree stand, the valuation should cover the costs of reforestation and maintenance of the tree stand until the day of expropriation.

The valuation of fields of perennial plants involves the valuation of the costs of establishing the field and its maintenance until the first crop as well as the value of the lost profits in the period from the day of expropriation until the completion of the full yield. The aggregate of costs and the value of lost crops are reduced by the sum of the yearly depreciation write-offs resulting from the period of using the field from the first year of yield until the day of expropriation. The valuation of sowing, cultivation and other yields of annual plants involves the valuation of the expected yield according to the current market prices, reduced by the value of necessary expenditures related to the harvest of the crops. The valuation of crops and other yields annual plants involves the valuation of expected yield according to the current market prices, reduced by the value of expenditures necessary to harvest the crops.

¹⁰ The contents of this section are in line with the LA&RPF.

¹¹ The contents of this section are in line with the LA&RPF

6.4.3 Valuation of other assets¹²

The remaining assets related to the real property are civil profits, that is income from real property gained on the basis of a legal relationship. When valuing the rights under contracts (including the right of lease, lending and life annuity) and their impact on the real property, the appraiser may in particular consider the following elements:

- type, nature, scope and duration of the contract,
- relevant provisions of the law,
- form of payment,
- type and amount of other benefits,
- method and dates of payment of rent and other benefits,
- rights and obligations arising out of contracts,
- the parties' claims related to the settlement of expenditures on the real property, and
- available information concerning the valuated real property and the particular type and section of the market involving obligations.

¹² The contents of this section are in line with the LA&RPF

7. Eligibility criteria and catalogue of beneficiaries ¹³

7.1 Eligibility criteria

According to the World Bank's Operational Policy, the following groups of people are eligible for compensation and assistance in connection with property acquisition causing the loss of assets and (physical or economic) displacement:

(a) those who have formal legal rights to the land or other assets affected by the Project (including customary or traditional rights);

(b) those who do not have formal legal title to the land at the time the census begins but have a claim to such land or assets – provided that such claims are recognized under the laws of the country or are identified during the preparation of the LA&RAP,

(c) those who have no recognizable legal right or claim to the property they are occupying.

The persons specified in paragraph (a) or (b) above should receive compensation for the land they lose, and other assistance. The persons specified in paragraph (c) should be provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives of OP 4.12, if they occupy the Project area prior to the cut-off date. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons specified in paragraphs (a), (b), or (c) should be compensated for the loss of assets other than land.

The method of assessing the impact on PAPs is described in Section 4.1. Social impacts.

7.2. Catalogue of beneficiaries

The eligibility for compensation and assistance will be based on the following principles:

- PAPs being lessees, tenants, life annuitants or other dependent possessors of a real property on the Project site shall receive full compensation for the loss of these rights,
- PAPs being possessors of limited property rights in real property in the project's area shall receive full compensation for the loss of these rights,
- owners of crops, plants, structures and other constructions attached to the land shall receive compensation for the crops, plants, structures and constructions,
- PAPs who lose their revenue, pay or ability to carry out business activity shall receive adequate compensation and, if necessary, a package of individually selected protective measures,
- PAPs who own a real property on the area of the Project in an illegal manner, without a legal title and without any prospect to obtain a legal title, will not receive compensation for expropriation of the real property as it is impossible in the light of the Polish law. However, they will receive compensation for the plants, structures and facilities being their property and, where necessary, a package of specially selected protective measures to restore or improve their quality of life.

PAPs will be entitled to receive compensation for the following categories of effects/losses:

¹³ The contents of this section are in line with the LA&RPF

- **Permanent loss of real property** – where feasible and where the PAP expresses such a wish, he or she will be compensated on the ‘land for land’ basis by assigning a real property of a similar value, location and functions to those of the property that was dispossessed. If it is impossible to find a real property that meets the requirements of adequate compensation, the PAP does not wish to obtain a ‘land for land’ compensation or only a small portion of the plot is acquired, the compensation will be paid in cash and will correspond to the market value of the expropriated property or its part. In addition, if the property is released immediately, it will be possible to increase the compensation by an amount corresponding to 5% of the value of the expropriated property on the terms of the Flood Act. The PAPs who are not owners or perpetual usufructuaries but hold title to the real property (e.g. tenants, lessees) will receive compensation corresponding to the value of the lost rights. At the request of a PAP, the Investor may acquire the entire real property and compensate for the acquisition of such property on the terms mentioned above. Any transaction costs, including taxes related to granting the compensation for expropriation, will be covered by the Investor. The PAPs who possess properties located on the site of the Project without a title (illegally) will not be granted any compensation for the expropriation of the land. However, such persons will receive compensation for plantings and structures they own and, if necessary, a package of protective measures to restore or improve their quality of life;
- **Permanent restriction in the current use of property** will, as a rule, be compensated in cash, taking into account the loss of market value of the property. Tailored protective measures will also be offered on a case-by-case basis. At the request of PAP, the property, where permanent restriction of use of real property for project purposes is to occur, is expropriated and PAP will receive compensation under the terms applicable to the permanent loss of the property;
- **Residential buildings** – the compensation process will be carried out as for the permanent loss of property. In addition, the relocated PAP will receive an additional payment in the amount of PLN 10,000. Depending on the case, such persons can opt to receive replacement residential accommodation from the Investor. As for squatters, they are not entitled to compensation for land, however, in certain cases the investor will grant them adequate replacement accommodation. Such persons will be offered a package of protective measures, including assistance in finding their place of residence, and if they are unemployed or addicted, they will be offered measures supporting their position in the labour market, and they will receive a proposal of appropriate treatment;
- **Buildings and non-residential structures (stables, fences, technical infrastructure)** – as a rule, the owners and users of such buildings and structures will be compensated as for the permanent loss of property. Amongst the protective measures, the Investor will offer the reconstruction of service utilities and, where appropriate, the reconstruction of structures and buildings at Investor's expense. Additionally, for the local government units which have built or are building the affected facilities or structures using funds from the European Union or other foreign sources, the monetary compensation will be increased by the amount of reimbursable funds acquired from the co-financing entities, including due interest;
- **The loss of plants** will be compensated to the legal possessors of properties in cash, taking account of the costs of creation and care of the plantings as well as the value of lost benefits from the date of expropriation till the date of completion of full yielding;
- **The loss of tree stand** will be compensated as the the loss of plants. Depending on the case, compensation may also be paid according to the estimated value of obtainable wood;
- **The impact on enterprises** will be compensated in cash by compensating for the damage actually incurred by the entrepreneurs and the profit they lost due to Project. The values

should be determined based on the billing and accounting documents or corporate income tax returns. Should employees lose their work, they will receive unemployment benefits. Both employees and contractors working under civil-law contracts, in case of loss of earning capacity, will receive free-of-charge health insurance, assistance in search for work and help in the form of vocational retraining aimed at finding new employment;

- **The loss or limitation of access to social infrastructure** (e.g. parks) will be compensated as far as possible by restoring the infrastructure on the new appropriately located site. Where it is impossible or unnecessary to restore the infrastructure on the new site, the PAPs will be given access to existing social infrastructure; Cost of moving to a new location – in order to cover the costs of resettling households, the PAPs will receive the amount of PLN 10,000. They will also be offered a package of protective measures including, if necessary, assistance in search for the transport company and the coverage of transport costs exceeding PLN 10,000;
- Vulnerable groups will be covered by a tailored package of protective measures (the schedule of implementation of these measures will be determined on an individual basis). With reference to children and school teenagers, the assistance will cover finding a new resettlement site which will enable them to continue education in the current school; the same rule applies to children attending nurseries and kindergartens. The elderly will be relocated to places devoid of architectural barriers which hinder movement and having equal or better access to health care, and which at the same time make it possible for the elderly to preserve their existing habits and lifestyle. The poor will be offered assistance in obtaining additional institutional support from government agencies, local government units and non-governmental organisations competent for their issues;
- **Temporary loss of land** will be compensated in cash through the payment of monthly amounts corresponding to the market prices of tenancy or lease of the real property. Moreover, if due to the temporary loss of land the PAP incurs a loss, such a loss will be separately compensated according to the aforementioned principles. After the completion of construction activities, all properties will be restored to their original state;
- **Damage to houses, buildings and structures due to construction works (e.g. vibration, accidents, etc.)** will be compensated based on their nature in order to enable the restoration of the full substance of the affected facility or the purchase of a new facility. Depending on the situation, appropriate rules for the payment of compensation for the foregoing impacts will be applied.

For Task 1B.2, we have identified and qualified for compensation for the impacts resulting from its implementation, the owners and perpetual usufructuaries of properties, as well as tenants, which can be classified as follows:

- a) property owner – natural person,
- b) property owner – joint-stock company,
- c) property owner – local government unit – Cedynia commune and Lubuskie voivodeship,
- d) perpetual usufructuaries – limited liability company, joint-stock company
- e) lessee – natural persons,
- f) lessee – limited liability company.
- g) vulnerable group – lessee.

During the preparation for the implementation of this Task, no cases of unregulated legal status of real properties has been identified. A detailed catalogue of persons entitled to compensation is contained in Annex no. 2 of this LA&RAP. The appendix will be published after anonymisation.

7.3 Eligibility matrix¹⁴

Impacts/losses	PAP	Compensation
Permanent loss of property	Owners, perpetual usufructuaries, owner-like possessors	<ul style="list-style-type: none"> • 'land for land' compensation, • If 'land for land' compensation is not feasible or undesired, then cash compensation, • coverage for all transaction costs,
	Illegal possessors of the real property	<ul style="list-style-type: none"> • no compensation for the loss of real property
	Holders of easement, mortgage or lien on property	<ul style="list-style-type: none"> • Cash compensation for lost rights, • for land easement holders – support in finding a solution allowing for using their property (holding the expropriated property), for example in establishing another right of way, • coverage for all transaction costs.
	Illegal easement holders	<ul style="list-style-type: none"> • For illegal easement holders – support in finding a solution allowing for using their property (holding the expropriated property).
Restrictions in the use of property	Owners, perpetual usufructuaries, owner-like possessors	<ul style="list-style-type: none"> • cash compensation caused by restriction in the use of property, • in the event of a reasonable request by the owner for the purchase of remainder of the property, acquisition of the property upon compensation, • coverage for all transaction costs, • offering institutional support and advice on the possibility to use the property otherwise.
	Illegal possessors of the real property	<ul style="list-style-type: none"> • offering institutional support and advice on the possibility to use the property otherwise,
	Illegal easement holders	<ul style="list-style-type: none"> • support in finding a solution allowing for using their property (being the dominant property relative to the expropriated property).
Non-residential buildings and structures (utility buildings, fences, service infrastructure, etc.)	Owners or owner-like possessors of buildings and structures	<ul style="list-style-type: none"> • monetary compensation at the replacement value for lost assets, • replacement or reconstruction of lost asset.
	Usufructuaries	<ul style="list-style-type: none"> • monetary compensation at the replacement value for lost assets, • replacement or reconstruction of lost asset.
	Illegal possessors of buildings and structures	<ul style="list-style-type: none"> • monetary compensation at the replacement value for lost assets, • replacement or reconstruction of lost asset.
	Lessees and tenants of buildings and structures	<ul style="list-style-type: none"> • monetary compensation at the replacement value for lost assets, • replacement or reconstruction of lost asset.
Loss of plantings	Owners and owner-like possessors	<ul style="list-style-type: none"> • monetary compensation, including the costs of arranging and maintaining the plants, and lost benefits, • allowing the collection of crops.
	Usufructuaries	<ul style="list-style-type: none"> • monetary compensation, including the costs of arranging and maintaining the plants, and lost benefits, • allowing the collection of crops.
	Lessees, tenants	<ul style="list-style-type: none"> • monetary compensation, including the costs of arranging and maintaining the plants, and lost benefits, • allowing the collection of crops.
	Illegal possessors of th real property	<ul style="list-style-type: none"> • allowing the collection of crops.
	Owners and owner-like possessors	<ul style="list-style-type: none"> • monetary compensation including, if necessary, the costs of arranging and maintaining the tree stand as well as the lost trees and benefits.

¹⁴ The contents of this section are in line with the LA&RPF

Loss of trees	Usufructuaries	<ul style="list-style-type: none"> monetary compensation including, if necessary, the costs of arranging and maintaining the tree stand as well as the lost trees and benefits.
	Lessees, tenants	<ul style="list-style-type: none"> monetary compensation including, if necessary, the costs of arranging and maintaining the tree stand as well as the lost trees and benefits.
	Illegal possessors of th real property	<ul style="list-style-type: none"> allowing for the cutting of trees and the collection of timber.
Commune assets	Commune	<ul style="list-style-type: none"> Restoration or replacement of damaged facilities upon consultation with the commune.
Temporary acquisition of properties	Owners, perpetual usufructuaries, owner-like possessors	<ul style="list-style-type: none"> cash compensation, reinstating the previous status of property.
	Illegal possessors of the real property	<ul style="list-style-type: none"> reinstating the previous status of property.
	Lessees, users of properties	<ul style="list-style-type: none"> cash compensation, reinstating the previous status of property.

8. Public consultation

This draft document will be subject to a public consultation procedure carried out in line with the World Bank's Operational Policy OP 4.12.

The table below shows the external stakeholders as well as their impact on the Land Acquisition and Resettlement Plan.

Third-party stakeholder	Type of impact on the LA&RAP
Minister competent for construction, housing and spatial development and planning (presently the Minister of Development)	<ol style="list-style-type: none"> 1. Consideration of appeals against the IPIP; 2. Examines appeals against the decision setting the amount of compensation.
Province governor	<ol style="list-style-type: none"> 1. IPIP issuance; 2. Issuing the decision setting the amount of compensation.
Mayor of Cedynia commune	<ol style="list-style-type: none"> 1. Representation of Cedynia Commune; 2. Informs the PAPs on the public consultation conducted by the Consultant; 3. Participation in the public consultation.
Mayor of Mieszkowice commune	<ol style="list-style-type: none"> 1. Representation of Mieszkowice commune; 2. Informs the PAPs on the public consultation conducted by the Consultant; 3. Participation in the public consultation.
Mayor of Kostrzyn nad Odrą commune	<ol style="list-style-type: none"> 1. Representation of Kostrzyn nad Odrą commune; 2. Informs the PAPs on the public consultation conducted by the Consultant; 3. Participation in the public consultation.
Head of Górzycza commune	<ol style="list-style-type: none"> 1. Representation of Górzycza commune; 2. Informs the PAPs on the public consultation conducted by the Consultant; 3. Participation in the public consultation.
Mayor of Słubice commune	<ol style="list-style-type: none"> 1. Representation of Słubice commune; 2. Informs the PAPs on the public consultation conducted by the Consultant; 3. Participation in the public consultation.
Entities to be expropriated	<ol style="list-style-type: none"> 1. Participate in the public consultation and socio-economic study; Submit comments, requests and reservations concerning the investment project. 3. Identify the needs and losses attributable to the investment project. 4. Choose the form of compensation.
Residents of communes: Cedynia, Słubice, Mieszkowice, Górzycza, Kostrzyn nad Odrą	<ol style="list-style-type: none"> 1. Indicate the needs relating to the investment project and actions taken with respect to the construction of flood protection. 2. Participate in the public consultation.

Table 5 – preliminary identification of stakeholders participating in public consultation and the entities having impact on the preparation and implementation of LA&RAP.

Once the draft LA&RAP is completed, its electronic version, a notice of public debate over the draft LA&RAP and of its place and date will be posted on publicly available websites of:

- RZGW in Szczecin: <https://szczecin.wody.gov.pl/>
- RZGW in Szczecin (Project website): <http://bs.rzgw.szczecin.pl/>
- Project Coordination Unit: <http://odrapcu2019.odrapcu.pl/>

As visits of interested parties have been impossible, the paper version was not made available for viewing at the premises of the public offices concerned.

Details on the possibility to review the document and to submit requests and comments, as well as relevant contact details (e-mail, the place where the draft document is made available for review, office hours, phone number, and full name of the contact person) have been published in local press (“Kurier Szczeciński”) and on the websites of the unit implementing Task 1B.2/2 and on the websites of the communes of: Słubice, Kostrzyn nad Odrą, Mieszkowice, Cedynia, Górzycza.

Due to the constraints on social life in Poland caused by the emergence of the SARS-CoV-2 virus causing COVID-19 disease, and taking into account the recommendations of the World Bank and the need to ensure safety of, there was no public consultation meeting. In order to carry out the obligation to conduct public consultations and to provide PAP with the opportunity to read the LA&RAP document and to submit conclusions and comments, it was decided to conduct consultations in the form of correspondence.

Therefore, an extract from the LA&RAP was sent to all PAP, and in the case of institutional entities (Cedynia Commune and Lubuskie Voivodeship), the electronic version of the document was provided. Along with the LA&RAP we have also sent a form for submitting requests, comments and questions as well as a cover letter containing in particular:

- presentation and information brochure concerning the Project and the Contract on Task 1B.2,
- full name of the person handling the case,
- contact data – telephone number, e-mail address, correspondence address,
- statement informing that after the expiry of the deadline for reviewing the submitted draft, which is 7 days, the process of individual conversations with interested PAP will start; the contact number for the Consultant has been provided.

In addition, it was pointed out that if the persons wish to read the entire document and if there are any technical problems as a result of which they cannot become acquainted with the electronic version of the LA&RAP draft, they may be provided with the entire document, which would be sent to the indicated address.

The said documents have been sent by registered mail.

Public consultations in the form of correspondence lasted 22 days. The publication of the document began on 17 August 2020 by providing the PAP with the above described documentation and placing notices on the following websites:

- PGW WP RZGW in Szczecin – www.szczecin.wody.gov.pl/,

- PGW WP RZGW in Szczecin (Project website) – www.bs.rzgw.szczecin.pl/,
- Project Coordination Unit – www.odrapcu2019.odrapcu.pl/,
- Kostrzyn nad Odrą Commune – www.kostrzyn.pl
- Cedynia commune – www.cedynia.pl
- Górzycy commune – www.gorzycy.pl
- Słubice commune – www.slubice.pl
- Mieszkowice commune – www.mieszkowice.pl
- Information portal – www.wszczecinie.pl and on the wszzecinie.pl facebook profile

Due to the lack of PAP's contact numbers, in the cover letter the Consultant asked for contact at the telephone number provided in order to provide any information about the implemented Task that may be expected, in particular on the LA&RAP document. However, none of the PAP contacted the Consultant. Attempts were made to determine the persons who read the LA&RAP document among the employees of local government units offices.

A consultation meeting in the form of a webinar was held on 08 September 2020 from 3 p.m. to 4.30 p.m. A link to the webinar, as well as step-by-step instructions showing what steps you need to take to attend an online meeting, are available on the Project website. 5 people took part in the meeting, including one person from the Consultant Team, a representative of the PIU – RZGW in Szczecin and three people from the Project Coordination Unit. None of the PAP participated in the meeting.

The public consultation, including the webinar, was recorded in a report describing its procedure and the reason of choosing this particular procedure; the report is attached hereto as an appendix.

No comments, complaints, or requests were made during the consultation.

Once the final LA&RAP obtains the WB's "no objection" clause, its printed version will also be made available to the persons interested (if it is possible to make it available in such a way given the existing restrictions) by presenting it in the working hours (7:30 a.m. to 3:30 p.m.) at the following offices:

- RZGW in Szczecin, Tama Pomorzańska 13A Street, 70-001 Szczecin
- Project Implementation Office, Teofila Firlika 19 Street, 71-637 Szczecin
- Municipal Office of Cedynia, Plac Wolności 1, 74-520 Cedynia,
- Office of Górzycy Commune, 1 Maja Street, 69-113 Górzycy,
- Municipal Office in Mieszkowice, Chopina 1 Street, 74-505 Mieszkowice,
- Municipal Office in Kostrzyn nad Odrą, Graniczna 2 Street, 66-470 Kostrzyn nad Odrą,
- Office of Słubice Commune, Płocka 32 Street, 09-533 Słubice.

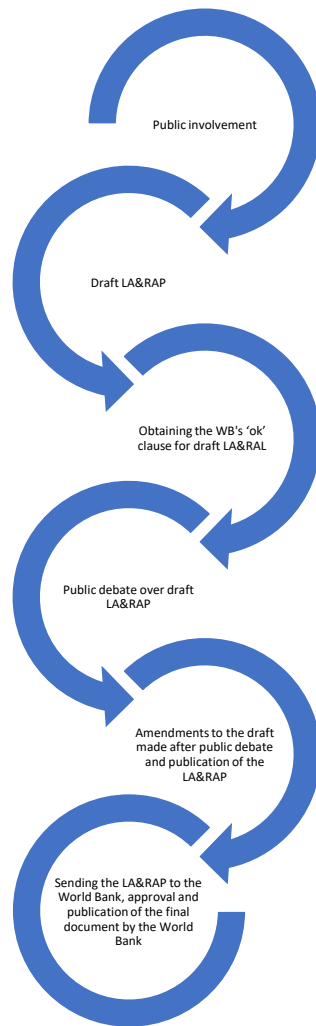
and by publication on the websites of:

- RZGW in Szczecin: <https://szczecin.wody.gov.pl/>
- RZGW in Szczecin (Project website): <http://bs.rzgw.szczecin.pl/>
- Project Coordination Unit: <http://odrapcu2019.odrapcu.pl/>

and will remain published until completion of the Contract. The contact details of the person(s) responsible for publication have been provided in the LA&RAP publication notice. Any revisions of the LA&RAP will also be available to the parties interested on the website of PIU and PCU.

The PAPs have been informed on the planned Task 1B.2 by letters sent to the addresses disclosed in the land and mortgage registers and in the land and mortgage registers of the LBR. In addition, information meetings were organised as part of the public consultation. The first of them took place in March 2019 in Cedynia, Górzycyca and Mieszkowice. Then, in May 2019, meetings were organized in Kostrzyn nad Odrą and Słubice. Property owners and tenants, as well as institutional entities, were invited. These meetings were organised primarily for information purposes. The Consultant informed about the Project and Task 1B.2 being carried out and about the works related to them. They were also informed about the planned area of the project and about the activities that are necessary to implement the investment. The principles and guidelines resulting from the World Bank's policy OP 4.12., the conditions and rules for the development of LA&RAP and the role of PAP, as well as the rules on damages and determining their amount, are presented.

Then, in December 2019, meetings were organized in Cedynia and Stary Kostrzynek in order, in particular, to present the developed construction projects presenting the plans and construction projects related to the implementation of the investment. Representatives of local government bodies, tenants, owners and perpetual usufructuaries of properties were invited to the meeting. In addition, information about the meeting, together with an invitation for interested parties, was posted on the website of the Cedynia Commune Office.



Drawing 1. Public involvement in LA&RAP preparation

9. Summary – actions requiring the application of OP 4.12.

The World Bank's Operational Policy OP 4.12 applies where the project execution requires the involuntary taking of land resulting in relocation or loss of shelter, the loss of assets or access to assets, the loss of income sources or means of livelihood, or in the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the project affected persons. Acquisition of a real property or a part thereof, as well as a permanent or temporary restriction in using a real property or a part thereof, shall be effected by means of a IPIP.

This project will be carried out on the Odra river in the area of three districts: Gryfin, Słubice and Gorzów, five communes located in Zachodniopomorskie voivodeship and Lubuskie voivodeship, i.e. in the area of communes: Cedynia, Mieszkowice, Kostrzyn nad Odrą, Górzycze, Słubice.

According to the above list, 43 plots are planned to be occupied permanently. The vast majority of them are owned by the State Treasury (38 properties). Only one plot is owned by a natural person and one legal person. Three properties are owned by local government units. In addition, two properties are the subject of a perpetual usufruct agreement which is established for the benefit of the companies. 117 plots of land will be used for temporary activities. However, temporary activities should be considered as not significantly affecting the possibility of using the property by the owners or users of the plot, as they are primarily related to the need to mow greenery in the vicinity of spurs. Furthermore, according to the information received, the four properties to be permanently seized are the subject of lease agreements established for the benefit of five tenants.

The total area of the properties to be taken over to RZGW in Szczecin is 69,0366 ha, including the area of the properties that are owned or are under perpetual usufruct of natural or legal persons is 0.1344 ha.

Having analysed the details and information about the non State Treasury owners and usufructuaries of the properties to be acquired, and the percentage of the areas to be acquired, we have concluded that the direct and significant impact of this investment has not been identified. It should also be noted that the works will be carried out primarily on narrow sections of plots adjacent to the river and will be carried out mainly from the side of water.

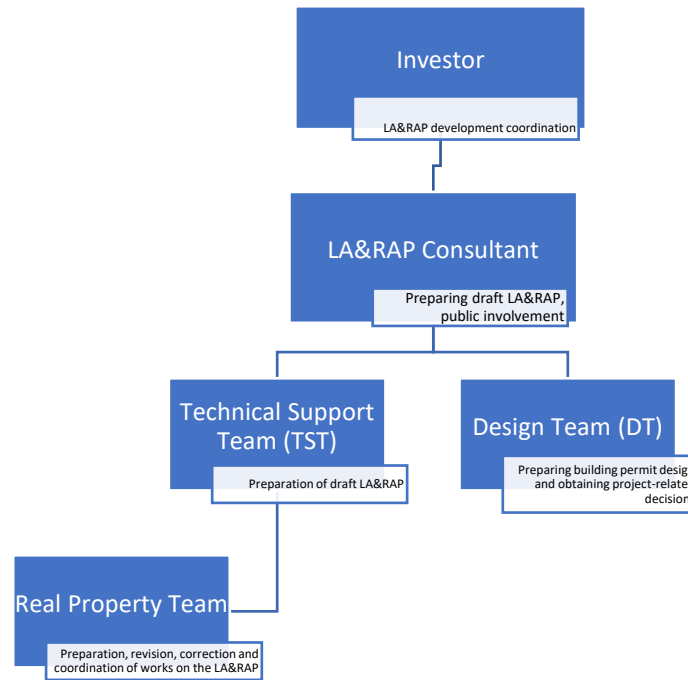
Six entities may be eligible for compensation for permanent activities:

1. **Natural person**, who owns the property marked as plot number 602/3, precinct 0001, located in Mieszkowice;
2. **Joint Stock Company**, which owns the real property designated as plot number 239/25, precinct 0009, located in Cedynia, and which is a perpetual usufructuary of plot number 160/10, precinct 0009, located in Cedynia;
3. **Spółka z o.o.**, being the perpetual usufructuary of the plot number 167/7, precinct 0009, located in Cedynia;
4. **Commune of Cedynia** owning the plot number 277, precinct 0015, located in Cedynia and the plot number 167/7, precinct 0009, located in Cedynia.
5. **Lubuskie voivodeship**, which owns the property marked as plot no. 43/2, precinct 0001, located in Słubice;

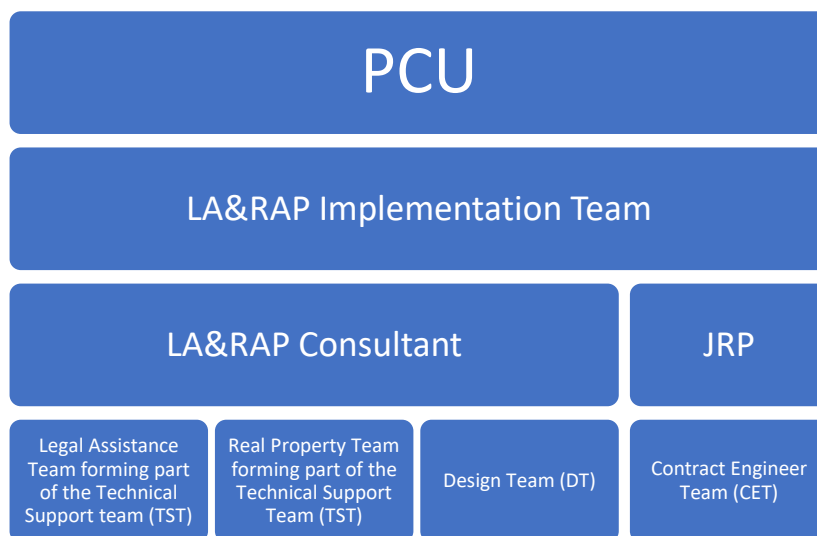
6. **Lessees** of properties marked as plots: 792/6, precinct 0010, located in Słubice (two tenants), 280/1, precinct 0015, located in Cedynia, 86/7, precinct 0002, located in Mieszkowice, 494, precinct 0014, located in Cedynia.

10. Institutional structure and implementation team

The institutional structure of the team developing this LA&RAP is presented in the following diagram.



Drawing 2. Institutional structure of LA&RAP implementation



Drawing 3. Institutional structure of LA&RAP implementation, presenting the PCU position

Joint Venture Sweco Consulting Sp. z o.o./ Sweco Nederland B.V./ Sweco Engineering Sp. z o.o./ Ekocentrum – Wrocławski Ośrodek Usług Ekologicznych Sp. z o.o.

Competencies of the LA&RAP development team are as follows:

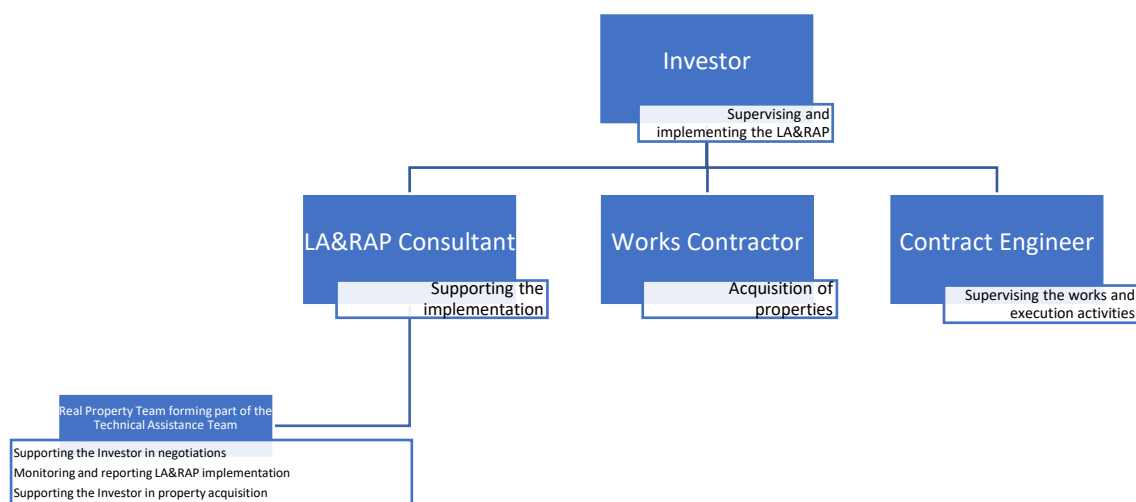
1. RZGW – LA&RAP development coordination:

- a. supervising the preparation of draft and final LA&RAP,
- b. ensuring the flow of information between LA&RAP Consultant and PCU,
- c. procuring introduction of the amendments found necessary during LA&RAP preparation,
- d. supervising the public consultation,
- e. monitoring the LA&RAP preparation process.

1. Consultant – preparation of draft LA&RAP:

- a. conducting socio-economic studies and preparing the socio-economic study,
- b. gathering and analysing the information on development and use of the property,
- c. drafting the plan of public involvement and consultation; coordinating the process of public consultations,
- d. preparing impact mitigation proposals and analysing the impact mitigation proposals; providing RZGW with proposed amendments to the building permit design,
- e. analysing eligibility,
- f. preparing compensation packages,
- g. preparing the draft LA&RAP,
- h. conducting public consultation,
- i. preparing the final LA&RAP.

The Consultant’s LA&RAP development team is not placed in the organisational structure of RZGW. Competencies of the LA&RAP implementation team are as follows:



Drawing 4. Institutional structure of LA&RAP implementation during Contract execution

Competencies of the LA&RAP implementation team are as follows:

1. RZGW

- supervising LA&RAP implementation,
- concluding compensation payment agreements based on negotiations,
- payment of compensation,
- ensuring the flow of information between LA&RAP Consultant, Engineer and Contractor,
- acquisition of real properties with the Consultant's support.
- ensuring the absence of impact on the properties that were not acquired and compensated for as properties to be used during the works.

2. Consultant

- planning and participating in negotiations,
- employing appraiser(s) who will carry out appropriate valuations and prepare appraisal reports,
- verifying the valuations / appraisal reports made by licensed appraisers in terms of form,
- monitoring the implementation of LA&RAP by the Contractor and Engineer,
- suggesting remedial actions in case of issues,
- supervising the commencement and execution of works,
- supervising Contractor's compliance with the obligations stated in the Construction Works Contract, including those related to any temporary seizure.

3. Contractor

- acquiring properties for temporary acquisition,
- paying compensations for the properties acquired for temporary acquisition,
- carrying out works on the properties acquired permanently,
- restoring original condition of the properties acquired temporarily.

4. PCU

- coordinating the actions taken by the PIO in implementing the Project, including those taken to comply with the LA&RAP,
- submitting the draft LA&RAP to the World Bank in order to obtain the 'no objection' clause.

11. Mechanisms for managing complaints and requests

In principle, the PIU will take all measures possible to settle amicably all complaints that may be filed with respect to the Task. However, the complaint management procedure must be diversified for integration with the administrative procedures applied at various stages of preparing the Task.

11.1 General rules of managing complaints and requests

One of the overriding general principles for submitting complaints is that anyone may submit a complaint regarding the Task, whether or not his property, rights or other goods are located on the site of the Investment Project.

Additionally, the complaints and requests are filed free of charge. The person submitting a complaint or request may not be exposed to any detriment or charge due to the submission.

The general mechanism for managing complaints and requests will be applied to requests and complaints:

- a. submitted prior to applying for the IPIP,
- b. submitted during public consultation over the draft LA&RAP,
- c. submitted after the issue of the IPIP and the decision setting the amount of compensation for the dispossessed property,
- d. submitted directly to PIO, PCU, SWM, WB or any other entity acting on behalf of PAPs, while applying for the IPIP.

Complaints and requests may be filed in writing, in electronic form or verbally for the record. They may be submitted directly at the office of:

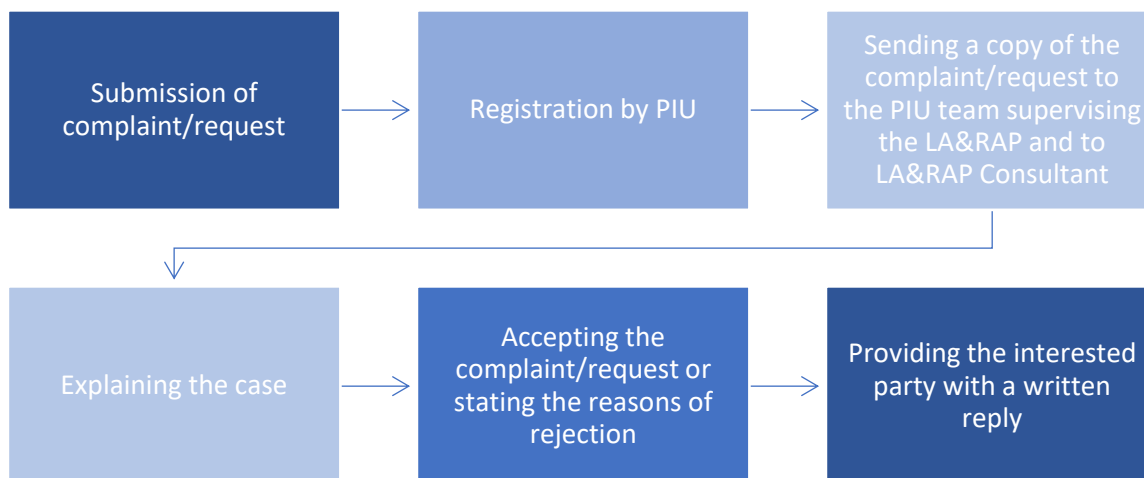
- PIO (address: RZGW in Szczecin, Tama Pomorzańska 13A Street, 70-001 Szczecin, by phone: +48 91 441 12 00 or by e-mail: projektBS@wody.gov.pl)
- Consultant (address: Sweco Consulting Sp. z o.o., Łyskowskiego 16 Street, 71-641 Szczecin, by phone: +48 605 071 242 or by e-mail: odra.szczecin@sweco.pl)
- Contractor to be selected for implementation of the Task.

Complaints and requests will be archived in a separate register, including the dates of submission, dates of response and manner of handling.

If the consideration of a request or complaint requires a previous explanation, the process will include collection of materials as well as analysis, studies, etc. In such an event, a reply to the complaint or request will be given in 14 days from the date of submission. Where no explanatory procedure is required, a reply to the complaint or request will be given in 7 days from the date of submission.

In particularly complex cases or if acceptance of the request or complaint requires amendments to the LA&RAP, the time limit for replying to the complaint or request will be extended to 30 days. If that period is too short, the party will be notified of the reason for the failure to meet the time limit for reply, along with a new term in which the reply will be sent.

If the demands expressed in the complaint or request are rejected, the person lodging the complaint or request will be exhaustively informed of the reasons. The diagram of the general mechanism for managing complaints and requests is presented below.



Drawing 5. General mechanism for managing complaints and requests.

11.2 Special mechanisms for managing complaints and requests

Special rules for managing complaints and requests are directly linked with the procedure for issuing the IPIP and setting the amount of compensation for the lost title to the property and related goods, such as civil-law profits, machinery or equipment, which are unsuitable in another location.

Specific rules on the management of complaints and requests are applied during the procedure for issuing the IPIP, in the negotiations on compensation to be conducted once the IPIP is issued, in the procedure for issuing the province governor's decision setting the amount of compensation, and in appeal and judicial procedures regarding the IPIP and compensation.

11.2.1. Procedure for issuing the IPIP

In accordance with the provisions of the Flood Act, the expropriation of a real property or a part thereof, as well as a permanent and temporary restriction on the use of a real property or a part of a real property, shall be effected by way of an investment permit issued by the province governor at the request of the investor. The Investment Project Implementation Permit (IPIP) decision approves the division of properties, and the land demarcation lines established by the Investment Project Implementation Permit decision are the real property division lines. In addition, such a decision constitutes the basis for making entries in the land and mortgage register and the land and mortgage register.

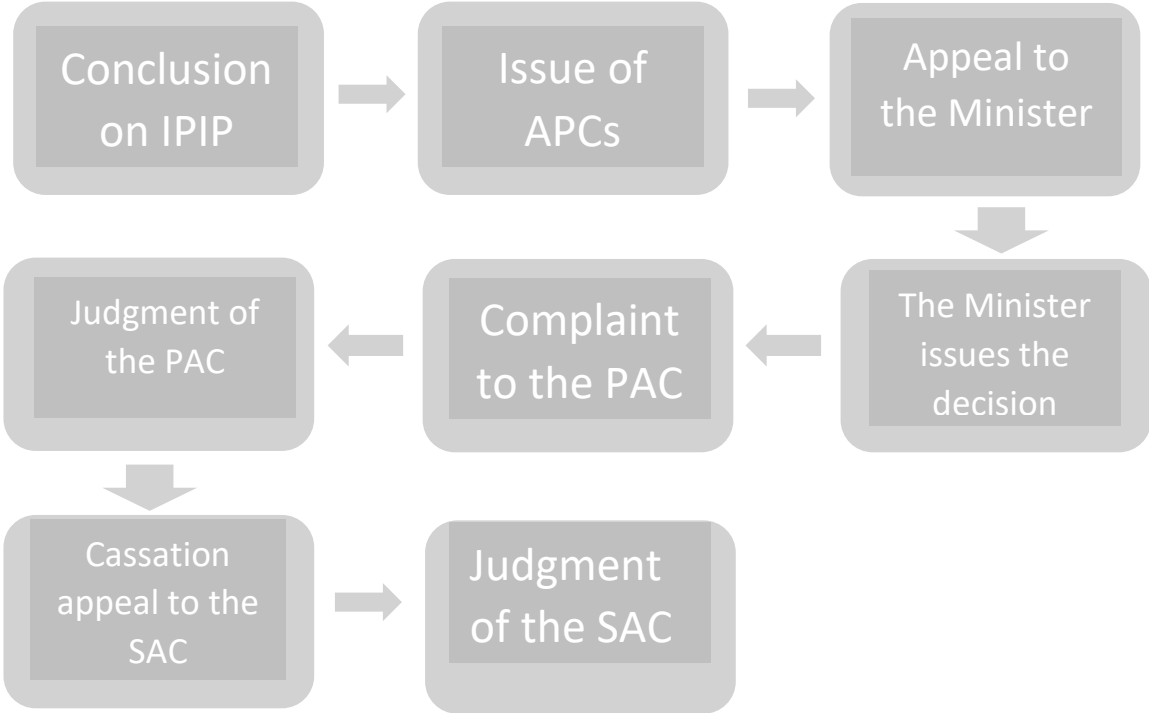
The persons whose properties are situated in the area of the project are parties to the procedure for the issue of IPIP and are entitled to actively participate, free of charge, in the procedure for the issue of IPIP, including to file comments and requests in the case, directly to the province governor. The province governor notifies all parties of the initiation of the procedure for issuing the investment permit. The province governor issues the IPIP within 90 days from the date of submitting the application, however, this period does not include the time limits provided for in the laws for the performance of specific actions, the periods of suspension of proceedings and the delays caused by fault of the Applicant or by reasons not attributable to the body.

The province governor delivers the decision on the investment permit to the applicant and notifies the other parties of its issuance by means of announcements to the provincial office and to the offices of the communes competent for the location of the investment, on the websites of these communes, and in the local press.

Appeal against a IPIP

The parties to the IPIP appeal to a higher level body, i.e. the minister competent for construction, housing and spatial development and planning, presently the Minister of Development. Such appeal should be considered within 30 days.

If the party is dissatisfied with the minister’s decision, it may file a complaint with the Provincial Administrative Court within 30 days from the date of receiving the decision. The PAC will examine whether the province governor and minister conducted the proceedings in an appropriate and fair manner. In case the party is dissatisfied with the PAC’s judgment, it has the right to file a cassation appeal to the Supreme Administrative Court (SAC). The SAC will examine not only the correctness and legality of the proceedings conducted by the province governor and the minister, but also the decision made by the PAC.



Drawing 6. Mechanism of managing complaints at the stage of IPIP.

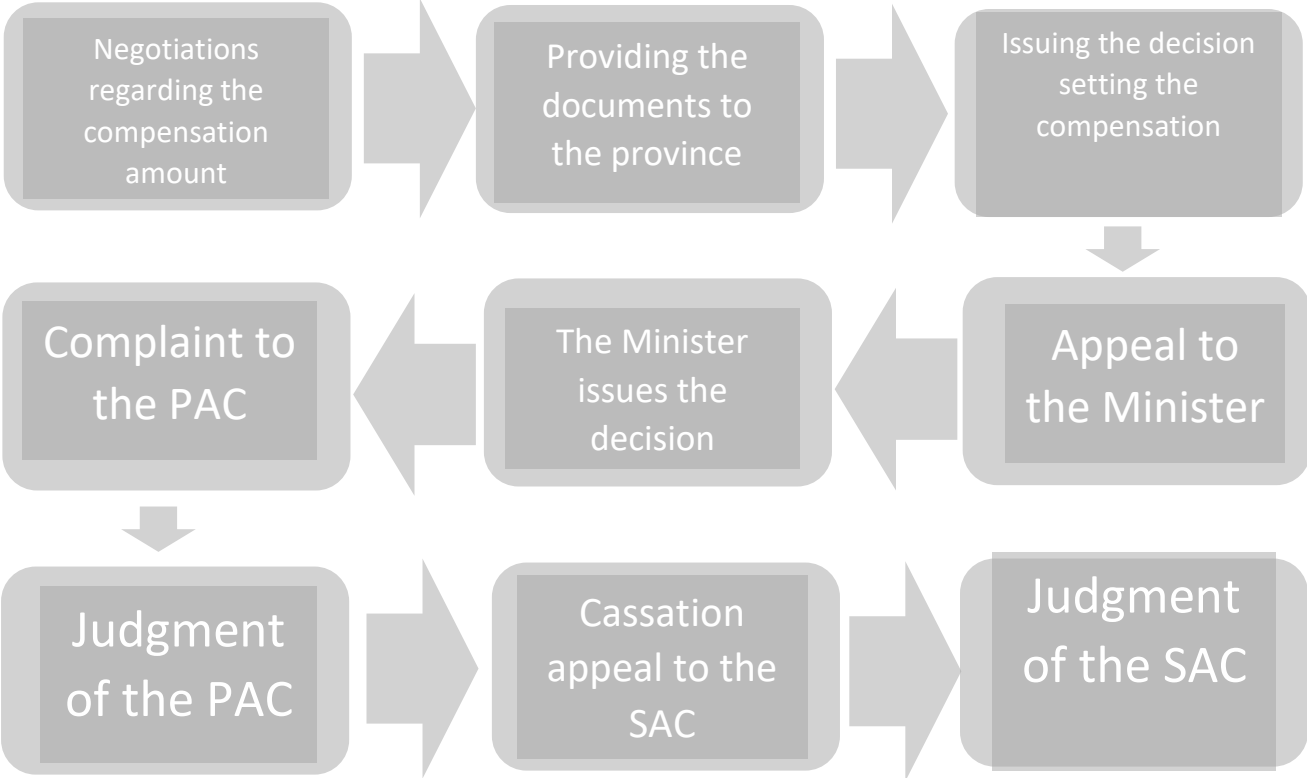
11.2.2. Determination of compensation

The party is entitled to compensation for a property dispossessed by operation of law. Determination of the amount of compensation is a consequence of negotiations conducted between the Investor and the current owner or perpetual usufructuary or person entitled to a limited property right. The amount of the compensation is determined by authorized property appraisers. The agreement shall be made in the form of a written agreement specifying both the amount of compensation and the date and methods of its payment.

If no agreement is reached within 2 months from the date when the investment permit became final, the amount of compensation is determined by the province governor by means of a decision.

The decision setting the compensation amount is issued by the province governor within 30 days of the date the above deadline expired.

After the province governor has issued a decision determining the amount of compensation, the dissatisfied party is entitled to appeal to the minister competent for construction, spatial development and housing. Should a party be dissatisfied with the ruling, it will also have the right to appeal to the Provincial Administrative Court (PAC). The PAC will examine whether the province governor and minister conducted the proceedings in an appropriate and fair manner. In case the decision by the PAC is also unsatisfactory to the parties, they have the right to file a complaint in cassation to the Supreme Administrative Court (SAC). The SAC will examine not only the correctness and legality of the proceedings conducted by the province governor and the minister, but also the decision made by the PAC.



Drawing 7. Mechanism of managing complaints at the stage of issuing the decision setting the amount of compensation and after issuing the IPIP and its finality.

It should also be pointed out that in the event of an appeal by a party, compensation in the amount resulting from the decision shall be paid to that party at its request. Payment of such amount does not affect the appeal proceedings. Consequently, the mere fact of appealing against the decision setting the amount of compensation does not prevent the payment of compensation to the entitled persons.

Detailed information on compensation for the transfer of ownership of real property to the State Treasury or a local government entity and its determination can be found in subsection 6.2.1. Property acquisition under the Flood Act.

12. Mechanism for filing complaints and requests regarding Implementation of works contract

The mechanism for filing complaints and requests regarding the construction works carried out by the Contractor will be implemented before the commencement of the construction works, and will remain in force throughout the time of execution, functioning and closing of the Task.

12.1 Place for the submission of complaints

A party may file a complaint or request in one of the following three places:

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

SWECO Consulting Sp. z o.o.
Łyskowskiego 16 Street
70-641 Szczecin

2. Directly at the Employer's office:

State Water Management 'Polish Waters'
RZGW in Szczecin
Łyskowskiego Pomorzańska 13A Street,
70-001 Szczecin

3. Directly at the site office (the address will be published on the Investment Project website, 1 month before the commencement of works).

Additionally, complaints and requests may be submitted:

by mail to the addresses indicated above; or

online:

by e-mail: ProjektBS@wody.gov.pl

e-mail: odra.szczecin@sweco.pl

There will be also a telephone information line – complaints may be submitted by calling at: +48 91 430 50 70 fax: +48 91 430 50 80

12.2 Time limits for considering complaints and requests

Time limits for considering complaints and requests:

written confirmation of the complaint receipt: within 7 days from the complaint receipt;

proposed solutions:

- if the examination of a request or complaint requires a previous explanation, the process will include collection of materials as well as analysis, studies, etc. In such an event, a reply to the complaint or request will be given in **14 days** from the date of submission;
- where no explanatory procedure is required, a reply to the complaint or request will be given in **7 days** from the date of submission;

- in particularly complex cases or if acceptance of the request or complaint requires amendments to the LA&RAP, the time limit for replying to the complaint or request will be extended **to 30 days**.

The proposed complaint registration form is presented in Appendix 1.

12.3 Persons responsible for examination of complaints and requests

RZGW in Szczecin will designate its employees (Social Matters Consultants), who will be responsible for communication with the public and for handling complaints. There will also be one person designated in the Consultant Engineer's team, having competence and experience in the field.

12.4 Audits and an independent appeal mechanism

We assume periodic internal audits (to be conducted once every six months) of the 'complaint mechanism', aimed at checking whether the implemented system is effective.

13. Project-specific data protection policy

The following principles, to be applied during the Task, aim to ensure transparency, protection and security of collected personal data of the Project Affected Persons (PAP).

Data controller

The controller of personal data is the State Water Holding 'Polish Waters' – Regional Water Management Authority in Szczecin, Tama Pomorzańska 13A Street, 70-001 Szczecin. The controller is responsible to use the data safely and in accordance with applicable laws, in particular with the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.

Contact details of the data protection officer

If you have any questions about the manner and scope of processing your personal data in connection with PGW WP operations, or about your rights, you may contact the Data Protection Officer of PGW WP on iod@wody.gov.pl

Legal basis of processing

The legal basis for processing personal data is Art. 6(1)(e) of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC in connection with Art. 6 of the Act of 21 August 2017 on real property management.

Which personal data may be collected and for what purpose

Personal data are any information of personal nature, which allows for identification of a particular person. The RZGW in Szczecin collects only these data that are necessary to carry out investment tasks implemented by the RZGW in Szczecin (in this case concerning the exercising of Works Contract 1B.2). Such data are processed only in the scope specified by the PAPs, based on their voluntary consent expressed by an appropriate form, and may cover:

- a) identity data: full name, surname and date of birth,
- b) contact data: telephone number, address of residence and/or legal domicile, e-mail,
- c) data related to the payment of compensation for permanent seizure of property: Personal Identification Number (PESEL), series and number of identity card, parents' names, account number.

The consent for the storage and processing of personal data is voluntary, but its refusal may prevent the payment of compensations or notifying the PAPs of the commencement and course of construction works.

RZGW in Szczecin only stores the current personal data of PAPs, and the PAP should inform RZGW in Szczecin of any change in their data.

Which personal data have been acquired otherwise than from the data subject and from which source(s).

To identify the owners / perpetual usufructuaries / possessors and other persons entitled to the properties that will be subject to permanent seizure or restriction on use, RZGW in Szczecin has

acquired personal data from the Land and Building Register, the electronic system of Land and Mortgage Registers and the register of inhabitants and payers of property tax maintained by the municipal offices competent for the PAP's place of residence. The obtained data include:

- a) identity data: full name, surname, parents' names (if provided in the LBR), PESEL number (if provided in the Land and Mortgage Register),
- b) changes in the data listed above: changes of surname, information about death, changes or updates of the place of residence,
- c) contact details: address of legal domicile (if provided in the LBR).

Who can be provided with the personal data

The personal data of PAPs may only be disclosed to:

- a) authorised public entities, for the purposes of their proceedings, if RZGW in Szczecin is required to provide such data under relevant regulations and documents (such as court summons, judicial order or another legal or administrative procedure),
- b) the entities involved in implementing Works Contract No. 1B.2, only insofar as necessary to carry out a specific action,
- c) postal operators, in order to notify PAPs,
- d) Consultant's representatives and lawyers, in order to support implementation of the Works Contract and to pay compensations.

Personal data will not be transferred to third countries or international organisations.

What are the rights of a data subject

Each PAP has the following rights:

- a) right of access to his or her personal data, their update and rectification,
- b) right to erasure ('right to be forgotten') or transmit the data to another controller,
- c) right to restriction of processing of his or her personal data – some data may be designated as restricted for processing only in certain circumstances,
- d) right to lodge a complaint for the processing of his or her data by RZGW in Szczecin, with the data processing supervisory authority, if the PAP considers that the processing of his or her personal data infringes the provisions of the General Data Protection Regulation of 27 April 2016 (as defined above),
- e) withdraw at any time the authorisation for RZGW in Szczecin to process his or her personal data.

Data of the PAPs will not be subject to automated decision-making (profiling).

Contact details of the supervisory authority competent for receiving complaints

President of the Office for Personal Data Protection

ul. Stawki 2

00-193 Warsaw

phone: 22 531 03 00 fax 22 531 03 01

Office working hours: 8:00-16:00

Helpline: 606-950-000 available on business days from 10:00-13:00

Period of retention of personal data

Personal data will be retained until the date of prescription of PAP's claims for damages.

14. Monitoring and assessment

The monitoring of LA&RAP implementation is an integral part of the Contract monitoring and management system. In consequence, the monitoring process will use tools applied in monitoring the implementation of the Contract, which is aimed at reporting to sponsoring undertakings and delivering current information about any issues, contingencies and irregularities. LA&RAP is an integral part of the investment process, which allows for an immediate response in case of discovering problems or irregularities. It is also fundamentally important to ensure appropriate cooperation between the Consultant, PIU and PCU. A diagram of the flow of monitoring information is presented below. General monitoring and assessment procedures are elaborated in the 'Land Acquisition and Resettlement Policy Framework', available on

http://www.odrapcu.pl/doc/OVFMP/Ramowy_dokument_dotyczacy_Przesiedlen_i_Pozyskiwani_a_Nieruchomosci.pdf



Drawing 8. Monitoring of LA&RAP implementation

An essential role for monitoring the LA&RAP implementation is played by Consultant's and PIU's recording of facts and events, in particular through a register of correspondence, register of complaints, register of progress in acquiring titles to dispose of the property for construction purposes, and register of progress in compensation payment. Data included in such registers are taken into account during the preparation of data on the number of acquired real properties and the amount and type of provided compensation. Any changes must be recorded in the registers. The registers are used to thoroughly monitor the following parameters:

- a) the number of real properties to be dispossessed and already dispossessed,
- b) the number of persons to be resettled and already resettled,
- c) the number of properties to be temporarily acquired (planned and achieved),
- d) the amount of all expenses on the resettlement process (planned and achieved),
- e) compensations paid for the loss of title to property,
- f) compensations paid for the loss of income source,

- g) other compensations paid in connection with the investment project,
- h) the degree and status of protective measures,
- i) substitute properties acquired and awarded,
- j) the number of complaints.

The LA&RAP monitoring system so shaped allows for a rapid response in the event of issues and for smooth reporting within the existing Contract management systems. The reports are provided by the RZGW in Szczecin to the PCU, which must regularly report to the World Bank. The document will be updated quarterly.

The main indicators to be monitored with regard to the Contract carried out by RZGW in Szczecin as part of Task 1B.2 are shown in the following table.

Indicator	Information source	Monitoring frequency	Progress indicator
Parameters assumed			
The number of real properties acquired	Civil-law contracts , Consultant's Records	Monthly/Quarterly	Quantity (pcs.)
The number of Project Affected Persons (PAP)	Land and Mortgage Registers, excerpts from land register, fishing permits, excerpts from business registers, visits on task site	Continuous updates during the arrangement and payment of compensations	Quantity
The amount of all expenses on resettlement, including compensations (planned)	Consultant's Records	Monthly/Quarterly	PLN
Parameters achieved			
The amount of all expenses on resettlement, including compensations (actual)	Investor's financial records	Monthly/Quarterly	PLN
The number of real properties acquired	Investor's/Consultant's Records	Monthly/Quarterly	Quantity (pcs.)
Performance indicators			
Number of complaints	Investor's/Consultant's Records	Monthly/Quarterly	Quantity (pcs.)
Number of complaints examined	Investor's/Consultant's Records	Monthly/Quarterly	Quantity (pcs.)

Compensations paid, other	Investor's financial records	Monthly/Quarterly	PLN
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The results of the monitoring will be presented in monthly and quarterly reports. The *ex-post* assessment will be conducted six months after complete implementation and achieving the objectives of the LA&RAP; it will be evaluated and will cover the documenting of actions which directly affected the PAPs, to check whether we managed to restore a level of life equal to or higher than that from before the Project.

15. Costs and budget

Item	Compensation amount	Total (PLN)
Value of the ownership of or rights in the property	No data*	No data*
Rental Compensation	No data	No data
Court fees	No data	No data
LA&RAP implementation costs**	Not applicable	No data
Unforeseen costs	No data	No data

* the compensation amount will be set by an independent property appraiser, set in a written agreement or decision issued by the competent province governor, and paid prior to the actual taking of land,

** The cost of information campaign (correspondence with PAPs), the cost of postal orders sent to persons not having a bank account, etc.

The funds will be acquired from the International Bank for Reconstruction and Development, the Council of Europe Development Bank and the State Budget.

Compensations will be paid by the Investor – RZGW in Szczecin. The funds are guaranteed by the State Treasury and distributed to ‘Polish Waters’ through the Ministry of Finance and the Ministry of Maritime Economy and Inland Waterways.

A PAP receives compensation by transfer made from the account of RZGW in Szczecin to a specified bank account or, if the PAP does not have a bank account, by a cheque which the PAP uses to collect cash directly from the bank.

16. Schedule for the implementation of the LA&RAP

The following table presents all steps necessary to prepare and implement the LA&RAP, according to the LA&RPF.

LA&RAP PREPARATION			
Steps	Activity	Responsibility	Verification of completed activities
1	Preliminary assessment of the Task's social impacts	Consultant – Real Property Team	RZGW – LA&RAP Verification Team
2	Setting the final scope of expropriation and drafting the building permit design	Designer/Consultant	RZGW – LA&RAP Verification Team
3	Setting the framework of coordinating LA&RAP implementation with competent state authorities	PIO, RZGW	RZGW – LA&RAP Verification Team
4	Collecting excerpts from the LBR and from land development plans	PIO, RZGW	RZGW – LA&RAP Verification Team
5	Assessing the social effects of the Task	Consultant – Real Property Team	RZGW – LA&RAP Verification Team
6	Verification and update of collected materials, impact reports and economic analyses	Consultant – Real Property Team	RZGW – LA&RAP Verification Team
7	Preparation of draft LA&RAP	Consultant – Real Property Team	RZGW – LA&RAP Verification Team
8	Public consultation on the LA&RAP upon the Bank's prior approval	Consultant – Real Property Team	RZGW – LA&RAP Verification Team
9	As far as the comments and requests on the LA&RAP are accepted – verification and update of collected materials, impact reports and economic analyses	Consultant – Real Property Team	RZGW – LA&RAP Verification Team
10	As far as the comments and requests on the LA&RAP are accepted – amending the LA&RAP	Consultant – Real Property Team	RZGW – LA&RAP Verification Team
11	Submitting the LA&RAP to the World Bank	PIO, RZGW	PCU
12	No comments by the World Bank	WB	–
13	Publication of the LA&RAP	PIO, RZGW	–

LA&RAP Implementation			
Steps	Activity	Responsibility	Verification of completed activities
1	Setting a detailed schedule of LA&RAP implementation	Consultant – Consultant Engineer's Real Property Team	RZGW – LA&RAP Monitoring & Implementation Team
2	Submitting the application for the IPIP	PIO, RZGW	RZGW – LA&RAP Monitoring & Implementation Team
3	Obtaining of BP	PIO, RZGW	RZGW – LA&RAP Monitoring & Implementation Team
4	Notifying PAPs of obtaining IPIP, of their effects and of further actions planned by the Employer	Consultant – Consultant Engineer's Real Property Team	RZGW – LA&RAP Monitoring & Implementation Team
5	Valuation of outlays on property performed by independent property appraisers according to applicable laws, and verification of the valuation	Consultant – Consultant Engineer's Real Property Team	RZGW – LA&RAP Monitoring & Implementation Team
6	Providing Project Affected Persons with appraisal reports and carrying out negotiations	Consultant – Consultant Engineer's Real Property Team	RZGW – LA&RAP Monitoring & Implementation Team
7	If the negotiations are unsuccessful, informing the PAPs of the procedure for determining compensation by the province governor and the procedure for bringing any appeal	Consultant – Consultant Engineer's Real Property Team	RZGW – LA&RAP Monitoring & Implementation Team
8	Payment of compensation or providing substitute properties, launching other compensation and protection measures provided for in the LA&RAP	PIO, RZGW	RZGW – LA&RAP Monitoring & Implementation Team
9	Actual takeover of the acquired properties and commencing works under a civil-law contract and the building permit	RZGW supported by Consultant Engineer	RZGW – LA&RAP Monitoring & Implementation Team
10	Evaluating LA&RAP implementation	Consultant – Consultant	RZGW – LA&RAP Monitoring &

		Engineer's Real Property Team	Implementation Team
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RECURRING TASKS			
Steps	Activity	Responsibility	
1	Continuous internal monitoring of LA&RAP implementation	Consultant – Consultant Engineer's Real Property Team	RZGW – LA&RAP Monitoring & Implementation Team
2	Reporting to the World Bank	RZGW – LA&RAP Monitoring & Implementation Team	PCU
3	Continuous coordination with state and local government authorities	RZGW – LA&RAP Monitoring & Implementation Team	PCU
4	Ongoing communication with PAPs	Consultant – Consultant Engineer's Real Property Team	RZGW – LA&RAP Monitoring & Implementation Team

FOLLOW-UP TASKS			
Steps	Activity	Responsibility	Verification of completed activities
1	Evaluating LA&RAP implementation	Independent external auditor	World Bank

17. Annexes number 1 FORM FOR THE SUBMISSION OF COMPLAINTS TO THE CONSULTANT (BASED ON GUIDELINES OF THE WB)

Case no. _____	
Full name <i>Note: the complaint may be filed on an anonymous basis or you may demand that your data not be disclosed to third parties without your consent</i>	Complainant's first name _____ Complainant's surname _____ I would like to file the complaint anonymously _____ I request that my personal details shall not be revealed without my consent
	Contact details <i>Please indicate the method you should be contacted (e-mail, telephone, regular mail)</i>

Preferred language of communication	Polish German English Other (please specify)
Description of the subject matter the time of occurrence,	Subject-matter of the case/complaint, including location concerned by the case/complaint, persons involved in the case and the effects of the situation
Date of the event / occurrence of the complaint subject / occurrence of the case	
	One-off event / complaint (date: _____) The event occurred more than once (please specify how many times: _____) Ongoing (currently existing problem)
What measures would solve the issue in our opinion?	
Signature: _____ Date: _____ Please forward this form to: [Full name] OHS Inspector [Company name] Address: _____ Tel.: _____ or E-mail: _____	

Annexes:

1. Annex no. 1 – Complaint form (contained in Section 17 of the LA&RAP);
2. Annex no. 2 – PAP entitled to compensation (anonymized);
3. Annex no. 3 – Properties planned to be acquired;
4. Annex no. 4 – Socio-economic study;
5. Annex no. 5 – list of properties to be covered by the investment project;
6. Annex no. 6 – Consultation report.

