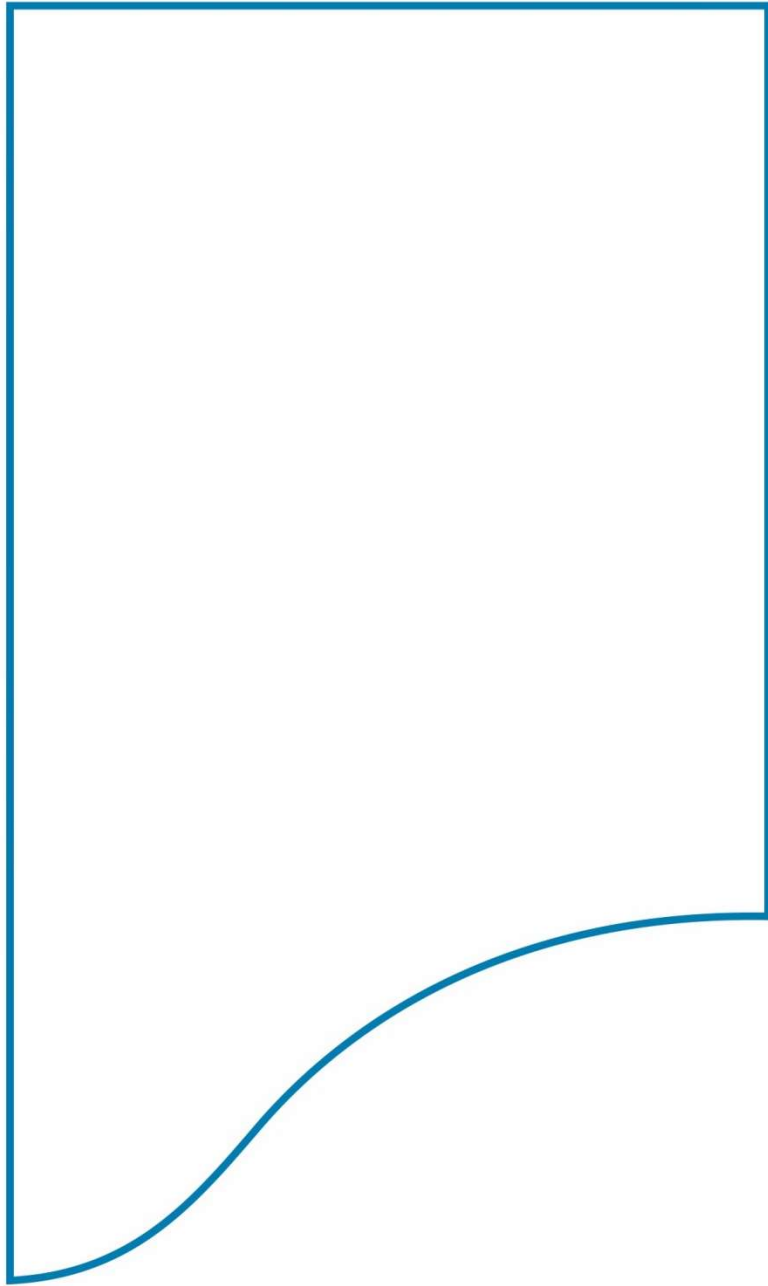


LAND ACQUISITION AND RESETTLEMENT ACTION PLAN



ODRA - VISTULA FLOOD MANAGEMENT PROJECT



Projekt Ochrony
Przeciwpowodziowej
w Dorzeczu Odry i Wisły



Państwowe
Gospodarstwo Wodne
Wody Polskie



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LAND ACQUISITION AND RESETTLEMENT ACTION PLAN

DOCUMENT DRAFT

ODRA-VISTULA FLOOD MANAGEMENT PROJECT

THE LAND ACQUISITION AND RESETTLEMENT ACTION PLAN IS PREPARED FOR THE WORKS CONTRACT IMPLEMENTED BY THE STATE WATER HOLDING POLISH WATERS REGIONAL WATER MANAGEMENT AUTHORITY IN WROCLAW

COMPONENT 1:

FLOOD PROTECTION OF THE MIDDLE AND LOWER ODRA

SUB-COMPONENT 1B.8:

FLOOD PROTECTION OF KROSNO ODRZANSKIE

CONTRACT 1B.8:

Flood Protection of Krosno Odrzanskie

ISSUE	DATE	AUTHORS	VERIFIED BY	CLIENT'S APPROVAL	DESCRIPTION
I	08.07.2020	Marcel Gudzowski	Izabela Pawlak	YES	
II	22.12.2021	Marcel Gudzowski	Izabela Pawlak	YES	

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PIU OVFMP

Technical Assistance Consultant –SWECO POLSKA Sp. z o.o.

ODRA-VISTULA FLOOD MANAGEMENT PROJECT CO-FINANCED BY:

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1. List of abbreviations

APC	Act of 14 June 1960 — Administrative Proceedings Code (unified text, Journal of Laws of 2020, item 256 as amended)
BŚ	See <i>World Bank</i>
CC	Act of 23 April 1964 — Civil Code (unified text, Journal of Laws of 2019, item 1145 as amended)
Contract	Contract 1B.8: “Flood Protection of Krosno Odrzańskie
Contractor	A company or legal entity performing a task under the Contract 1B.8: Flood Protection of Krosno Odrzańskie
CSO [GUS]	Central Statistical Office
EIA	Environmental Impact Assessment
Employer	State Water Holding Polish Waters Regional Water Management Authority in Wrocław, ul. Norwida 34, 50-950 Wrocław
Engineer	See <i>Consultant</i>
EU	European Union
GDEP [GDOŚ]	General Directorate for Environmental Protection
GIS	Geographic Information System— a site information system consisting of a site-specific database and procedures and techniques for the systematic collection, updating and sharing of data.
IPIP	Investment Project Implementation Permit in the scope of flood protection structures
Joint Venture/Consultant	Sweco Consulting Sp. z o.o., ul. [Street] Roosevelta 22, 60-829 Poznań
LARAP	LAND ACQUISITION AND RESETTLEMENT ACTION PLAN
LARPF	<i>Land Acquisition and Resettlement Policy Framework</i>
MaxPP	Maximum damming level
NBP	National Bank of Poland
NGO	<i>Nongovernmental Organization</i>
OP 4.12	Marking of the document setting out the rules for involuntary resettlement required under co-financing of the task with the World Bank loan: Operational policy 4.12 – involuntary resettlement.
OVFMP	Odra-Vistula Flood Management Project
PAP	<i>Project Affected Person(s)</i>
PCU	Project Coordination Unit of the Odra-Vistula Flood Management Project (PCU OVFMP)
PIU/Investor	State Water Holding Polish Waters Regional Water Management Authority in Wrocław, ul. [Street] Norwida 34, 50-950 Wrocław
PMA	The Act of 21st August 1997 on real property management (unified text, Journal of Laws of 2020, item 65 as amended)
POM	Project Operational Manual
POPDOWN	Odra-Vistula Flood Management Project - OVFMP
Project:	See <i>OVFMP</i>
Property appraiser/expert	A natural person with state professional qualification in property appraising
RDEP [RDOŚ]	Regional Directorate for Environmental Protection
RZGW WR/PGW WP RZGW	Regional Water Management Authority in Wrocław
SAC [NSA]	Supreme Administrative Court
Special Flood Act	The Act of 8th July 2010 on special principles of preparation for implementation of flood protection structures constructions investments (unified text, Journal of Laws of 2019, item 933 as amended)

Structure	Building structures within the meaning of Article 3(1) of the Construction Law of 7 July 1994 (unified text Journal of Laws of 2019, item 1168).
TO	Permanent restrictions on the use of property
VAC [WSA]	Voivodeship Administrative Court
World Bank	International Bank for Reconstruction and Development

2. List of key definitions

The following key definitions are used in this document:

Property price – an amount negotiated with the real property owner to its benefit for a respective real property or any part thereof, based on the value of the said real property estimated by an authorised real property appraiser. The amount of compensation for the property shall not be less than the cost of replacing the lost asset without taking into account the depreciation of the asset resulting from the age, condition or other asset-related factor.

Cut-off date – the date on which the inventory of assets and the inventory of persons affected by the Project was completed. People who are in the area where the project is to be carried out after the cut-off date, shall not be entitled to compensation or other forms of assistance. Similarly, no compensation will be paid for fixed assets (such as buildings, plants, fruit trees and trees) after the date of completion of the inventory, or alternatively after the agreed date.

Economic relocation – the loss of more than 20 % of agricultural land where the income of the Person Affected by the Project (PAP) is largely agricultural.

Physical relocation – loss of residence or commercial premises such as shops or workshops or facilities needed to generate revenue.

Groups requiring specific assistance – people who, because of: sex, ethnic group, age, mental or physical disability, the difficult material situation or social position are more vulnerable to the adverse effects of resettlement than other groups and may have limited possibilities to claim or receive resettlement assistance or to take advantage of the possibility of participating in the benefits related with the investment.

Resettlement cost – extent of compensation for lost goods/real properties, covering a replacement value of such goods/real properties as well as resettlement performance costs and related costs. (see also Replacement Value).

Social impact – in the light of OP 4.12, any loss, either economic and social, resulting from the expropriation of property, the permanent restriction of the current use or access to property, is considered to be social impacts linked to expropriation.

Compensation – paid in money or in the form of a replacement real property which is a substitute for real properties acquired or affected by the Project. Such compensation is disbursed while a respective real property must be released by the owner, PGW WP RZGW in Wrocław. Pursuant to Polish law, compensation within this scope, can be disbursed since expropriation decision becoming final and in all the cases – prior to the acquisition of such real property and its occupation for construction purposes.

OP 4.12 Involuntary resettlements – Operational Policy outlining main principles and procedures, forming a basis of WB approach to involuntary land acquisition connected with investment projects.

Project affected person (PAP) – every person who, as a result of the project implementation, is deprived of the right of ownership or loses other benefits connected with the infrastructure held (residential, agricultural or breeding), loss of annual or multi-annual harvests and crops or other related or moveable assets, in whole or in part, permanently or periodically. Local community members or other persons affected by investment activities may also be considered as PAP.

Natural person - legal identification of a person in civil law, from birth to death.

Legal person - legal persons are the State Treasury and the organizational units to which special provisions grant legal personality.

Income – any money received, such as a pension, remuneration for work, as well as a gain received in the course of business or agricultural activities on properties, including the sale of such property.

Involuntary resettlement – a resettlement is involuntary when it is carried out without the consent of a person being resettled (against their will) or as a result of expressing such consent involuntarily (without a possibility of expressing their objections towards resettlement), e.g. through expropriation.

Land Acquisition and Resettlement Policy Framework (LARAPF) – a document approved by the World Bank based on which this Land Acquisition and Resettlement Action Plan is being developed. Based on the LARPF, a formal framework for the property acquisition was established. All cases of land occupation, either permanent or temporary, will undergo procedures based on Polish regulations and WB OP 4.12 and in this LARPF.

Replacement value - compensation for the loss of assets is based on their market value plus 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). Replacement value is the amount needed to replace lost assets without taking into account depreciation of assets arising from age, condition or other asset-related factors.

Expropriation - consists in depriving of or restricting an ownership right, which a respective person is entitled to concerning a specific real property under an individual legal act.

Purchase / Voluntary sales – a transaction of a charged acquisition of a right to a real property from its owner / possessor for a price mutually agreed in a situation where such an owner has the right to refuse such a transaction (i.e. willing buyer / willing seller). If expropriation is necessary, the acquisition shall not be considered voluntary. Property resources (according to PMA) – public property resources the legislator authorized in Article 20 of the PMA.

3. Introduction

This document is the Land Acquisition and Resettlement Plan (LARAP) prepared for the Contract 1B.8 Flood Protection of Krosno Odrzańskie, implemented by PIU/RZGW Wrocław/PGW WP (Investor) as part of the Odra-Vistula Flood Management Project (OVFMP), co-financed by the International Bank for Reconstruction and Development (World Bank) (loan agreement of 10 September 2015), Council of Europe Development Bank (CEB) (loan agreement of 24 May 2016) and the state budget. The scope of the study applies only to Contract 1B.8 and does not apply to the entire OVFMP.

The main goal of the OVFMP is protection of people living in floodplains, in the selected areas of river basins of two largest rivers in Poland - the Vistula and the Odra - against serious floods. OVFMP includes the following five Components:

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

The Components consist of Sub-components. As part of Component 1, the following three Sub-components have been identified designated as:

- 1A (Flood protection of areas in Zachodniopomorskie Voivodeship),
- 1B (Flood Protection of Middle and Lower Odra River) and
- 1C (Flood protection of Słubice city) Nomenclature of the components and sub-components is indicated in accordance with the Project Operations Manual entitled: "The Odra-Vistula Flood Management Project", published at:

https://odrapcu.pl/wp-content/uploads/2021/07/POM_ENG_2021_e-book.pdf

The works Contract 1B.8 will be implemented as part of Component 1, Subcomponent 1B Flood Protection of Middle and Lower Odra River.

All Tasks under Subcomponent 1B comprehensively solve the problems related to flood protection, covering the areas most at risk of flooding. Subcomponent 1B includes the following Tasks:

- 1B.1/1 (a) – Reconstruction of river control infrastructure on the Odra River. Adaptation to the conditions of Class III waterway, on the section from the village of Ścinawa to the estuary of the Nysa Łużycka River – Stage II.
- 1B.1/1 (b) - Reconstruction of the road bridge in Krosno Odrzańskie with access road.
- 1B.2 - Modernization works on boundary sections of Odra River, Stage 1 - Modernization works on boundary sections of Odra River to provide good conditions for ice-breaking in winter.
- 1B.3/1 - Construction of mooring base for icebreakers.
- 1B.3/2 - The construction of docking - mooring infrastructure on the Lower Odra River and on boundary sections of Odra River as well as new aids to navigation.
-
- 1B.4/2 - Dredging of the Klucz-Ustowo ditch.
- 1B.5/1 - Reconstruction of bridge to ensure a minimum clearance - railway bridge at km 733.7 of the Regalica River in Szczecin.
- 1B.5/2 - Reconstruction of bridge to ensure a minimum clearance – road bridge at km 2.45 of the Warta River in Kostrzyn nad Odrą.
- 1B.5/3 - Reconstruction of bridge to ensure a minimum clearance - Railway bridge at km 615.1 of the Odra River in Kostrzyn nad Odrą.
- 1B.6/1 - Flood protection of Nowa Sól and below Krosno Odrzańskie - Nowa Sól stage I and II,
- 1B.6/2 - Flood protection of Nowa Sól and below Krosno Odrzańskie - Wężyska-Chlebowo
- 1B.7 - WFS Widawa – the rebuilding of the flood management system of the communes and municipalities Czernica, Długoleka, Wisznia Mała and Wrocław
- 1B.8 Flood protection of Krosno Odrzańskie
- 1B.9 - Modernization of the flood embankment along the Ślężoujście Street with road infrastructure.

3.1 Contract description

This LARAP has been prepared for the Contract: 1B.8: Flood Protection of Krosno Odrzańskie implemented as part of the *Odra-Vistula Flood Management Project*. It is included in Component 1: Flood protection of the Middle and Lower Odra, Subcomponent 1.B: Flood Protection of the Middle and Lower Odra.

The Contract shall be implemented by the State Water Holding Polish Waters Regional Water Management Authority in Wrocław. The works will be carried out in two municipalities: the rural and urban municipality of Krosno Odrzańskie and Dąbie. The two municipalities are located in the Krosno powiat (county), in the Lubuskie Voivodeship. The purpose the investment is the flood protection of Krosno Odrzańskie.

The purpose of the Contract is:

- Construction of infrastructure for flood protection in Krosno Odrzańskie;
- Improving the effectiveness of flood protection and direct flood risk protection;
- Reducing the risk of environmental losses;
- Improving the feeling of security of the population;
- Creating the conditions for socio-economic development by improving the living conditions and quality of life of its residents,
- Enhancing investment and tourism attractiveness, ensuring harmonious socio-economic development of the areas affected by the Project.

The implementation of the Contract will require the acquisition of land, but will not result in the physical resettlement of households and will only involve a small degree of permanent occupation of land used for agricultural purposes (arable land and meadows).

130 properties or parts of properties will be expropriated in the course of the Contract. The Investor obtained the decision of the Lubuskie Voivodship of 11 June 2019, no: 12/2018 Investment Project Implementation Permit in the scope of flood protection structures of the whole Project. Information about the decision was sent to each PAP informing them of the possibility to review it and to appeal it to the Minister of Development, Labor and Technology via the issuing authority within 14 days of its receipt. No appeal has been lodged by any of the PAP and it became final on 13 July 2019.

Under the Contract, expropriation consisting in deprivation of the ownership right will cover 20 private properties, with the following characteristics of the owners:

- 11 properties were jointly owned by the spouses, of which one married couple owned 3 properties, another couple owned 2, and each of the remaining married couples owned one,
- 5 were individual properties,
- 3 constituted non-marital co-ownership,
- 1 was jointly owned by a married couple and a natural person

Expropriation consisting in deprivation of the right of perpetual usufruct concerns 5 properties, 3 of which were used by commercial companies, 1 was used by a married couple and 1 was used jointly by 2 married couples and one natural person.

Significant impacts concern 10 households and the following properties:

- 52/1 - marital co-ownership,
- 212/2, 212/3 - marital co-ownership,
- 208/1 - marital co-ownership,
- 229/1 - marital co-ownership,
- 253/2 - marital co-ownership,

- 283/1 - marital co-ownership,
- 234/1 - joint ownership of two natural persons,
- 267/1 - joint ownership of two natural persons,
- 116/7 - joint ownership of two marriages and one natural person,
- 235/5 - joint ownership of a married couple and one natural person.

A total of 24 people.

The significance of social impacts results from the adopted criteria, i.e.: in the case of farms, impacts are considered significant if more than 10% of the production area of a farm or resources is lost, or if a property division line runs in a way that prevents agricultural/pomicultural production on the property. In the case of wastelands and properties other than agricultural, the loss of more than 20% of land should be considered significant. In order to introduce the division into significant and insignificant impacts, the value of 10% was adopted in accordance with the Operational Policies of the World Bank, as for some inhabitants who run farms, the loss of 10% or more of the farm's production area results in a certain reduction of income from agricultural crops; however, it does not significantly affect the economic profitability of farming due to the surface structure of these homesteads. When assessing the impacts and classifying them as significant and insignificant, reference was made to the total area of the farm, not only to the plots affected by the investment in question. The actual use of these properties was also analyzed along with the identifying the source of household income.

Based on direct interviews with PAPs, no particularly vulnerable persons were found. Also, no economic or physical resettlement will take place.

The ownership structure of all expropriated plots is as follows:

The municipality of Krosno Odrzańskie - 92,
Dąbie Commune - 3,
The State Treasury -15
Natural persons - 20.

As for the areas of the expropriated plots, they are as follows:

- the total area of all plots is: 26.4393 ha,
- the area of private plots is: 1.5366 ha,
- the area of plots owned by the State Treasury is: 10.8329 ha,
- the area of plots of the Dąbie Commune is: 0.2206 ha,
- the area of plots of the Krosno Odrzańskie municipality is: 13.8492 ha.

For the Contract - 1B.8, the following were identified:

- 116 plots where owners or perpetual usufructuaries are entitled to compensation;
- 62 plots where owners or perpetual usufructuaries are entitled to compensation for permanent limitations on property management or for temporary occupation

The number of entities entitled to compensation for the Task results mainly from the linear characteristic of the investment.

A detailed list of persons entitled to compensation is included in Appendix 2 to this LARAP. However, this annex is not subject to publication due to the protection of personal data.

3.2 Planned works

A total of 14 flood protection structures (9 flood protection embankments and 5 bypass channels) to prevent flooding or local flooding in the area of 60 ha, situated within the municipality of

Krosno Odrzańskie and the municipality of Dąbie, are to be constructed. Detailed information on the impacts related to particular works can be found in Appendix 1 (column 2).

I. Description of newly built flood protection structures – i.e. flood protection embankments:

- 1.** Embankment I at km 0+000-1+279 – from the bridge on the left bank of the Odra River, in the course of Ariańska Street in the downstream direction, then along the right bank of the bypass channel 1 up to the bridge N-2 in Bohaterów Wojska Polskiego Street.
- 2.** Embankment II at km 0+000 ÷ 1+387.6– from the bridge on the left bank of the Odra River, in the course of Ariańska Street upstream and then along the western edge of the Połupin Polder, further along the right bank of the bypass channel 1 to the bridge N-2 in Bohaterów Wojska Polskiego Street.
- 3.** Embankment III at km 0+000 - 0+454.3 - the embankments route is located on the left bank of Bypass channel 1, from the bridge N-2 in Bohaterów Wojska Polskiego Street upstream of the Channel, further on the eastern edge of the city from the Połupin Polder, and then along the right bank of the Bypass channel 2 to the bridge N-3 in Bohaterów Wojska Polskiego Street.
- 4.** Embankments IV at km 0+000 - 0+757 - the route starts on the left bank of the Bypass channel 3, runs down from the bridge N-4 in Bohaterów Wojska Polskiego Street, further along the bank of the left-hand side of the Bypass channel 2, and then runs up the right edge of the new route of the Bypass channel 4 and reaches the road's body Bohaterów Wojska Polskiego Street.
- 5.** Embankment V at km 0+000 - 0+123.9 - the route runs on the left bank of the Bypass channel 2 from the bridge N-3 in Bohaterów Wojska Polskiego Street upstream the Channel, then the west bank of the Połupin Polder, further along the right bank of the Bypass channel 3 - to the bridge N-4 which is also situated in Bohaterów Wojska Polskiego Street.
- 6.** Embankment VI at km 0+000 - 0+352.7 - starts on the left bank of Bypass channel 3 from bridge N-4 in Bohaterów Wojska Polskiego Street upstream the Channel, then the west bank of the Połupin Polder, further along the right bank of the Bypass channel 4 - to road's body in Bohaterów Wojska Polskiego Street.
- 7.** Embankment VII at km 0+000 ÷ 1+304.7– the route runs from the arched river bridge within the crossing of Bohaterów Wojska Polskiego (county road) with the national road No. 29, further along the edge of the embankment of the county road (Bohaterów Wojska Polskiego Street) to a crossroads with the road to Raduszec, then along the road to Raduszec, then changes direction and runs along the eastern edge of the town towards channel no. 4 to change direction again along the left bank of the Bypass channel no. 4 up the channel and reaches the bridge N-5 located in the course of Bohaterów Wojska Polskiego Street.
- 8.** Embankment VIII at km 0+000 - 0+190.3 - start of embankments at left bank of channel 4 from bridge N-5 in Bohaterów Wojska Polskiego Street (national road no. 29), upstream the Channel no. 4, then changes direction to the south and runs along the western bank the Połupin Polder and changes direction again to the main national road's body - Bohaterów Wojska Polskiego Street.
- 9.** Embankments IX at km 0+000 - 0+076.8 - is located on the western side of the national road No. 32 in Bohaterów Wojska Polskiego Street. It starts on the left bank and from the lower water of the N-2 bridge and runs southwards on plot 232 and reaches the building at the border of plot 231/1.

II. Description of the enclosed or reconstructed banks of the bypass channels together with the installation of anti-backwater flaps on the existing rainwater drainage system:

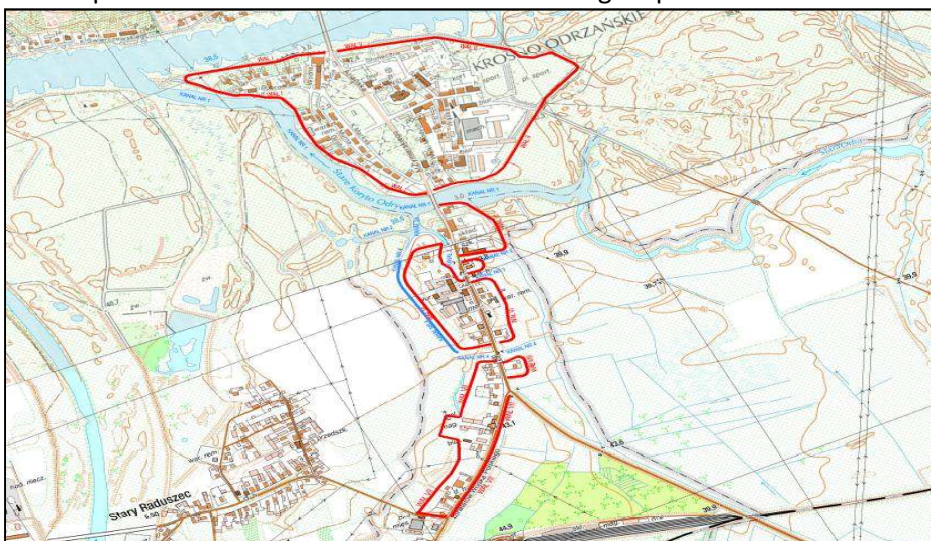
1. Bypass channel No. 1: km 0+072 ÷ 1+257 - also called the City Channel - the reconstruction covers its section from the estuary to the Odra river is mainly on the left bank below the bridge in Ariańska Street upstream above N-2 bridge to the Połupin Polder.
2. Bypass channel No. 2: km 0+169.3 ÷ 0+551.9 – flows into the valley of the river Odra and through the short connecting Channel 2a, it is also the left-bank tributary to the Bypass channel no. 1. It starts in the Odra River valley and on the left side of the Bypass channel no. 1 below N-2 bridge, ends from the side of the Połupin Polder above the N-3 bridge. The reconstruction is carried out on the middle and upper sections of the Channel. Cleaning and maintenance is planned up to km 0+169.3 and rebuilding with reinforcement is planned for the remaining part.
3. Bypass channel No. 2a: is a short connecting channel between Channel no. 2 and Channel no. 1 of approximately 60m in length. The entire section of the Channel is covered by the reconstruction.
4. Bypass channel No.3: km 0+000-0+165 - serves as a flood route from the Połupin Polder to N-4 bridge. Below the bridge N-4, there is a Bypass channel no. 2.
5. Bypass channel No. 4: km 0+000-0+792.8 - serves as a flood route from the Połupin Polder to N-5 bridge. Below the bridge N-5, there is a Bypass channel no. 2.

A total of 5 926.3 m of flood embankments will be built and 2 757.8 m of bypass channels will be rebuilt or reconstructed.

3.3 Contract implementation area

The investment will take place in the left-bank part of the Odra valley, between km 513.5 and 514.7 of the Odra river, in the south part of the city of Krosno Odrzańskie, in the Lubuskie Voivodeship, Krosno county (powiat), in the municipality of Krosno Odrzańskie, in the cadastral district 0002 – Krosno Odrzańskie city, 0016 – Stary Raduszec and in the municipality of Dąbie in the cadastral district 0013 – Połupin.

The scope of the Contract is shown in the following map:

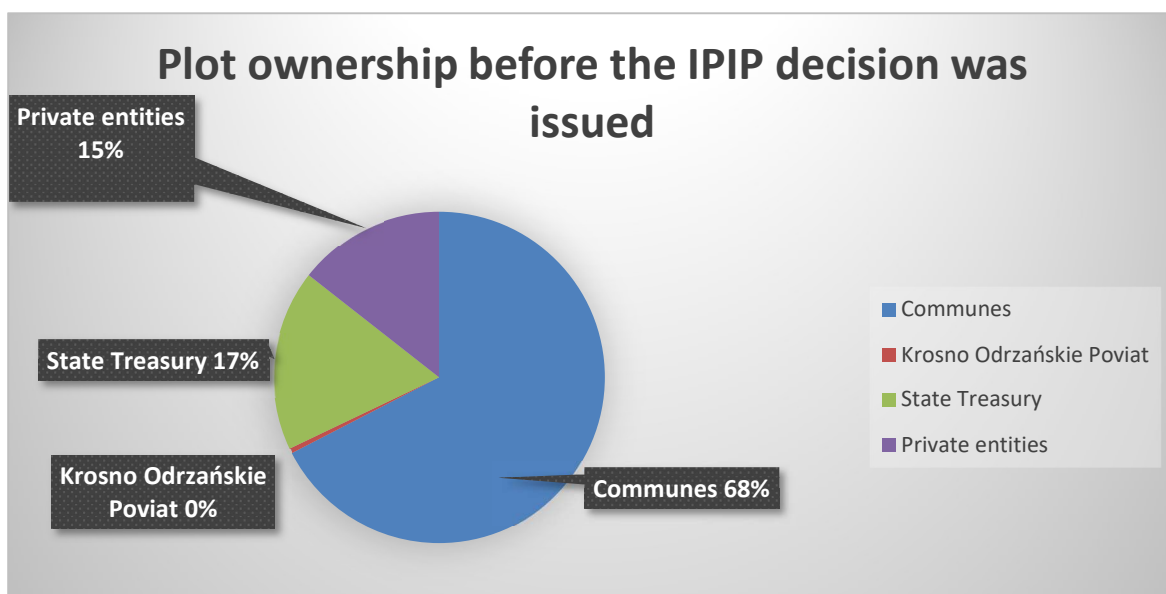


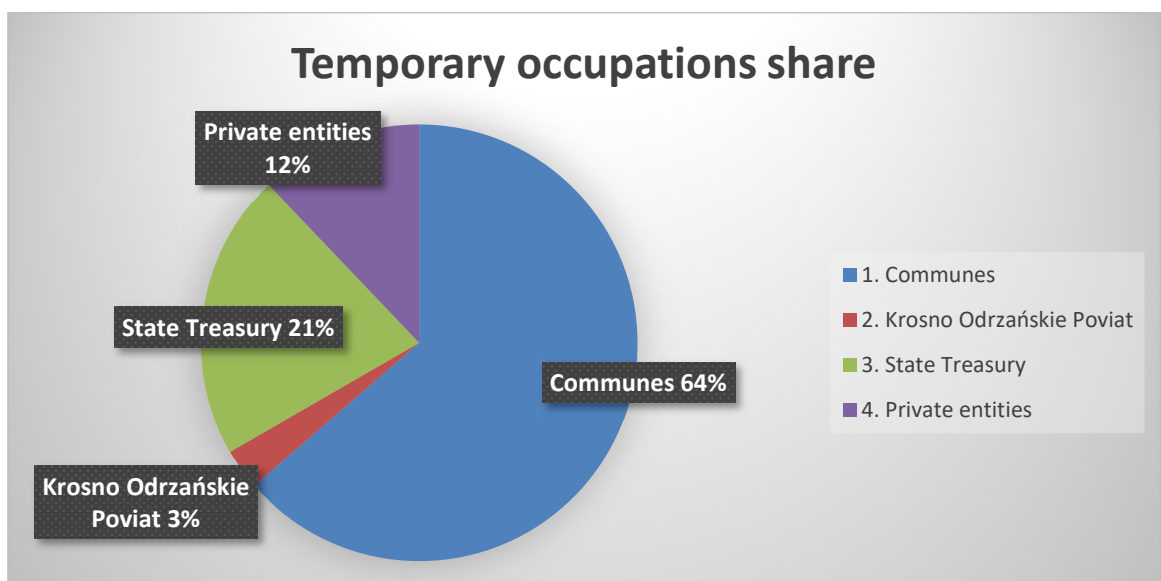
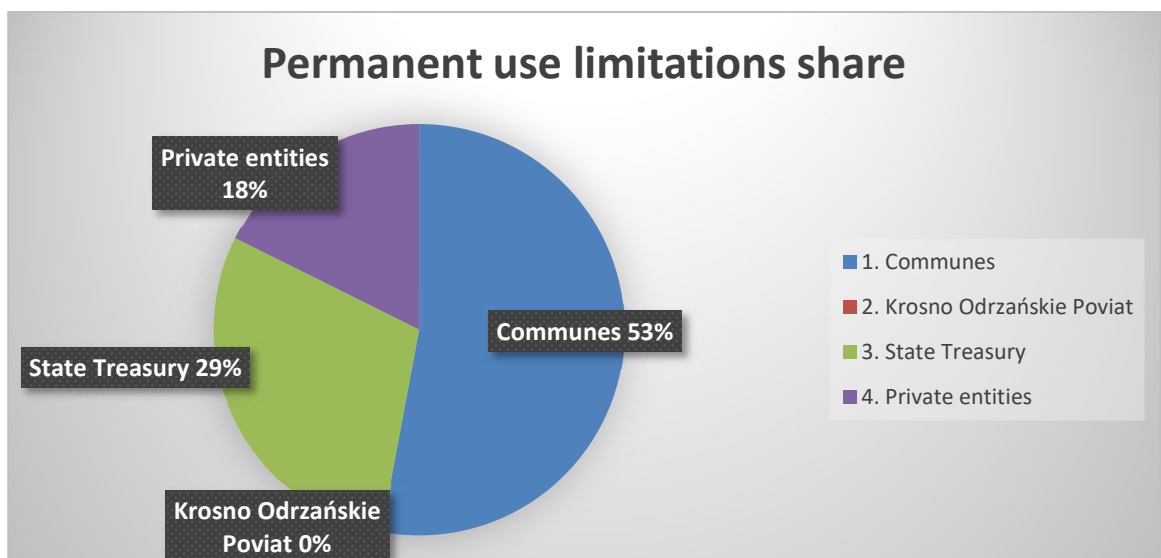
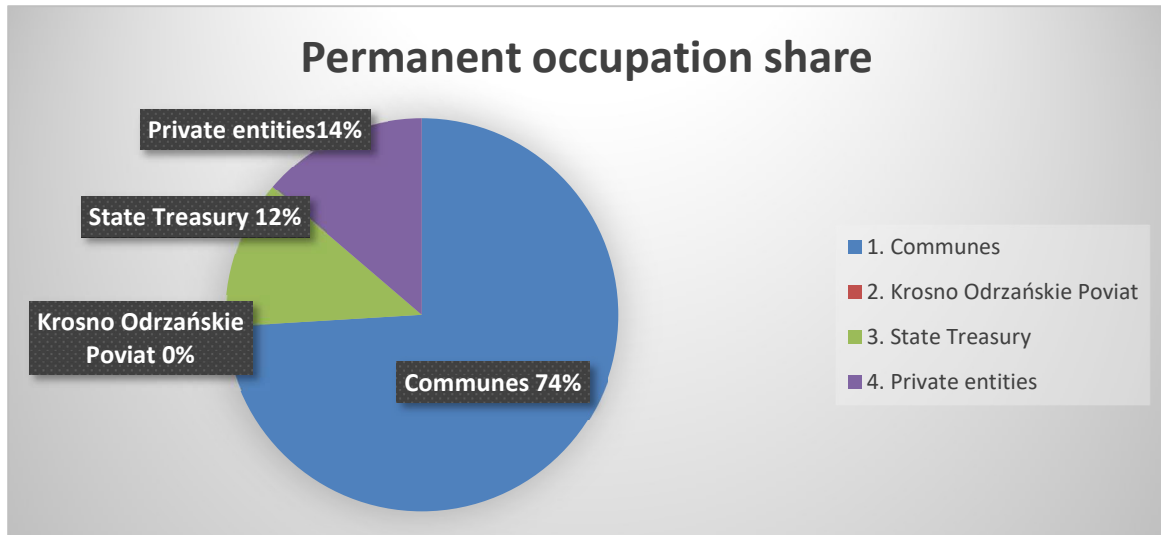
Drawing no. 1

The works planned in the northern part of the city will be carried out within the historical building developments of Krosno Odrzańskie, which as an urban arrangement is listed in the Register of monuments as "Town, reg. no.: 102 of 7.07.1958 and 2179 of 31.03.1975 and of 19.03.2012" (source: <http://www.nid.pl>). In parallel, in the case of embankments along the Odra River, they will be located in the immediate vicinity of the historical road bridge listed in the register of monuments as: "the road truss bridge, over the Odra River, in the route of Ariańska Street, 1905, reg. no.: L-600/a of 13.08.2013" (source: <http://www.nid.pl>). In addition to the two sites mentioned above, there are also 29 sites in the vicinity of the planned investment (up to 260 m) which are listed in the register of historical monuments, including: The Piast Castle, the granary's ground floor, the defensive walls, the monastery building, the historical tenement houses and the St. Jadwiga Śląska Church. In addition, archaeological sites are located in the area under consideration: Around 100 m west of the bank of channel 1 there is a medieval settlement listed in 1966 in the Register of archaeological sites under the following number KZA-I-22/66 of 1966-03-03, L-23/C of 2004-01-08. The area of the planned investment is partly within the boundaries of the protected landscape and partly within the two Natura 2000 sites.

The ownership structure and number of properties related to the investment implementation are presented by the following summary and charts below:

ENTITY	Permanent occupation - number of plots	Permanent use limitations - number of plots	Temporary occupations - the number of plots
Krosno Odrz. Municipality, Dąbie Commune	95	27	21
Krosno Odrzańskie Powiat	0	2	1
The State Treasury	15	12	7
Private entities	20	9	4
TOTAL:	130	50	33





As it can be seen above, permanent occupations will affect 20 properties owned by natural. Most of the impacts are significant (10 properties), although we are not dealing with physical or economic resettlement in any of the cases. No case of a drastic deterioration of living conditions due to the expropriation has been reported by any PAP.

The result of land acquisition for purposes related to the Contract implementation is deprivation of ownership of 20 private plots by 28 owners or co-owners (joint marital ownership or fractional ownership), as well as the loss of the right of perpetual usufruct in relation to 5 plots (3 commercial law companies - one plot each, two married couples and one natural person - one plot, a married couple - one plot). Two homesteads used the property for agricultural purposes, but only to obtain hay for grazing cattle and expropriation did not affect their economic situation. One household used the property for business activities. The remaining households and companies used the properties for purposes other than agriculture (recreation, access to a property) or did not use them at all (plots were lying fallow). In the case of two households, expropriation covered a significant part of the recreational area. In all cases, however, expropriation for the purpose of the Contract implementation has resulted in a certain loss of property, which requires appropriate compensation through an appropriate procedure. Therefore, the need to develop and implement this LARAP is valid.

The purpose of the Land Acquisition and Resettlement Action Plan is to acquire properties necessary for the implementation of the Works Contract in accordance with Polish legislation and the OP 4.12 policy of the World Bank, in a manner that will mitigate and minimize negative impacts on people affected by the project, improve and at least restore their living conditions, and ensure long-term, sustainable use of environmental resources in the area. The aim of the LARAP is also to collect basic socioeconomic data about the people affected by the project, to identify impacts, define mitigating measures and compensate for possible negative impacts, as well as assess whether the conditions for further management of the properties covered by the project have been restored. LARAP also describes the procedures, budget and deadlines for achieving the above goals.

4. Issued administrative Decisions

1. Decision on environmental conditions: Issued by the Regional Director for Environmental Protection in Gorzów Wielkopolski dated 27 February 2017 (reference no.: WZW.4233.1.2016.AN) with immediate enforceability.
2. Investment project implementation permit: Issued by the Lubuskie Voivode of 11.6.2019 (ref. no.: IB-II.7820.12.2018.MSto) with an immediate enforceability clause.
3. Water permit: Decision of 17 August 2017 by the Marshal of the Dolnośląskie Voivodship, ref. no.: DOW-W-I.749.322.2017KTB, with immediate enforceability clause.
4. Decision releasing from the bans of the Art. 40 sec. 1 subsec. 3 of the Act of 18 July 2001 on Water Law (Journal Of Laws of 2015, item 469 as amended): issued by the Director of the Regional Water Management Authority in Wrocław on 20 December 2016, ref. no.: ZU/7101/518/3/16.
5. Decision determining the nature and scope of archaeological research: issued by Lubuskie Voivodeship Monument Conservator of 23 February 2018, ref. no.: ZA.5161.52.2018.
6. Decision on granting a permit to conduct archaeological research: issued by the Lubuskie Voivodeship Monuments Conservator of 23 February 2018, ref. no.: ZA.5161.53.2018.

5. Objectives and principles for the implementation of LARAP

The main purpose of the Land Acquisition and Resettlement Action Plan is to acquire the property necessary for the execution of the contract in accordance with Polish law and World Bank Policy OP 4.12 in a way that will mitigate and minimize negative impacts on those affected by the Contract. LARAP also allows for the collection of basic socio-economic data on the PAP, identification

of impacts, identification of mitigation measures and compensation for possible negative impacts. In accordance with the operational policy of OP 4.12 of the World Bank, unless appropriate measures are planned and implemented to minimize and prevent property occupation can create and strengthen inequalities, create social exclusion and result in sustainable environmental damage. Therefore, the following principles have been followed in the design and implementation of the property acquisition and resettlement process, including in the development of this LARAP:

1. Ensuring minimal scale or avoidance, where possible, of permanent property occupation. Where permanent occupation is unavoidable, the procedures and requirements outlined in this LARAP shall be applied and concerning minimising the impact of permanent occupation of properties on the interested parties.
2. The land acquisition procedures ensure improvement of the living conditions of people and at their restoring to the pre-contract level.
3. All persons affected by the project (PAP) will have access to grievance redress mechanism. Consultations shall consider all social issues, in particular gender issues and take into account the needs of stakeholders who may be considered vulnerable.
4. Implementation of effective grievance redress procedures for PAP and provision of access to legal, fair and accessible proceedings of their appeal to independent authority or court without intentional delay shall be ensured.
5. All property occupation activities, both permanent and temporary, will be carried out in accordance with the procedures laid down in Polish law and OP 4.12, as defined in the LARPF, and will be further specified in the specific LARAP, which will comply with the LARPF –

https://odrapcu.pl/wp-content/uploads/2021/03/Resettlement_Policy_Framework.pdf

6. LARAP concerns cases of permanent or temporary property occupation as well as permanent and temporary use limitations resulting in particular in loss of business income (permanent or temporary) or worse standards of living.
7. The process of social participation, protective and mitigation measures will be carried out in accordance with fair treatment regardless of age, ethnic origin, sex or disability of people affected by the Project. Particular attention will be paid to the households of vulnerable groups.
8. The implementation of the LARAP will be monitored and documented and will be reviewed by the World Bank upon completion.
9. Individual LARAPs are developed and implemented as an integral part of the Project. All costs connected with implementation of compensation actions will be included in the budget as well as the advantage of the project
10. Compensation for land acquisition for people economically affected by the Project, in particular to expropriated ones shall be paid prior to starting construction works on that expropriated land.
11. Properties subject to temporary occupation, after the works completion, will be returned in the same condition as beforehand to enable the owners or users to use the properties in a manner that used to do it before the Project, and then they will be returned to the owners/possessors.

12. All PAP, without regard to legal status of property, will receive support of various kinds, as per the principles set out in the Compensation Actions Entitlement Matrix included in LARPF. The lack of title to property should not prevent the receipt of compensation and/or other support. Detailed rules for the acquisition of real estate, the conduct of social participation procedures and the minimization, prevention, mitigation and compensation measures are described in this LARAP below.

The LARAP measures will be subject, on the basis of established indicators, to continuous monitoring and periodic updating by the Consultant Team and by the PIU as work progresses and new factual and legal circumstances arise which affect the fulfilment of its records. This will allow, among others, to provide relevant PAP information, early identification of risks, and implementation of methods that will minimize or eliminate those risks. The monitoring results will be reported monthly and quarterly. The ex-post evaluation will be carried out six months after the complete implementation of the LARAP and the achievement of its objectives, it will be evaluated and it will document activities that directly affect the PAP and established a standard of living equal to or better than their standard of living before the Project's implementation.

6. Minimising the impact

In the light of OP 4.12, all direct economic and social losses resulting from the expropriation of property, the permanent restriction of the current use or access to property are considered to be social impacts associated with expropriation. Therefore, the percentage of the total property and its expropriated part is taken as the primary criterion for assessing the severity of social impacts. The data collected during the socio-economic study should also be taken into account.

For the assessments of the social impacts for the needs of this LARAP, the following criterion values were adopted, according to OP 4.12:

– minor impacts – in the case of agricultural farms, this will be the impact where the acquisition is subject to less than 10% of the productive area of the farm or of the assets, without any physical relocation. In case of other properties, the minor impact is considered to be where the loss of land includes less than 20% of the grounds and assets, and at the same time there is no physical displacement.

– severe impacts – in the case of agricultural farms, impacts where more than 10 % of the production area of the farm or of the assets is lost or the boundary land line is broken down in such a way as to prevent agricultural/orchard production on the property. In case of the waste land and other properties, loss of more than 20% of the land should be treated as the severe impact.

For the distinction of the severe and minor impacts, the value of 10% was adopted, in accordance with the policies of the World Bank, as for part of the people running farms the loss of 10 % and more of the area of the farming land will result in certain limitation of the earnings from the agricultural crops; however it will not have the essential influence on the economic profitability of farming because of the area structure of the farms.

At the same time, account should be taken of local specificities, i.e. the border location of the commune and the location of the expropriated property in the close vicinity of the city.

6.1 Occurrence of social impacts

In the case of the land owned by the Municipality of Krosno Odrzańskie and the Municipality of Dąbie, the Agency for Restructuring and Modernization of Agriculture and companies formed under the Commercial companies code, it was considered irrelevant since the acquisition of properties from these entities did not have a severe impact on their situation and functioning and would correspond to the definition of minor impacts. For the planned Task, there are no impacts connected with any physical displacements of the households or agricultural farms. However, 10 severe impacts on the PAP will occur. There is no physical resettlement. In other cases, it was found that the impact of the task would be insignificant.

The assessment of the impacts and their classification as severe and minor were based on the total area of the farm, not only on the plots affected by the investment in question, but also on the actual use of those properties together with the identification of the source of household income.

Out of PAP whom the severe impacts concern, three families raised the biggest concerns about expropriation and the plan of property division and the expropriation itself. In case of two of these families, expropriation results in the loss of their favourite place of resting, as it takes the bulk of their backyard, where facilities such as benches, sandbox for children, and gardens, business buildings, garages and a fishing area are located. For these families, the home area is as they called "their entire life". The expropriation of a portion of the property makes the use of the remaining property meaningless for them. In the two direct talks, they called for a change in the building permit design and the division of properties in such a way that the smallest possible area would be expropriated. In these cases, according to the needs, additional mitigation measures will be proposed. In particular, assistance in the purchase of recreational plots or allotment gardens in the immediate vicinity and assistance in developing the remaining land may be offered. One of the families declared that a visit by the Designer or a person with proper technical knowledge regarding the Contract, who would show them the location and discuss the way in which construction works on the expropriated plot are to be carried out would be satisfying. So would be assistance in relocating a utility building. The meeting will be held in October 2020. Another family also expressed interest in such a meeting. In addition, the family expressed interest in one of the above forms of compensation, however, in a telephone interview in September 2020 they stated that they still needed some time to reflect. The Consultant stays in contact with this family and will conduct further talks and meetings to apply an appropriate mitigation measure.

As at the date of developing update No. 1 of this LARAP, one of the above families, after receiving compensation for expropriation and temporary occupation of property, and after the visit of the real estate specialist representing the Consultant and of the supervision inspector, who explained what the construction works will consist of and where they will be carried out, stated they no longer lodge any claims or problems related to the Investment. The second family, after a meeting in October 2020, expected an additional payment to the compensation for the expropriation of the plot and for liquidation of the farm building and expected a change of the flood protection method by constructing a mobile flood protection system instead of a flood embankment. Due to the fact that the amount of compensation for the expropriated real estate was determined by the Voivode in the course of administrative proceedings, PAP turned to the abovementioned authority to challenge the decision in an extraordinary procedure, i.e. to change the decision on compensation pursuant to Art. 155 of the Code of Administrative Procedure in terms of the calculation of the detailed replacement value of a building development component. The voivode refused to change the final decision, due to the fact that the required conditions mentioned in the above-mentioned Article of the Code of Administrative Procedure were not met. Changing the flood protection system to a mobile flood protection system requires changing the construction design and the IPIP decision, which constitute the legal basis for the contract, which would significantly exceed the time frame for completing the task. After the

Contractor commenced works, it turned out there was no need to demolish the part of the utility building (it consisted of two parts) and that felling of some of the trees may be avoided. Moreover, after the surveyor had marked out the expropriation area, it turned out that expropriation would be less afflictive for the PAP. Ultimately, PAP accepted the expropriation and the related compensation and resigned from further claims against the Investor. PAP was not interested in the help offered to restore the auxiliary structure or garage.

After the commencement of construction works, the third family reported that the expropriation of part of the plot of land caused considerable difficulties in conducting business activities, as goods had been stored in containers there and vehicles had been parked in this area. The remaining part of the property may not be used for the above-mentioned purposes, since its area is too small. In the case of this family, the Investor took steps to ensure a site where it will be possible to continue an uninterrupted business activity. The investor will first cover the costs of a temporary lease of a plot outside the investment area, and if necessary, of relocating the infrastructure to a temporary location for the duration of the construction works. Then, the Investor will take legally permissible measures to propose a target property to PAP, where they will be able to continue their business activity after the completion of construction works. The use of a property, which is currently a part of the construction site and will ultimately be included in the resources managed by the Investor is considered for this purpose. It will be possible after obtaining the legally required permits (including the permit of the monument conservator) and restoring this area to the state that allows for the current business activity. PAP accepted the above solutions as to the method of compensation and additional mitigation measures. They signed a property handover report and made its property available to the Investor for carrying out construction works.

The following table presents detailed information on the types of impacts:

Household/ Company Number	Plot number before division	Plot number after division	Total plot area / total area of plots owned in ha	Expropriated area in ha	Type of impact S - significant/I - insignificant
Plot No. 1	52	52/1	0,0585	0,0157	S
Plot No. 2	57/3	57/3	0.0056/0.0353	0,0056	I
Household No. 3	61/1	61/3	0,1494	0,0073	I
Household No. 4	212	212/2, 212/3	1.9252/9.0902	1.0102	S
Household No. 5	208	208/1	1.1869	0.1251	S
Household No. 6, 7,8 (several co-owners)	116/2	116/7	0.0657	0.014	S
Household No. 9	245/8	245/8	0.0237 / 0.1268	0.0237	I
Household No. 10, 11 (several co-owners)	234	234/1	0,0209	0,0102	S
Household No. 12	268	268/1	0.1910	0,0073	I
Household No. 13	229	229/1	0.0805	0.0282	S
Household No. 14	293/4	293/9	0.4177	0.0495	I
Household No. 15, 16 (several co-owners)	235/2	235/5	0.0086	0.0086	S
Household No. 17	253	253/2	0.4724	0.0984	S
Household No. 18	489	489/1	0.9500	0.0317	I
Household No. 19	267	267/1	0.1746	0.0514	S
Household No. 20	490	490/1	No available data	0.0525	No available data
Household No. 21, 22 (several co-owners)	171	171/1	1,627	0.1301	I
Household No. 23	283	283/1	0.2755	0.1868	S

Household No. 24	290/1, 290/3	290/9, 290/11, 290/13	0.6216	0.0274	I
Company No. 1	223	223/1	1.0793	0.0072	I
Company No. 2	61/2	61/5	0.1792	0.0108	I
Company No. 3	189/2	189/19	0.4620	0.0158	I

6.2 Measures to minimize negative impacts

Minimizing the impact of the execution of the work on the persons covered by the project will be achieved by informing at each stage of the Contract of their rights, launching an information centre, the possibility of submitting complaints and submitting motions, meetings, etc. The details of these activities are described below.

1. Amounts of compensations for the lost properties will be determined on the basis of the appraisal reports performed by the independent experts. The price estimation for calculations of the compensation amount will be drawn up with taking into account the honesty, objectivity and independence rule, so that the existing owner will receive the fair price for his property of the real loss, to minimize the negative influence of the loss of property on his/her financial situation.
2. In the context of compensatory measures, after socio-economic studies carried out, priority was generally given to monetary compensation, as in a large majority of PAP requested this form of compensation. Only three families are interested in compensation in the form of land-for-land. However, due to the fact that the two-month period provided by the special purpose flood decision [PL: specdecyzja powodziowa - special IPIP decision issued on the basis of Special Flood Act] for the determination of the form of compensation by means of an agreement, within which it was possible to offer the "land-for-land" compensation expired, the compensation will be determined by the decision of the voivode. Currently, the Investor is obliged to apply for such decisions not to break the Polish law. It should be clarified that originally the Contract was not carried out taking into account the WB's policy regarding land acquisition and the Investor did not have the resources to provide PAP with any form of compensation. Therefore, the compensation will be determined in the form of a voivode's decision and will be of a monetary nature. However, for those persons who have expressed an interest in the land-for-land compensation, support will be provided for finding and purchasing replacement properties.
3. After the commencement of construction works, some residents of Bohaterów Wojska Polskiego Street in Krosno Odrzańskie raised objections to the Project regarding the possibility of damaging the existing drainages during earthworks. Measures have been taken to check whether various types of drains and discharges that have not been inventoried will become visible in the ground. In the event of locating the above-mentioned facilities, measures will be taken to modify the land drainage system. The rainwater and seepage water drainage system discharging water from the city areas protected by embankments through pipe and French drain will also be modernized.
4. In the event of damage to residential buildings, resulting from works related to the construction of flood protection facilities, residents will be entitled to compensation in accordance with the provisions of generally applicable law.

5. All costs related to the implementation of mitigation measures will be included in the Project costs. At this stage, one case has been identified where it is necessary to apply a dedicated compensation package. This applies to the above-mentioned family, who partially lost the ability to conduct business activity due to the expropriation of a part of the property.
6. The properties will be released after the crop harvest period for the plots on which the agricultural activity will be carried out. If, for technological reasons, the works have to start earlier and the crops are not harvested, a monetary equivalent will be paid for the losses.
7. Any expropriated person shall be entitled to use the land as so far free of charge until the compensation has been paid.
8. PAP will be informed of the physical start of works in such a way as to allow for the completion of properties management, but not less than 30 days.
9. The required distances from overhead lines will be maintained during construction work. This ensures that the social impact of investments on energy infrastructure (power outages) is minimized.
10. In the area of existing underground facilities, all work will be done manually to prevent damage to them. This will ensure that the social impact of damage to underground facilities is minimized.
11. The supervision of the owners of the infrastructure network will be ensured during the execution of the works. Owners of these networks will be notified of the start date in advance.
12. Prior to the commencement of the work, the Consultant shall, on behalf of the Investor, provide information action on the planned execution of the Contract and the launch of an information centre for the affected persons, where they will be able to submit their motions and comments on the works being carried out and on the intended activities. An information booklet will be prepared and sent to all affected persons with information about the possibility of submitting complaints (as set out in the LARAP), including contact details.
13. Within the information action, PAP shall be informed also about the possibility to submit applications to purchase the remaining part of the property i.e. so called remaining parts, if after the division of properties and occupancy of its part for the needs of the Task implementation, the remaining part is not good for further use for so far purposes (in accordance with the Art. 23 sec. 2 of the Special Flood Act). Two families declared, in the course of the social research, their willingness to sell in such a manner.
14. In addition, the Consultant will describe in the information brochure the rules under which EU subsidies recipients will be required to report to ARMA the reduction in their area of use.
15. The information brochure will be accompanied by a template statement and the PAP may use it in order to release the property to the Investor.
16. The Contractor shall obtain the temporary occupation area not covered by the IPIP and, when negotiating the temporary occupation conditions, shall follow the principles set out in this LARAP. The negotiations and contracts between the Contractor and the land owners on time activities will be supervised by the Consultant to ensure the integrity of the agreement and the beneficial character for the land owners.

17. After completion of the works, the temporarily occupied properties will be recultivated and returned in good condition.
18. Representatives of the Investor, Consultant and Contractor responsible for the supervision or execution of construction works, respectively, will be responsible for ensuring the safety of neighboring communities and of people passing near the construction site.

6.3 PAP's rights under the Special Act

The Party appealing against the decisions establishing the amount of compensation, is paid, upon the party's motion, the amount specified in the said decision. The payment of the said amount does not have impact on the pending appeal procedure - in accordance with the Art. 21 sec. 11 of the Special Act.

Other rights, such as: the possibility of increasing the compensation by 5% of the valuation in case of immediate release of the property and the possibility of buying out the property on which permanent restrictions will be established, will not apply in the Contract due to the expiry of deadlines.

6.4 Entitlement to buy out the "remaining parts"

The persons affected by the project (PAP) will also be informed of the possibility of requesting the purchase of the remaining property (i.e. "remaining parts") if, after the split of the property and occupying the part of it for the investment, the remaining part is not suitable for further use for existing purposes (in accordance with Article 23, paragraph 2 of the Special Flood Act). If the premise of Article 23(2) of the Special Flood Act is met, the property will be acquired for the State Treasury. According to the Bank's policy OP 4.12, if the use of the remaining part of the property which has been used for housing or economic purposes is not profitable, it should be compensated by the Project.

6.5 Measures to avoid repayment of European Union subsidies

Two families were identified in the course of the social research, that received direct payments for expropriated property or receive subsidies through participation in various actions under the 2014-2020 Rural Development Program (RDP [PROW] 2014-2020).

The expropriation of the properties covered by subsidies means that the individual programs cannot meet their obligations. The above, in turn, may be connected with specific consequences, including the need to return collected payment as well as to pay administrative penalties. A brochure will therefore be prepared and sent to the PAP, which will provide information on the steps to be taken to inform the relevant authority. Follow up measures will be taken to ensure PAP will be able to and has completed necessary steps.

7. Socio-economic study

7.1 Sources and methods

In accordance with the requirements of the POM, a socio-economic study was carried out which was divided into two parts. In the first part, interviews were conducted directly with PAP at their place of residence, in some cases twice. The information obtained on their social and economic situation has been written down in Questionnaires. Information on the valuation of the property was

provided to PAP on the occasion of the interviews, as well as information on the Contract and their entitlements. Those affected by the project were also given the opportunity to comment and to present their reservation on the planned investment. In all cases, the person conducting the survey was welcomed friendly and, in the vast majority, the planned investment was approved. Only one person expressed his/her clear disapproval of the Contract, because an important part of his/her yard was expropriated, in which most of the free time was spent in the summer season in particular. Additional mitigation measures will be taken for the benefit of this person, such as: assistance in developing the remaining part of the plot and assistance in finding and purchasing a recreational plot in the immediate vicinity.

Despite the efforts made, it was not possible to reach the companies formed under commercial law which were involved in the expropriation. In one case, the company's representatives were not present at the registered office, while in the other cases the company's headquarters could not be located. Therefore, a questionnaire was sent to the companies by registered letter together with the contract information and a request for referral to the Consultant. Two responses were received at the date of LARAP compilation.

In addition, eight PAP being natural persons could not be reached. In five cases, after the interviewer's arrival at the place of residence appearing in the documentation, it was determined that the persons had died or do not live at that address. The Consultant will take further actions to determine the heirs or new residence addresses of the remaining persons. Questionnaires were sent to three persons, including natural persons who are foreigners living abroad, requesting the Questionnaires to be sent back. No reply was received.

In several situations, despite the fact that PAP has been reached, replies to the questionnaire were refused, both as a whole and only to certain questions. Too much interference in their privacy caused by the content of the questions was indicated as a reason. One of the individuals who refused to participate at all in the study contested his/her legal title to the expropriated property. The person had inherited the property covered by the Contract after their mother. They expressed concern that taking part in the survey would be tantamount to granting property ownership and paying the outstanding property tax for the last twenty years.

In the framework of the general survey, part I and part III of the questionnaire were sent to randomly selected representative households in Krosno Odrzańskie. However, only two questionnaires were returned and the general survey was therefore carried out on the basis of official socio-economic data published by the City of Krosno Odrzańskie and the Central Statistical Office (GUS). In addition, publicly available business registers such as business records, national court registers, electronic Land and Mortgage Registers were also the source of data.

The socio-economic study was conducted by the Legal and Social Affairs team, located within the Consultant's structure and responsible for the drafting of this LARAP.

As a result of a detailed study, PAP can be classified into the following categories:

- households using plots of land subject to expropriation for agricultural purposes,
- households / enterprises using plots of land subject to expropriation for non-agricultural purposes,
- households not using plots of land subject to expropriation,
- leaseholders,
- households / enterprises not classified due to the PAP's death, refusal to take part in the survey or inability to reach the respondent.

It should be stated that the implementation of the investment will not have significant negative effects on the PAP. Most of the PAP accepted the Contract implementation with understanding or enthusiasm. The expropriation has not changed the lives of most of them. The plots were used for agricultural purposes only in three cases. Two farmers who would carry out their activities in the expropriated areas receive subsidies from ARMA [PL: ARiMR - Agency for Restructuring and Modernisation of Agriculture]. Most land used for agricultural purposes is not specific and easy to be replaced with other land, although for some owners, financial compensation is sufficient for the loss of a piece of land. For those PAP who would use plots for agricultural purposes, the income from it was only of an auxiliary nature, as they mainly rely on pension/retirement and annuity benefits. The same is true for the leaseholders.

There are the elderly, including those involved in agriculture, middle-aged people and young people among the PAPs. Each of these persons earns a steady income not related to the land owned by them: from a business, from an employment contract or from pension/retirement benefits. In addition to the main income, two households receive additional benefits (retirement pension both) related to the owned land. Expropriation will not affect the right to these pensions or their amount. There were no cases of poverty and no case of a person for whom the expropriation would have significant economic consequences. As many as 8 households did not use the property at all. One plot was used for business purposes. In other cases, the plots not used for agricultural purposes were intended for recreational purposes, as parking spaces, access areas, or as vegetable gardens. In a few cases, the expropriated plots were located right next to the PAP's properties. In two cases they would be periodically flooded, hence the investment will have particularly positive impacts there. The most frequently asked questions during the field research concerned the date of investment implementation and the date of payment of compensation. It should be emphasized that the investment will be implemented mainly on properties owned by the City of Krosno Odrzańskie. The number of households and enterprises affected by permanent occupations, permanent restrictions and temporary occupations is small and amounts to 33 households. In most cases, the expropriated area is less than 1 ha, the expropriation exceeds 1ha only in one case. Therefore, it should be stated that the degree and scope of social and economic impact for PAP is very small.

7.2 General socio-economic information on Krosno Odrzańskie

The urban-rural Krosno Odrzańskie municipality is a local community of nearly 18 thousand people inhabiting over 21 thousand ha, concentrated around over a thousand years old Krosno Odrzańskie. The city is also the powiat capital, and due to the fact that a number of state and local government institutions as well as those related to its military character are located here (Krosno Odrzańskie garrison - headquarters of the 5th Sappers Battalion of the Kresy, the 44th Military Economic Division, technical repair workshops, or the largest in Poland Nadodrzański Border Guard Unit serving 3 voivodeships: Lubuskie, Dolnośląskie, and Wielkopolskie), it is the administrative center for a community of over 55 thousand people.

Due to its location by the Odra river, the city can be divided into two parts. The first, covering the lower city, is mostly characterized by old housing, mainly historic, with a maximum of 3 floors. The second covering the so-called The "upper city" is characterized by residential buildings built after World War II with a max. of 5 floors. This part also includes the Tysiąclecia Park, which is a recreational area for the city residents. There are industrial areas located at the city exit by the powiat road leading to Gubin, in Edison, Pocztowa and Wąska Streets. Currently, the following documented mineral deposits occur in the Krosno Odrzańskie commune: 1. Natural aggregate - "Old Raduszec", - "Raduszec Stary - E", - "Czarnowo", 2. Peat -"Czarnowo", 3. Crude oil "Retno", 4. Natural gas "Czeklin".

In the city and commune of Krosno Odrzańskie there are: decommissioned boreholes (20 boreholes) - Sarbia (3), Brzózka (2), Czeklin (1), Czarnowo (1), Wężyska (3), Osiecznica (3), Czetowice (1), Krosno Odrzańskie (3), Chyże (2), Radnica (1), crude oil exploitation well - Retno, pledged borehole - Brzózka, planned exploration boreholes - Wężyska. PGNiG SA (Polish Oil and Gas Company) in Warsaw Branch in Zielona Góra is planning to prepare the documentation for the resources of the Brzózka natural gas deposit, for which a mining area will be created. After 2014, the "Wężyska-4" exploratory well is to be completed, the purpose of which will be to confirm that the Wężyska substructure contains hydrocarbon.

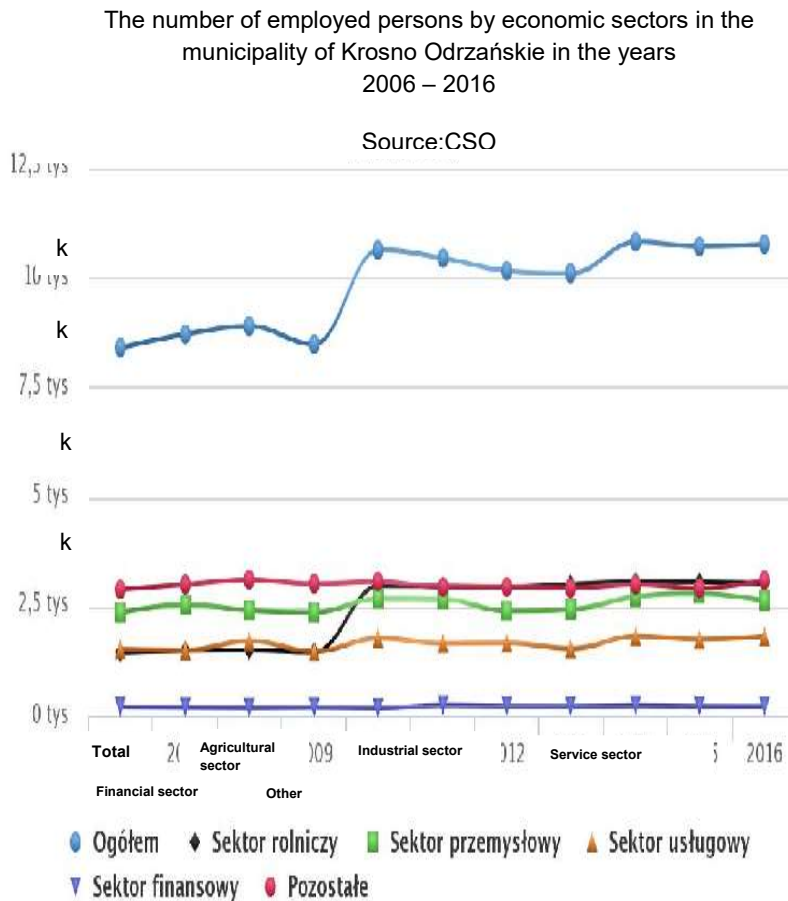
The age and gender structure of the city's population is as follows

Permanent residence				Temporary residence			
Male		Female		Male		Female	
Age	Population	Age	Population	Age	Population	Age	Population
0-2	103	0-2	86	0-2	4	0-2	5
3	52	3	37	3	3	3	2
4-5	112	4-5	96	4-5	2	4-5	5
6	53	6	45	6	4	6	1
7	48	7	53	7	4	7	9
8-12	310	8-12	271	8-12	19	8-12	17
13-15	146	13-15	144	13-15	9	13-15	9
16-17	80	16-17	88	16-17	4	16-17	4
18	37	18	42	18	0	18	4
19 - 20	107	19 - 20	79	19-65	114	19-65	130
21-40	1520	21-40	1399	>65	8	>65	11
41 - 60	1330	41 - 60	1422				
61-64	384	61-64	502				
65-70	384	65-70	527				
71-81	404	71-81	527				
>81	104	>81	280				
TOTAL	5174	TOTAL	5598	TOTAL	171	TOTAL	197
TOTAL	107772			TOTAL	368		

According to the data of the Central Statistical Office, the unemployment rate in the Lubuskie Voivodeship at the end of January 2020 was 5.3% (20200 people), while in the Krosno Odrzańskie District 8.3% (1500 people). Compared to January 2019, there was a decrease in the level of

unemployment, which in this period in the Lubuskie voivodeship amounted to 6.2% (23,700 people), in the Krosno Odrzańskie District 9,6% (1,700 people).

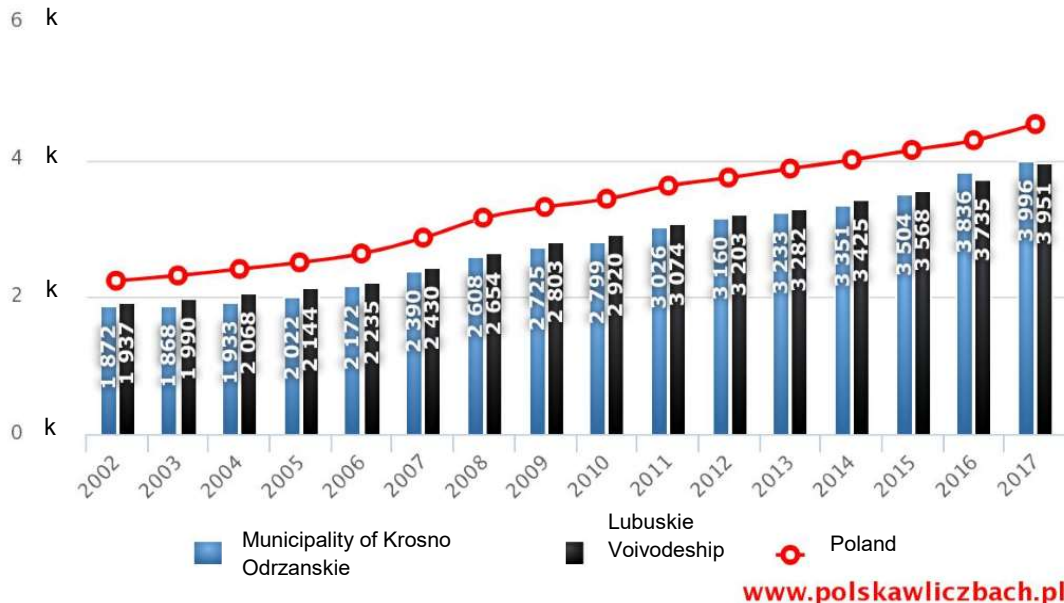
The following diagrams illustrate the employment structure and salary levels:



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Average monthly gross salary (PLN) in the municipality of Krosno Odrzańskie in the years 2002 – 2017

(Source: CSO)



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The authorities of Krosno Odrzańskie implement the "Strategy for solving social problems in the municipality of Krosno Odrzańskie for the years 2013 - 2020", which was developed to integrate the people and families from groups at particular risk of exclusion by creating conditions for the use of resources inherent in local environments and stimulating the activity of groups at risk of social exclusion. The implementation of the Strategy results in a decrease in the number of people and families benefiting from social assistance. In 2018, total of 498 families benefited from social assistance. The main reasons for providing assistance are: poverty - 306, long-term or serious illness - 251 families, disability - 224 families, unemployment - 157 families, need to protect motherhood - 73 families, helplessness in matters of care and upbringing - 70 families, alcoholism - 67 families. While creating the Strategy, the priority was to counteract unemployment. The analysis of the data shows that it is decreasing. There is a noticeable drop in the number of people receiving benefits due to unemployment. In order to professionally activate the unemployed, measures are taken to motivate them to take up employment through talks with social workers and through social contracts. Social workers also inform the unemployed about vacancies. The reporting data of Social Welfare Centre show that family poverty is decreasing.

7.3 Conclusions from the detailed part of socio-economic study

The direct research carried out with PAP showed that only two families used expropriated parts of the property for agricultural activities, which consisted in mowing of meadows for the purpose of feeding the livestock. Additionally, one family used the expropriated plot of land for business purposes. In other cases, the properties were not used in any way, they were part of the yard — in some cases, commercial buildings or property were built up, but the expropriation according to PAP did not have any influence on it. The economic status of the PAP was average and in several cases above average. There have been no cases of poverty, particularly vulnerable groups, national minorities. Under no circumstances has expropriation caused loss of income or a reduction in living standards. There will be no physical resettlement. Detailed socioeconomic study is attached as Appendix 5, which will not be made public due to personal data protection.

7.4 Need for socio-economic research

Due to the permanent nature of data such as the type, manner of land use or presence of buildings on the land, it can be assumed that the data collected in the field study will remain valid for a long time.

8. Binding law regulations and evaluation methodology

This LARAP was prepared on the basis of the World Bank's Operational Policy OP 4.12 Involuntary Resettlement and on the basis of the provisions of Polish law, in particular the Special Flood Act and the Property Management Act. Where there are differences between the Polish regulations and the provisions of OP 4.12, provisions more favourable to persons affected by the Project will be applied. It should be stressed that compliance with the provisions and procedures contained in the Project Operational Manual is essential. Indeed, derogations may be considered by the World Bank as a breach of the loan agreement.

8.1 Obligations arising from the Policy OP 4.12

OP 4.12 is applied whenever the implementation of the Project requires:

1. involuntary occupation 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
2. the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

The following obligations result under OP 4.12:

- Involuntary resettlement should be avoided where feasible by exploring all viable alternative designs, and if it is not feasible to avoid resettlement, its range and impact should be minimized
- Resettlement process should be planned and implemented as development activity providing means and assets allowing PAP to participate in benefits resulting from implementation of the Project. Support should be offered to social groups affected by resettlements in order to improve their economic status, income and livelihood, or at least restore their status to the situation prior to the Project implementation;
- The resettled should receive compensation at replacement value, assistance in relocation and support in the transition period;
- Lack of legal title to the ground should not bar compensation;
- Particular attention should be paid to vulnerable social groups and individuals (e.g. single mothers, the handicapped, 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;
- Process of resettlements should be closely linked to the schedule of Tasks so that the resettled people receive compensation before the construction or other activities covered by the Project begin;
- Monitoring of resettlement is required as well as evaluation of its efficiency;
- As regards rural or farming lands, farms that lost their fixed assets entirely and became entirely unprofitable should receive compensation in the amount equal to the value of the entire farm;

- For losses that are hard to compensate for financially, such as access to public services, access to clients or suppliers, fishery areas, access to pastures and forest areas, an attempt should be made to grant access to equivalent and culturally relevant resources and income opportunities

8.2 Current regulations in the Polish legal system

In Polish legislation, the main legal acts regulating the acquisition of properties for flood-related investments are: The Act of 8 July 2010 on special principles of preparation for implementation of flood protection structures investments (unified text Journal of Laws of 2019 item 933 as amended) and the Art. 2 of the Act of 21 August 1997 on property management (unified text Journal of Laws of 2020, item 65 as amended).

As pointed out by the Supreme Administrative Court in Warsaw in its judgement of 30 December 2013, reference no. II OSK 2797/13: "The narrow scope of application of the provisions of the Special Act is already specified in its title - special principles of preparation for implementation of flood protection structures investments - and is confirmed in Article 1, according to which the Act lays down specific rules and conditions for the preparation of investments in flood protection structures. The aim of the Special Act is clear. The aim is to prepare flood investments efficiently and effectively without time-consuming investment procedures under general conditions. This simplification concerns, inter alia, the expropriation of property necessary for the realization of the investment. Indeed, the expropriation is a transfer to the Treasury or local authority of ownership of the property referred to in Article 9(5)(a) and Article 19(4) of the Special Act. This expropriation takes place on the basis of the provisions of the Special Act, and only in the unregulated area, the provisions of the Property Management Act (Article 30 of the Special Act) are necessary.

The IPIP decision shall be issued by the Voivode competent as to the location in which the investment takes place. In the case of investments in two or more voivodeships, the decision to allow the implementation of the investment is issued by the Voivode, in whose voivodeship the largest part of the properties for the realization of the investment are located. The IPIP decision shall be issued at the request of the investor, which may be:

- a) State Water Holding Polish Waters,
- b) maritime authority,
- c) voivodeship,
- d) powiat (county),
- e) municipality,
- f) Institute of Meteorology and Water Management -National Research Institute,
- g) a private partner within the meaning of the Act of 19 December 2008 on public-private partnerships (Journal of Laws of 2017, item 1834 and 2018, item 1693).

As regards properties, the IPIP Decision contains:

- a) requirements for the protection of the legitimate interests of third parties (establishment of easement);

- b) approval of properties' division
- c) properties' cadastre marking:
 - i. the properties or parts thereof which are part of the investment necessary for its implementation, which become the property of the State Treasury or of a regional or local authority or of a property covered by ownership or the right to perpetual use of Institute of Meteorology and Water Management -National Research Institute - if the investor is the Institute of Meteorology and Water Management -National Research Institute,
 - ii. properties or parts thereof which are part of the investment necessary for its operation and which do not become the property of the State Treasury or of a local or regional self-government entity or are not covered by the right of ownership or the right of perpetual use of the Institute of Meteorology and Water Management -National Research Institute, but for which the use of the property is permanently restricted,
- d) properties planned for flood protection purposes,
- e) where necessary, restrictions on the use of properties, taking into account areas of immediate flood risk and areas of potential flood risk or specific flood risk, if designated.

The IPIP decision is the basis for making entries in the land and mortgage register and in the properties cadastre, which will be the responsibility of the Investor. The property becomes the property of the State Treasury on the date on which the IPIP decision became final.

The provisions of the Administrative Proceedings Code shall apply to the procedure for granting the investment project implementation permit, subject to the provisions of the Special Flood Act.

Each PAP receives a notification from the Voivode about issuance of the IPIP decision, indicating the date and place where the parties may review the decision and describing the procedure for challenging the decision.

Due to the transfer of ownership of the property to the State Treasury or to the local government units, the owner of the property or perpetual usufruct user enjoys the right to compensation, in the amount agreed by the investor and the current owner, perpetual usufruct user or the person entitled to limited material right to the property, either from the State Treasury or local government unit, as appropriate. Arrangements are made in writing, otherwise null and void. If, within two months of the date on which the decision on the investment project implementation permit became final, the above-mentioned agreement has not been reached, the compensation shall be established by decision within 30 days of the date on which the decision became final. It should be stressed that in the case of the subject Contract, the time limit for the conclusion of the agreement has expired and therefore all compensation will therefore be determined by an administrative decision. Negotiations will be conducted as to the form of compensation and the conditions of taking over the property.

The amount of compensation 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.

Expropriated properties (permanent occupations) may be used free of charge by existing owners or perpetual usufruct users until the lapse of the deadline specified in the IPIP decision for releasing the property. For the Contract in question, the IPIP decision set a 90-day deadline for releasing the property from the date when the decision became final, which took place on 13 July 2019, so that the possibility of using the property free of charge expired on 12 October 2019. However, the investor has not yet physically obtained the properties, as no compensations have been paid to PAP(s). Entry into possession will take place after payment of compensation, i.e. after the decision of the voivode.

If part of the property is legally taken over for the State Treasury and the remainder is not suitable for proper use for the purpose to date, the investor shall be obliged to acquire, at the request of the owner or the perpetual usufruct user, on behalf of and for the benefit of the State Treasury, the remaining part of the property.

The decision issued by the Voivode and determining the amount of compensation may be appealed by the party (PAP) to a higher level authority, i.e. to the Minister responsible for building, development, spatial planning and housing. The party (PAP) then has the possibility to lodge a complaint to WSA within 30 days of receipt of the decision and further cassation to NSA within 30 days of receipt of the judgement.

In case of challenging by the expropriated person the decision establishing the amount of compensation, the person may lodge a motion for the payment of the compensation in the amount established in the challenged decision. In such a case, the compensation shall be paid at the amount specified in the decision.

In the case of properties or parts thereof to which the use or restrictions on the use of properties are permanently limited, the owner or the perpetual usufruct user of the property shall be granted the compensation, inter alia, according to article 30 of the Special Act in conjunction with article 124(4) and article 128(4) of the Properties Management Act, on the basis of an administrative decision by the voivode.

The flood control investment project implementation permit decision in so far as it permanently restricts the use of the property is of the same nature as the decision to limit the use of the property issued by the starost pursuant to Article 124(1) of the Property Management Act. The restriction on the use of properties is one of the forms of expropriation of property as defined in Article 112(2) of the Property Management Act. It constitutes interference with the constitutionally protected property right.

Pursuant to Article 22(2) of the Special Flood Act, the owner or the perpetual usufruct user of the property on which permanent restrictions of use have been established may request buying out by the State Treasury, the regional or local authority or the Polish Institute of Meteorology and Water Management -National Research Institute, by lodging an application within 90 days of receipt of the notification referred to in article 7(1). Under the Contract in question, no such motion was received by the investor.

Moreover, the Special Flood Act provides that if the former owner or the perpetual usufruct user of the property covered by the IPIP, releases the property within the time limit laid down in the law, the amount of compensation is increased by 5 % of the value of the property.

Pursuant to Article 133 of the Property Management Act, the amount of compensation is to be made subject to a court deposit, in accordance with the decision of the civil authorities requiring the Investor to pay compensation for the deposit, which is equivalent to the performance of the

benefit under civil law. This is only the situation in two cases: where the person entitled refuses to accept the compensation, or where the payment of the compensation face impossible to overcome difficulties and where the compensation for expropriation relates to properties of unregulated legal situation. The compensation concerns the period of 10 years.

In the case of properties for which limitations in use based on Art. 9 item 8 (f) of the Special Flood Act were set up, the owner or perpetual usufructuary of these properties will be entitled to compensation in accordance with Art. 30 of the Special Flood Act in connection with Art. 124 section 4 and Art. 128 section 4 of the Land Management Act, by administrative and legal way, in the event that the PAP demonstrates a significant damage related to the limitation.

8.3 Discrepancy analysis and corrective measures

The LAPF identified a number of inconsistencies between OP 4.12 and Polish law: OP 4.12	Polish law	Adjustment instruments
Lack of legal title to the land should not bar compensation/payment of compensation; Persons without a legal title shall be compensated.	The Polish legal system does not recognize the right to compensation of landowners/users who do not have a legal title (except for persons whose legal title to the property has disappeared or who have acquired the right to the property by acquisitive prescription i.e. the method of acquiring property by uninterrupted possession of the property for the period specified in the law).	However, for those persons affected by the project who do not have a legal title to the property, each such case should be considered on a case-by-case basis, with a view to the applicability of the general mechanisms of the Civil Code in order to achieve the objectives of OP 4.12. According to OP 4.12 persons affected by the realization of investments without legal title to property are not entitled to receive cash compensation for the property. However, they shall be entitled to compensation for any structures, plantings and improvements made before the cut-off date and to appropriate solutions where they will have to be physically or economically relocated. In these cases, appropriate mitigation measures will also be applied.
The WB policy requires compensation for loss of income (e.g. from business, agricultural activities, etc.) in connection with property occupation for the purpose of the planned Task	Polish law does not provide for compensation for loss of income as a result of the execution of the Task.	People who have lost their income or employment will receive support (health insurance, vocational training, etc.) from Employment Agencies. In the case of entrepreneurs, it is possible to use the general mechanisms of the Civil Code (covering the incurred damage and lost profit).
Particular attention should be paid to vulnerable social groups, such as the poor, the elderly, single mother headed household, children, ethnic minorities.	Polish law does not require specific measures to be planned to support particularly vulnerable groups (older people, people with disabilities, the poor and others who may have special needs).	Expropriated persons shall be given all assistance in obtaining support from the offices and institutions to the citizens. Additional measures will also be taken to ensure that the objectives set out in OP 4.12 are met.

<p>The LAPF identified a number of inconsistencies between OP 4.12 and Polish law: OP 4.12</p>	<p>Polish law</p>	<p>Adjustment instruments</p>
<p>The policy of the WB requires additional compensation for the expenditure incurred by the PAP in connection with physical removal (e.g. material transport) and assistance for the implementation of resettlement.</p>	<p>No assistance is foreseen to cover removal costs and other similar costs resulting from the need for residents and businesses to move to a new place.</p>	<p>In order to cover removal costs and other similar costs, it is possible to use the general mechanisms of the Civil Code in order to achieve the objectives set out in OP 4.12.</p>
<p>The compensation should be paid prior to physical occupation of the land for the purposes of implementation of the Tasks</p>	<p>The Special Flood Act allows the site to be taken up and the work to be started before compensation is paid.</p>	<p>In all cases, the starting of the works is conditional upon receipt of confirmation that the PAP has been informed in advance of the commencement of the works, the remuneration has been paid and consent has been received to enter the site.</p> <p>The only exceptions are situations where appeal proceedings have been initiated because of the failure of the negotiations, the absence of owners or the impossibility of establishing them. If an appeal proceeding is initiated, the compensation will be paid after a final court ruling or final administrative decision is issued. PAP may apply for payment of the entire undisputed compensation amount, which does not affect the appeal. In the absence of the owners or the impossibility of identifying them in accordance with Polish law, the amount of compensation is deposited in the escrow account and is available to PAP after a court ruling or after determining the owner.</p> <p>In order to minimize the risk of the start of works before loss compensation, property activities should be planned and carried out in advance of the start of the works.</p>
<p>Compensation for the loss of assets is based on their market value plus 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>Applied methods of valuation may lead to lowering the value of the properties as compared to prices of similar properties on the local market.</p>	<p>The valuation of the property will be entrusted to an independent and experienced appraiser. The expert's opinion should be reviewed by PIU. The expert should have sufficient time to review the expert's opinion. In case of doubt as to the adequacy of the amount of compensation due, an independent expert in proceedings before the Voivode should assess the value of the property. In all cases, the valuation must indicate a replacement value.</p>

The LAPF identified a number of inconsistencies between OP 4.12 and Polish law: OP 4.12	Polish law	Adjustment instruments
A socio-economic study, LARAP, monitoring of compensatory measures, resettlement, measures to restore quality of life and evaluation of the effectiveness of all these measures are required.	Polish law does not provide for the obligation to prepare a socio-economic study and to produce a LARAP as such. There is no obligation to monitor and evaluate their implementation.	Socio-economic studies and LARAP are prepared in accordance with LARPF, OP 4.12 and good practice.

8.4 Valuation principles

Existing owner, holder of perpetual usufruct and other legal holder of land or a part of land on which flood management investment, necessary for Task implementation, is carried out, is entitled to compensation for the transfer of ownership of the property to the State Treasury. In all cases, the compensation must correspond to the replacement value of the property, which means the amount needed to replace the asset without taking into account the depreciation of the asset due to its age, condition or any other factor. This is usually based on the market value of the property and related goods (e.g. planting or other elements) plus the transaction costs necessary for restoration, such as taxes and charges. Compensation is determined on the basis of a valuation by a property appraiser, and other experts (e.g. agricultural expert) as required. According to OP 4.12 ‘replacement value’ for properties and structures is defined as follows:

- a) for agricultural land, this is the market value of the land before the investment or before the movement; whichever of these values is higher, corresponding to the market value of land with comparable production potential or use located close to the land occupied with the cost of preparing the land for a function similar to that of the land occupied by the contract, including transaction costs;
- b) for urban areas, this is the pre-movement market value corresponding to the value of land of comparable size and use, provided with similar or better access to infrastructure and services and located near occupied property, including transaction costs;
- c) for houses and facilities, this is the market value of the building materials for new houses and premises replacing houses and premises affected by the realization of the investment, in quantity and quality similar to or better than that incorporated in houses and buildings expropriated or partly affected by the effects of the investment, including the costs of transporting materials to the site, the salaries of building workers and the transaction costs, fees and taxes relating to the construction of new facilities.

For properties expropriated for the purpose of the performance of the Contract, the principles set out in (a) above shall apply.

In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the Project deducted from the valuation of an affected asset. Where Polish law does not provide for the need of compensation reflecting the full replacement cost, compensation is supplemented by additional measures such as support after displacement, for a transition period, based on a reasonable estimate

of the time likely to be needed to restore their livelihood and standards of living (including sources of income), etc.

The compensation shall be determined in the voivode's decision. The amount of compensation determined as at the date of issuing the IPIP is subject to indexation as at the date of payment, in accordance with the rules applicable in the event of the return of expropriated real estates.

8.5 Property valuation

The amount of compensation basis is determined on the basis of the market value of the real property. While ascertaining the market value of the real 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. Should the change of zoning and land use for the purpose of the Contract decrease the real property's value, its market value will be ascertained according to pre-zoning and pre-project use. If the data from the local or regional real property market allow the valuer to ascertain the market value of the property, they should apply one of the market approaches, i.e. the sales comparison approach, the income capitalisation approach or the combined approach. Should the zoning in accordance with the purpose of the investment increase the real property's value, its market value is ascertained according to the alternative use resulting from the new zoning. If the data from the local or regional real property market does not allow the valuer to ascertain the market value of the property, they should ascertain the replacement value of the real property on the basis of the cost approach. Should the current owner or holder of perpetual usufruct rights of the property covered by IPIP, releases the property or releases the properties and vacates the premises within 30 days from the day on which the IPIP became final, the amount of compensation is increased by 5% of the value of the real property or of the value of the title to perpetual usufruct.

8.6 Valuation of plants and crops

The valuation of tree stand or tree cover, if the tree stand includes usable resources, it will involve the valuation of timber in the tree stand. If the tree stand includes no usable resources or if the value of timber is exceeded by the costs of reforestation and maintenance of the tree stand, the valuation concerns 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 of the lost profit in the period from the day of expropriation until the completion of the full yield. The sum of the costs and the value of the losses shall be reduced by the sum of the annual depreciation charges resulting from the period of utilization of the plantations from the first year of harvest to the date of expropriation. The valuation of crops, 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, 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.

8.7 Methodology for valuation of building structures

In order to determine the value of building structures objects constituting a separate property in relation to land, the cost approach, the replacement cost method and the indicator technique may be applied. The cost approach consists in determining the value of the property - building on the

assumption that this value corresponds to the cost of its restoration (replacement). The value of the land components shall be taken to be an amount equal to the cost of their restoring or replacement. The essence of the cost approach is to assume that the buyer of the property will not be willing to pay for the property more than the cost of erecting the building property in the same technology or function, in the same place.

The result of this assumption is to distinguish between two types of costs:

- the restoring cost,
- the replacement cost.

For the application of the restoring cost method, it is necessary to have technical data on the valued building structures, data on the prices of materials and construction works.

Restoring cost means the cost of building an identical (exact copy) structure with the structure being subject to valuation. In determining the value, the property appraiser shall take into account the same design, equipment, quality of construction works and shall include in the cost calculation all defects, deficiencies and unnecessary components of equipment or construction or materials already in use. Restoring costs include the costs of constructing ancillary facilities closely related to the evaluated structure, preparation and arrangement of the site, and the costs of developing design documentation and building supervision. The costs of restoring the structure should therefore be reported as the costs of building the replica of the structure at the date of the valuation. Only if the materials from which the building is built today are no longer available on the market, the prices of materials closest to the materials used should be taken into account when determining the value.

9. Eligibility criteria and catalogue of eligible persons

9.1 Eligibility criteria

The following groups of persons entitled to compensation were identified in the direct consultations with the PAP and on the basis of the IPIP Decision:

- owners and co-owners of properties,
- users under perpetual usufruct,
- lease holders.

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

1. people who have formal legal rights to land or other assets affected by the Project (including customary and traditional rights recognized under the laws of the country);
2. people who do not have formal legal rights to 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 become recognized through a process identified during works on IPIP
3. people who have no recognizable legal right or claim to the land they are occupying

People specified in section (1) and (2) should receive compensation for lost land and other support. People specified in section (3) should receive resettlement support instead of pecuniary compensation for the occupied land and, if necessary, other assistance to achieve the objectives of OP 4.12, if they were in the area of implementation earlier than the cut-off date. Persons who occupy the area after the cut-off date shall not be entitled to compensation or other forms of assistance in connection with resettlement. All persons referred to in section (1), (2) and (3) should receive

compensation for lost goods other than land. Therefore, the lack of title to the property itself should not constitute an obstacle to the receipt of compensation or other assistance offered in connection with the compulsory occupation of the property.

9.2 Catalogue of eligible persons

Eligibility for compensation and support shall be determined on the following basis:

- PAP with properties legally held within the Contract area will receive full compensation,
- PAP, being tenants, lease holders, life annuitants and other dependant property holders within the area of the Contract, will receive full compensation for the loss of these rights,
- PAP, which own limited rights material rights to the property, will receive full compensation for the loss of these rights,
- holders of crops, plants, structures and other land-related structures shall be compensated for these crops, plants, structures and land-related structures,
- residents of homes and apartments who will have to be displaced in addition to compensation under the above rules will receive assistance in resettlement, adequate access to social infrastructure and, if necessary, a package of targeted mitigation measures,
- PAP, which in connection with the performance of the Contract will lose revenue, salaries or business opportunities, will receive appropriate compensation and, if necessary, a package of appropriate mitigation measures,
- PAP holding property within the Contract area illegally, without legal title and without a legal acquisition perspective, will not receive compensation for expropriation from the property, as this is impossible under Polish law. However, they shall receive compensation for the plants and structures owned by them and, if necessary, a package of targeted mitigation measures for the restoration or improvement of the quality of life.

PAP will be entitled to compensation for the following categories of impacts/losses:

- **Permanent loss of property** – due to the fact that the two-month period provided by the special purpose flood decision [PL: specdecyzja powodziowa - special IPIP decision issued on the basis of Special Flood Act] for the determination of the form of compensation by means of an agreement, within which it was possible to offer the "land-for-land" compensation expired, the compensation will be determined by the decision of the voivode. Currently, the Investor is obliged to apply for such decisions not to break the Polish law. It should be clarified that originally the Contract was not carried out taking into account the WB's policy regarding land acquisition and the Investor did not have the resources to provide PAP with any form of compensation. Therefore, the compensation will be paid in cash and will correspond to the market value of the expropriated property or part of the plot of land. In addition, for the immediate release of the property, the compensation may be increased by an amount equivalent to 5% of the value of the property expropriated, in accordance with the provisions laid down in the Special Flood Act. PAP that are not owners or users under perpetual usufruct but have a legal title to properties (e.g. tenants, lease holders) will receive compensation corresponding to the value of the expropriated rights. At the request of PAP, the Investor may take over the property in its entirety and compensate for the acquisition of the property in accordance with the above-mentioned principles. Any transaction costs, including taxes linked to the granting of compensation for expropriation, will be borne by the Investor. In the case of PAP that have properties within the Contract area, without a legal title (illegally), compensation for expropriation of property will not be possible. However, they shall receive compensation for the plants, planting and structures owned by them and, if necessary, a package of mitigation measures aimed at restoring or improving their quality of life;

- **Permanent restriction on existing properties use** will in principle be compensated in cash, taking into account the loss in market value of the property. Depending on the case, a specific selection of mitigation measures will also be proposed.
- **Residential buildings** – compensation will be made on a basis as for the permanent loss of property. In addition, displaced PAP will receive an additional payment of PLN 10,000.00. Depending on the case, the Investor will grant these persons replacement dwellings. In the case of squatters, they are not entitled to compensation, but in certain cases the Investor is obliged to grant them a replacement dwelling. Whereas a mitigation package will also be proposed to these people, including assistance in finding their place of residence and, if they are unemployed or affected by addiction, measures will be proposed to them to support their position on the labour market and receive appropriate treatment proposals;
- **Non-residential building structures and structures (stables, fences, technical infrastructure, etc.)** – in principle, owners and users of these building structures and structures will be compensated for as a permanent loss of property. Among the mitigation measures the Investor will propose to rebuild the infrastructure network and, where appropriate, the structures and building structures at the Investor's expense. In addition, in case of local government units which have implemented or implement the buildings or structures affected by the Project using funds from the European Union budget or other foreign sources, they will receive pecuniary compensation increased by the amount subject to return from the co-financing plus interest due;
- **The loss of planting** will be compensated for legal properties holders in pecuniary form, taking into account the costs of setting up and maintenance of the planting, as well as the value of lost benefits during the period from the date of expropriation to the date of completion of full harvest,
- **The loss of tree stands** will be compensated by the same as in case of the loss of planting. Depending on the case, the compensation may also be based on an estimate of the value of the wood that may be obtained;
- **The impact on entrepreneurs and employment** will be compensated in pecuniary form by compensating for the damage actually suffered by entrepreneurs and the profit they lost as a result of the implementation of the Contract. The basis for determining these values should be accounting and settlement documents, possibly business tax returns. In the event of loss of employment, workers will receive unemployment benefits. Whereas both workers and those engaged under civil law contracts in the event of loss of earning opportunities will receive free health insurance, assistance in finding work and, possibly, assistance in the form of vocational training enabling them to be re-qualified to find employment;
- **The loss or restriction of access to social infrastructure** (e.g. parks) will be compensated where possible by restoring this infrastructure in a new, well-located place. If the infrastructure cannot or does not need to be restored at the new location, the PAP will have access to existing social infrastructure;
- **Household resettlement costs** – to cover the costs of the resettlement of households, the PAP will receive a sum of PLN 10,000.00. They will also be offered a special package of mitigation measures, including, where necessary, assistance in finding a transport company and in covering transport costs in excess of PLN 10 000.00;
- **Especially vulnerable groups** will receive a tailor-made mitigation package (schedule for implementation will be determined on a case-by-case basis). For children and school children, this will help to find a location that will enable them to study at their current school, as well as for children attending crèches and kindergartens. Older people will be resettled to places that are free of architectural barriers to mobility and that have equal or easier access to healthcare,

while ensuring that existing habits and lifestyles are preserved. Poor people will be offered assistance in obtaining additional institutional support from government agencies, local government agencies and from NGOs that are relevant to their problems.

- **The temporary occupation of the property** will be compensated for in cash by paying amounts corresponding to the market rental or lease prices of the property in annual intervals. Furthermore, if losses are incurred in connection with the temporary occupation of the property, they will be offset separately on the above-mentioned basis. Once the construction operations have been completed, all the properties will be restored to their previous state;
- **Damage to homes, buildings and structures in connection with construction work (e.g. vibration, accidents, etc.)** they shall be compensated according to their nature so as to be able to restore the full substance of the affected site or to purchase a new one. Depending on the situation, appropriate rules will be applied for the compensation of the above-mentioned impacts.

9.3 Eligibility matrix

Impact/loss	PAP specification	Compensation
Permanent loss of property	Owners, perpetual usufruct rights users, owner-like possessors	<ul style="list-style-type: none"> • compensation in the form land-for-land • if compensation in the form of “land-for-land” is impossible or undesirable, cash compensation, • covering all transaction costs
	Illegally disposing the property	<ul style="list-style-type: none"> • no compensation for loss of property
	Holders of easement, a mortgage, a pledge on a property	<ul style="list-style-type: none"> • cash compensation for lost rights, • for the holders of the easement, help to find a solution for the use of the land belonging to them (possessing the property being expropriated), e.g. by a different route necessary for the property • covering transaction costs
	Illegal owners of easement	<ul style="list-style-type: none"> • for illegal owners of the easement, help to find a solution for the use of their property (possessing the property being expropriated).
Permanent limit of properties use	Owners, perpetual usufruct rights users, owner-like possessors	<ul style="list-style-type: none"> • cash compensation for loss related with limited use of real property. • covering transaction costs • offering institutional support and advice on alternative use of properties,
	Illegally disposing the property	<ul style="list-style-type: none"> • offering institutional support and advice on alternative use of properties,
	Illegal owners of easement	<ul style="list-style-type: none"> • help to find a solution for the use of their property (possessing the property being expropriated).
Non-residential building structures and structures (stables, fences, technical infrastructure, etc.)	Owners, perpetual usufruct rights users, owner-like possessors of buildings and structures	<ul style="list-style-type: none"> • cash compensation of the restoring value of the goods lost, • transfer or reconstruction of lost goods.
	Users	<ul style="list-style-type: none"> • cash compensation of the restoring value of the goods lost, • transfer or reconstruction of lost goods.
	Illegal owners of building structures and structures	<ul style="list-style-type: none"> • cash compensation of the restoring value of the goods lost, • transfer or reconstruction of lost goods.

Impact/loss	PAP specification	Compensation
	Lease holders, tenants of the building structures or structure	<ul style="list-style-type: none"> • cash compensation of the restoring value of the goods lost, • transfer or reconstruction of lost goods.
Loss of plantings	Owners, perpetual usufruct rights users, owner-like possessors	<ul style="list-style-type: none"> • cash compensation, including costs of starting and nursing plantings and lost crops, • making it possible to harvest
	Users	<ul style="list-style-type: none"> • cash compensation, including costs of starting and nursing plantings and lost crops, • making it possible to harvest
	Lease holders, tenants	<ul style="list-style-type: none"> • cash compensation, including costs of starting and nursing plantings and lost crops, • making it possible to harvest
	Illegally disposing the property	<ul style="list-style-type: none"> • making it possible to harvest
Municipal property	Municipality	<ul style="list-style-type: none"> • Restoration or replacement of destroyed premises in consultation with municipalities.
Temporary occupation of properties	Owners, perpetual usufruct rights users, owner-like possessors	<ul style="list-style-type: none"> • cash compensation • restoring the properties to previous condition.
	Illegally disposing the property	<ul style="list-style-type: none"> • restoring the properties to previous condition.
	Leaseholders, user of properties	<ul style="list-style-type: none"> • cash compensation • restoring the real estate to previous condition.

9.4 Cut-off date

According to the POM, in time terms, eligibility for project compensation should be limited to the cut-off date set for each task separately and accepted by the World Bank. The cut-off date should be set as the starting date for the inventory of properties and the PAP sociological studies and should be made public. The day of completing the socioeconomic studies i.e. 30 April 2020 is the cut-off date.

9.5 Gender

The implementation of the Contract does not allow any differences in benefits and / or expected impacts based on sex. There are women among PAP, either as single owners of properties or as owners of a joint marital property. It is described in detail in Appendix 18.5. Consultations will follow the principle of equal treatment and compliance with the law in this regard. Legal prohibition of discrimination expressed in the 1997 Constitution is in force in Poland. Article 32 provides that no one may be discriminated against in political, social or economic life for any reason. 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, on a basis of equality of men and women, 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, 1979). Poland had to adapt its legislation to the regulations in force in the EU also in the field of gender equality in order to become a member state of the European Union. This resulted mainly in changes in the labor code, but also in a change in the approach of many politicians and public administration to this topic. Experience also shows that women are equal participants in social consultations, and often their involvement and engagement in the local communities result in them playing a leading role in the consultations.

10. Social consultations and participation of society

In order to meet the policy requirements of OP 4.12, the necessary measures are aimed at involving the public in the development and implementation of LARAP. The involvement of the public is treated as one continuous, time-spread process, the proper implementation of which is intended to minimize the risks of potential social conflict for the task.

PAP and the local Community were informed about the Contract in administrative decision-making procedures. This was done through direct written information to PAP, as in the case of the IPIP decision and through public notices, as in the case of decisions on environmental conditions and water permit decisions on the website of the authorities running the procedure and on the notice boards of the Krosno Odrzańskie City Hall. No one has appealed against any decision.

In addition, PAP were informed of the Contract in the context of the social research. The people affected by the project were very aware of the planned work, often knowing the exact nature of the route of flood embankments.

During the process of the initial identification of the stakeholders participating in the Project development, the following entities were identified that have the influence on the preparation and realization of LARAP:

External Stakeholder:	Type of impact on LARAP
Minister Minister of Economic Development, Labor and Technology	<ol style="list-style-type: none"> 1. Consideration of appeal against IPIP 2. Consideration of appeal from the decision regarding amount of the compensation
Lubuskie Voivode	<ol style="list-style-type: none"> 1. Issuance of IPIP 2. Issuance of decision about amount of the compensation
Krośnieński Starost	<ol style="list-style-type: none"> 1. Help in identifying the needs of the local community for task 1B.8 2. Direct participation in the public consultation on the implementation of task 1B.8 3. Issue of extracts and map extracts from land records
Mayor of Krosno Odrzańskie	<ol style="list-style-type: none"> 1. Assistance in identifying local community needs for Task 1B.8 2. Assistance in solving the potential conflicts between investor and PAP 3. Representation of the city of Krosno Odrzańskie and the local community 4. Direct participation in public consultations 5. Issue of extracts and map extracts from the local land use plan
Mayor of Stary Raduszc	<ol style="list-style-type: none"> 1. Informing for local community about the Task 1B.8 2. Assistance in identification of needs of the interested community and local community 3. Assistance in solving the potential conflicts between investor and PAP 4. Representation of Stary Raduszc village community in the LARAP implementation process 5. Direct participation in public consultations
Mayor of Połupin	<ol style="list-style-type: none"> 1. Informing for local community about the Task 1B.8 2. Representation of Dąbie village community in the LARAP implementation process

Persons or Entities being subject to expropriation	<ol style="list-style-type: none"> 3. Direct participation in public consultations <ol style="list-style-type: none"> 1. Participate in the inventory 2. Description of needs and losses in connection with planned expropriation 3. Selection of compensation form 4. Direct participation in public consultations
Residents of Krosno Odrzańskie, village of Stary Raduszec, village of Dąbie	<ol style="list-style-type: none"> 1. Direct participation in public consultations

Once the draft LARAP has been finalized, its electronic version was posted on publicly available websites of:

- PGW WP RZGW in Wrocław: <https://wroclaw.wody.gov.pl/>
- Project Coordination Unit - <http://odrapcu2019.odrapcu.pl/>
- Krosno Odrzańskie city - www.krosnoodrzańskie.pl/
- District Starosty in Krosno Odrzańskie – www.powiatkrosnienski.pl
- Dąbie Commune Office - <http://www.dabie.pl/>
- and as an announcement in "Gazeta Lubuska" in "Tygodniowa"

Due to the restrictions that apply to social life in Poland, caused by the SARS-CoV-2 virus causing the COVID-19 disease, it was decided, taking into account the recommendations of the World Bank and the need to ensure safety, that the consultation meeting in the form of a public debate will not be held.

In order to implement the obligation to conduct public consultations and provide PAP with the opportunity to read the LARAP and submit motions and comments, it was decided that the consultations shall be conducted in the form of correspondence.

Due to the above, a cover letter with an invitation to read the LARAP on the website along with a form for submitting applications, comments and inquiries was sent to all PAP. In addition, information was provided that after the lapse of time intended for getting acquainted with the forwarded project, which is 7 days, a designated person would contact the PAP by phone or e-mail to discuss the content of the document and answer any questions.

The above documents were sent by registered mail with the service of electronic confirmation of receipt. Public consultations by correspondence lasted for 21 days from the date of dispatch of the last letter. After 7 days from the date of receiving the electronic confirmation of receipt by PAPs, the process of direct telephone conversations with PAPs began, during which the impact of the investment on their situation was indicated, and information regarding properties occupied for the purposes of the Task was provided. Information on possible other forms of contact was also made available, and additional questions and comments were collected, together with an indication of the possibility of submitting the form for applications, comments and inquiries within the time limit set for correspondence consultations. If the response to PAP required time, it was sent by e-mail or post within 7 days.

During the consultations, records were kept of the conversations held and of comments and applications received. After the time intended for correspondence consultations, i.e. 21 days from the date of dispatch of the letter, the process of submitting comments and inquiries was completed.

A detailed report was prepared on the public consultations carried out by correspondence, describing the manner of conducting them and the reasons for choosing this kind of procedure and sent to the World Bank. Comments from the public, which require consideration, were introduced into the

LARAP document, and then its final version was prepared. LARAP in this form will also be sent to the World Bank in order to obtain the acceptance clause - the so-called "no objection".

The final LARAP version will also be made available to interested parties after obtaining the WB's "no objection" clause. It will be shared on the following websites:

- PGW WP RZGW in Wrocław <https://wroclaw.wody.gov.pl/>
- Project Coordination Unit - <http://odrapcu.pl/>

and will remain available there until the completion of the Contract. Contact details of the person or persons responsible for sharing will be included in the announcement on the LARAP release. Any updates to the LARAP document will also be available to those interested on the PIO and PCU websites. Each PAP will be informed by a separate letter about the possibility of reading the final version of the LARAP.

The process of direct telephone conversations with PAPs was carried out from September 7 to September 18, 2020. The vast majority of PAPs did not have any questions about the LARAP or the Task. 6 persons among the PAP reported the need for a visit by a representative of the Investor or the Designer, who would make it clear on site what works are to be performed and precisely in what areas. Persons reporting the need to meet with the Designer own utility buildings, sheds and garages located on the plots subject to occupation under the Task, and they express concerns if the works performed will not damage these structures. During conversations with the above-mentioned PAP a pledge was given to organize meetings with the participation of a person with knowledge on the technical aspects of the Project in October 2020.

11. Summary – activities requiring application of the OP 4.12 policy.

Operational policy of the World Bank - OP 4.12 applies in situations where the implementation of the investment requires forced seizure of properties, which results in a change of residence or its loss, loss of goods or access to them, loss of income sources or reduction of quality of life, as well as in the case of forced limitation of access to parks and protected areas, has an adverse effect on the quality of life of people affected by the implementation of the Project. Pursuant to the provisions of the Special Flood Act, acquisition of properties or their parts for the purpose of Task implementation is conducted by decision of the voivode. Properties may be taken over by the Investor - it will most often be the State Treasury or a local government unit. Properties may also be subject to permanent limitations on use.

The compensation will be paid in cash and will correspond to the market value of the expropriated property or part of it which will equal or exceed replacement cost value. A permanent limitation on the current use of a property will, in principle, be compensated in a monetary form, taking into account the loss of its market value. This will also happen by decision of the voivode. Depending on the case, specially fitted protective measures may also be proposed. At the request of a PAP, the property on which the current use is to be permanently limited can be expropriated, and the PAP can receive compensation on the terms set out for the permanent loss of a property.

The investment will be carried out on 213 properties, of which 130 are subject to permanent occupation, 50 to permanent limitation, and 33 to temporary occupation. Permanent occupations concern 20 private plots, 95 communal plots, 15 State Treasury plots. 3 plots owned by the City of Krosno Odrzańskie and 5 Treasury plots remain in perpetual usufruct. Plots owned by the Krosno Odrzańskie municipality were held in usufruct by 2 commercial companies (one plot each) and 5 natural persons (two married couples and one natural person), while the plots of the State Treasury

were held in usufruct by a commercial company and two natural persons (a married couple). The plots of natural persons and commercial companies are considered private plots.

Significant impacts concern 10 properties that remained the property of natural persons. Such a relatively high number of significant impacts is caused by the fact that the properties associated with it have a small area and have been expropriated in whole or in a significant part.

Compensations for permanent occupations will be paid to the owners of 20 plots and to perpetual usufructuaries of 5 plots. Other compensations related to the permanent loss of properties will concern the Dąbie Commune and the City of Krosno Odrzańskie (95 plots). Due to permanent limitations, compensations will be paid to the owners for the occupation of 27 communal plots and 9 private plots, while for temporary occupations - 21 communal plots, 1 plot of the Krosno powiat and 4 plots of private entities.

Due to the inclusion of the Contract in the OVFMP after obtaining the final IPIP decision, it was necessary to perform an additional analysis to check whether the measures taken up to that point, met the OP 4.12 policy standards. As a result of this analysis, it was found that in the scope of property acquisition, the measures taken until now meet the OP 4.12 standards.

As the disclosure of the problems of one of the families whose part of the property used for conducting business activities was expropriated took place after the development of this LARAP, the investor, staying in constant contact with the household, will implement a series of compensation measures. In particular, it is intended to provide a replacement property for the duration of the Project, where it will be possible to partially transfer the infrastructure for conducting business activities, organize and cover the costs of relocation, and after the completion of the investment, make available property from the Investor's own resources.

12. Grievance redress mechanism management

In order to compensate as soon as possible and appropriately the damage suffered by PAP as a result of the Contract's implementation, this LARAP assumes that PIU will take all measures to deal amicably with complaints concerning the Contract. Grievance redress mechanism management must be differentiated to provide the integration with the administrative procedures obligatory on different stages of the Contract's preparation.

12.1 General mechanism for grievance redress mechanism management

General grievance redress mechanism will be applied for the following complaints and requests/motions:

- a) submitted during the public consultations regarding the draft LARAP,
- b) submitted during proceedings concerning the decision on the amount of the compensation directly to the Investor.
- c) submitted after the IPIP issuance and/or the decision about the amount of the compensation for the expropriated property,
- d) submitted directly to PIU, PCU, PGW WP

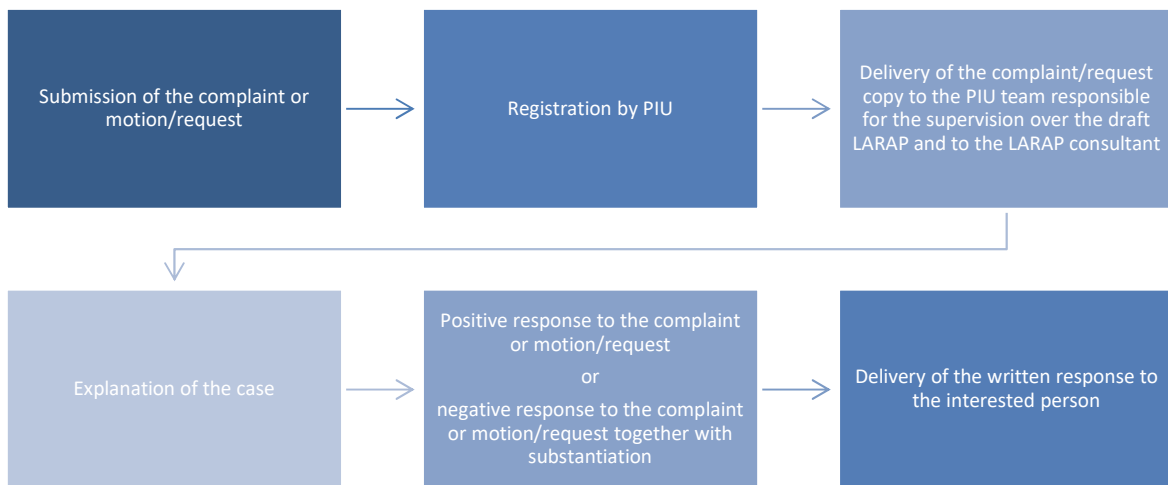
The basic rule adopted by the PIU is the right for submission of the complaint or motion regarding the Contract for each person, irrespectively that their property, rights or assets are located in the area designed for the implementation of the Contract.

Submission of the complaints and requests is free. Additionally, the person who submits the complaint or request cannot be exposed to any harm or allegation, because of the fact of the submission.

All complaints and requests to be entered into the minutes may be submitted in a written, electronic and oral form. They may be submitted directly to the headquarters of the Regional Water Management Authority in Wrocław or by correspondence to the following address: ul. [Street] Norwida 34, 50-950 Wrocław or electronically via address e-mail: jrpwroclaw.opdow@wody.gov.pl.

Complaints and requests shall be archived in a separate register, with the indication of the dates of their submission, dates of providing answers and the manner of handling them. If consideration of a complaint or request will need examination and clarification, all the necessary materials will be collected, research and analysis conducted, etc. In such case, the response to the complaint or request will be issued within 14 days from its submission to the RZGW. If the explanatory proceedings are not needed, the response to the complaint or motion will be issued within 7 days from its submission. In particularly complicated cases, the time for issuing the response to the complaint or motion will be extended to up to 30 days. If such a deadline shall prove insufficient, the interested party will be informed about the reason that the substantive response could not be given within the term and provided with the new term, during which such response will be given. In case of a negative response, the person submitting the complaint or request will be comprehensively informed about the reasons of it.

Schema of the general mechanism of the complaints and requests management is presented below:



Drawing no. 2

Specific complaint and claim management mechanisms are directly linked to the procedure for determining compensation for lost property rights and related goods (e.g. civil benefits, components or equipment and machinery which are not suitable for use elsewhere). They will be used in the course of proceedings concerning the granting of decisions by the Lubuskie Voivodeship to determine the amount of compensation and level of negotiations.

In the event that the parties are not satisfied with the decision issued by the Lubuskie Voivodeship, they will be entitled to appeal to the Minister responsible for construction (currently the Minister of Economic Development, Labor and Technology). All statements, requests and evidence submitted to the Minister responsible for construction will have to be admitted by them in the proceedings and taken into account when issuing the decision. In case of dissatisfaction with the

decision of the Minister, the parties will have the right to lodge a complaint to the Voivodeship Administrative Court (WSA). As part of the process of identifying the complaint, the WSA will examine whether the investigating authorities have not infringed substantive law decisions, for example: whether the applicable legal standard of the Special Flood Act was applied or whether there has been a breach of procedural rules, for example: whether all notifications to PAP were properly delivered, whether the proceedings to take evidence were properly conducted or whether the principle of the right to participate actively in the proceedings was infringed.

The amount of the court fees in judicial and administrative proceedings shall be determined by the provisions of the Council of Ministers Regulation on the amount and detailed rules for the charging an entry fee in the administrative courts of 16 December 2003 (Journal of Laws No 221, item 2193). The rules provided for in paragraph 1(1) to (4) of that Regulation shall apply to the decision setting the amount of compensation, according to which:

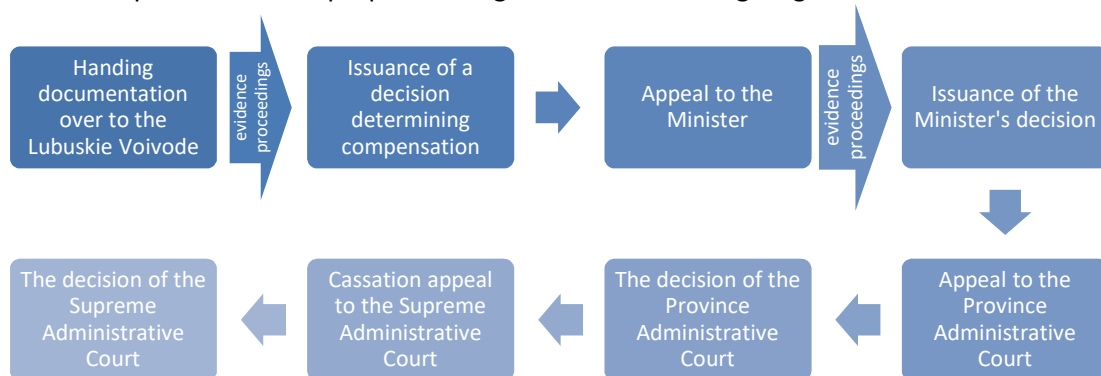
The relative entry fee shall be based on the amount of the monetary claim covered by the contested act and shall be:

- 1) up to PLN 10,000.00 - 4% of the value of the appeal, but not less than PLN 100.00;
- 2) more than PLN 10,000.00 to PLN 50,000.00 - 3% of the value of the appeal, but not less than PLN 400.00;
- 3) More than PLN 50,000.00 to PLN 100,000.00 - 2% of the value of the appeal, but not less than PLN 1,500.00;
- 4) more than PLN 100 000.00 1% of the value of the appeal, but not less than PLN 2 000.00 and not more than PLN 100 000.00

In the event of a non-satisfactory decision issued by the WSA, the PAP will have the possibility to bring an action before the Supreme Administrative Court (NSA). The said court shall examine not only the correctness and legality of the procedures run by the voivode or the minister, but also the decision of the Voivodeship Administrative Court. The court fees for the complaint to the NSA shall be charged on the same basis as for the complaint to the WSA.

In case of a failure to conclude agreements with PAP within two months of the final IPIP decision, all cases regarding determining the amount of compensation will be referred to the Lubuskie Voivodship on the path of administrative proceedings.

The mechanism of the administrative proceeding regarding a decision on determining the amount of compensation for expropriation is given in the following diagram:



Drawing no. 3

12.2 Other complaints right enjoyed by PAP in connection with the decision establishing the amount of compensation

The Polish law provides that a party to the administrative procedure may lodge a complaint against the lengthiness of time in which the decision was taken by the issuing authority or the court hearing the complaint.

In the first case, in accordance with Article 37(1) of the Administrative Proceedings Code, the party shall have the right to reminder if:

(1) the matter has not been dealt with within the time limit laid down in article 35 or in the specific provisions or within the time limit indicated in accordance with article 36(1) (inaction);

(2) the proceedings are taking longer than is necessary to deal with the case (lengthiness).

With regard to the decision establishing the amount of compensation, the competent authority for considering the complaint is the Minister responsible for construction and infrastructure (currently: Minister of Development, Labor and Technology).

The authority handling the procedure shall pass over the reminder to the higher authority without undue delay, not later than seven days from the date of receipt. The authority shall pass over the reminder together with the necessary extracts from the case file. Copies may be made in the form of an electronic document. When passing over the reminder, the authority shall respond to it. The upper-level authority (Minister of Development, Labor and Technology) shall consider the reminder within seven days of receipt.

The authority examining the reminder shall issue a provision whereby they:

- 1) indicate whether the case handling authority has committed an act of inaction or the lengthiness of proceedings, while stating whether it has been committed with a gross violation of the law;
- 2) In case of stating idleness or lengthiness:
 - a) require the case handling authority to deal with the case, setting a time limit for its settlement if the proceedings are not completed,
 - (b) manages the explanation of the causes and identification of those guilty of inactivity or lengthiness and, if necessary, take measures to prevent future inactivity or lengthiness.

In the latter case, i.e. in proceedings before the administrative courts, a party (PAP) may lodge a complaint under the Act of 17 June 2004 on a complaint for infringement of a party's right to hear a case in an preparatory proceedings conducted or supervised by a prosecutor and judicial proceedings without undue delay (Journal of Laws of 2018, item 75, as amended).

Pursuant to Article 2 of the above mentioned Act, a party may lodge a complaint stating that the proceedings complained about have infringed its right to hear the case without undue delay, if the procedure to give an end-of-proceedings decision takes longer than necessary to clarify the essential facts and legal circumstances, or longer than necessary to settle the enforcement or other enforcement case concerning the court decision (lengthiness of proceedings). If the complaint concerns the lengthiness of the proceedings before the Voivodeship Administrative Court or the Supreme Administrative Court, the Supreme Administrative Court shall be responsible for its proper consideration.

An unjustified complaint shall be dismissed by the court. Having regard to the complaint, the Court finds that the proceedings in question have been lengthy. At the request of the complainant or of its own motion, the court shall recommend that the court hearing the case take appropriate action

within the prescribed period, unless it is obviously unnecessary to make recommendations. The recommendations must not interfere with the assessment of the factual and legal case. Taking into account the complaint, the court, at the request of the complainant, grants from the State Treasury a sum of PLN 2000.00 to PLN 20 000.00

Another type of complaint addressed to public administrations is the complaint governed by Article 227(a) In accordance with that provision, the subject matter of the complaint may in particular be the negligence or improper performance of tasks by the competent authorities or by their staff, the breach of the rule of law or the interests of the complainants, and the lengthy or bureaucratic handling of cases. The addressee of this complaint may be the action of the RZGW WR or of the authority which has identified the claim for compensation or of the employees of those authorities. In cases concerning the operation of the RZGW WR, the competent authority for the consideration of the complaint is the Minister responsible for water management (now the Minister for Maritime Economy and Inland Navigation), while in respect of the activities of the Lubuskie Voivode and the Minister of Development, Labor and Technology, those bodies will recognize themselves complaints in the course of the proceedings. The authority examining the complaint may take appropriate measures to remedy the deficiencies identified and the reasons for them.

12.3 Grievance redress mechanism concerning works contract

The mechanism for the submission of complaints and requests for construction and assembly works by the Contractor shall be implemented at the beginning of the whole process and shall be valid throughout the duration of the Contract's execution, operation and closure.

12.4 Dates for considering complaints and motions/requests

Terms for considering complains and motions,

- written confirmation of receipt of the complaint: within 7 days of receipt of the complaint.
- proposed solutions: immediate, up to 30 days after receipt of the complaint.

The rules for handling complaints and motions referred to in section 12.1 are also binding on such complaints.

The proposed complaint form is attached as Appendix 18.8

12.5 Persons responsible for handling complaints and motions

An organizational unit will be set up by the Employer (Social Consultant) and it will be responsible for public relations and social complaints. This unit will also include one person from the Engineer's team i.e. a consultant with competence and experience in this field.

12.6 Place of submission of complaints and motions

A complaint or motion may be lodged by a party in one of the following two locations:

1. At the Consultant's: **Sweco Polska sp. z o.o.**, at the following address:

ul. Franklina Roosevelta 22, 60-829 Poznań, Phone +48 61 864 93 00, Fax +48 61 864 93 01, info.pl@sweco.pl, a person responsible: Marcel Gudzowski,

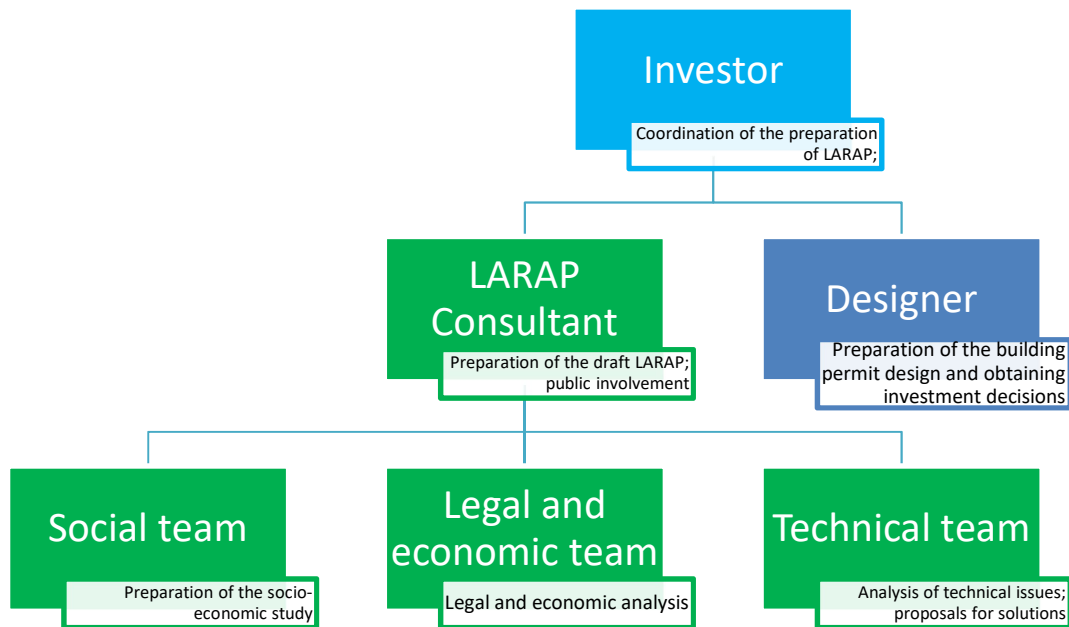
2. At the Investor's: **State Water Holding Polish Waters Regional Water Management Authority in Wrocław, Project Implementation Office of the Odra-Vistula Flood Management Project** at the following address:
ul. Norwida 34, 50-950 Wrocław Phone: +48 71 337 88 88, Fax +48 71328 50 48, a person handling the case: PIO Senior Specialist, jrpwroclaw.opdow@wody.gov.pl

12.7 Audits and independent appeal mechanism

It is assumed that internal audits of the "grievance and redress mechanism" will be carried out periodically (once every six months) and will be carried out in order to assess the effectiveness of the system implemented.

13. Institutional structure and implementation team

The institutional set-up of this LARAP is presented in the following diagram:



Drawing no. 4

The LARAP consultant for the preparation of this LARAP is Sweco Consulting Sp. Z o.o.

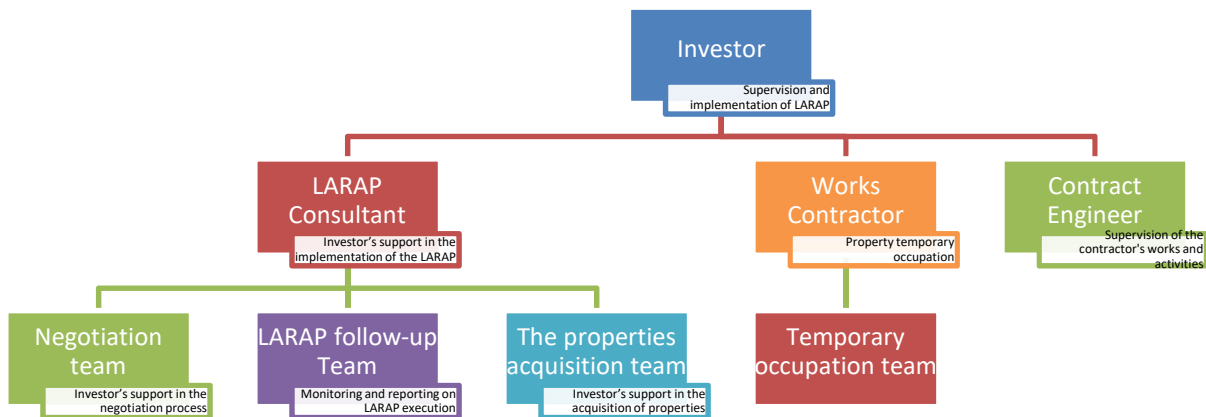
The competency of the LARAP drafting team is as follows:

1. Investor – coordination of preparation of LARAP:
 - a. supervision to improve the preparation of LARAP,
 - b. ensuring the flow of information between the LARAP Consultant and the Designer,
 - c. ensuring that changes in the results of the preparation of the LARAP are entered to the building permit design,
 - d. conducting public consultations,
 - e. monitoring the LARAP development process.
2. Consultant – draft LARAP Preparation:
 - a. carrying out socio-economic studies and preparing a socio-economic study,
 - b. collection and analysis of data on the use and development of properties,
 - c. designing a plan for public involvement and public consultation,

- d. the preparation of proposals for mitigating impacts and the technical analysis of these proposals; the submission of proposals for amendments to the building permit design,
- e. analysis of eligibility,
- f. preparation of compensating packages,
- g. preparation of the draft LARAP document.
- h. undertaking a public consultation process,
- i. preparing the final version of the LARAP document.

The team responsible for the LARAP preparation on the Consultant’s side is not located in the Inverstor’s organizational structure.

The competency of the LARAP implementation team is as follows:



Drawing no. 5

The competency of the LARAP implementation team is as follows:

1. PGW WP RZGW:

- a. supervision of the implementation of LARAP,
- b. conclusion of agreements on compensation payments,
- c. payment of the compensations,
- d. ensuring the flow of information between the LARAP Consultant, the Engineer and the Contractor,
- e. taking over of properties with the support of the Consultant,
- f. ensuring that there is no impact on properties that have not been acquired and compensated for as properties for use in the work to be carried out.

2. Consultant

- a. negotiations planning and participation in negotiations,
- b. employment of appraiser/appraisers who will prepare the relevant appraisal reports/valuations,
- c. verification of appraisal reports/expert appraisers’ valuations,
- d. monitoring of the implementation of LARAP by the Contractor and the Engineer,
- e. proposing remedying measures in the event of a problem situation,
- f. supervision of the commencement and execution of works,
- g. supervision of the performance of the obligations arising out of the Works Contract by the Contractor.

3. Contractor:

- a. acquisition of properties for temporary occupation not indicated in the IPIP decision, which according to the Contractor are necessary for the execution of the works,
- b. payment of compensation for acquiring properties for temporary occupation in accordance with point (a),
- c. execution of works on permanently occupied properties,
- d. restoration of all temporary occupied properties to pre-task condition.

4. PCU

- a. Coordination of actions undertaken by PIU within the Project implementation, also in the scope of the implementation of LARAP provisions.

14. Monitoring and evaluation

Monitoring of the LARAP implementation is an integral part of the Contract monitoring and management system. For this reason, the tools used for Contract implementation monitoring, the aim of which is reporting to the financial institutions and providing actual information about any problems, random events and irregularities, will be used for the needs of the LARAP implementation monitoring. LARAP is an integral part of an investment process allowing to respond to problems or irregularities immediately. Ensuring the proper communication between the Consultant, PIU and PCU is also fundamental. Information flow in the monitoring process is presented by the chart. The general monitoring and evaluation procedures are described in more detail in the document entitled Land Acquisition and Resettlement Policy Framework (LARPF) available at:

https://odrapcu.pl/wp-content/uploads/2021/03/Resettlement_Policy_Framework.pdf



Drawing no. 6

The registration process of events and facts by the consultant and PIU, especially through the correspondence register, register for progress of properties acquisition for the construction purposes and register for progress of the compensation payments plays the essential role in for LARAP realization monitoring. All data included in such registers is taking into consideration during preparation of the data lists, e.g. number of acquired properties and amount and type of the provided compensations, in accordance with Appendix 18.3.

All changes are registered in the registers. On the basis of the above mentioned registers, the following parameters are monitored:

- a) number of properties for expropriation and expropriated,
- b) number of persons for displacement and displaced,
- c) number of properties for temporary acquisitions (planned and realized),
- d) amount of all expenses needed for displacement process (planned and realized),
- e) paid compensations for loss of the properties legal title,
- f) paid compensations for loss of the income sources,
- g) acquired and given replacement properties,
- h) degree and status of the protecting activities,
- i) number of complaints.

Such formed LARAP implementation monitoring system allows for quick reactions in case of problems and for proper reporting within the existing Contract management systems. The document will be updated quarterly.

The main indicators to be monitored in relation to the Contract implemented by the RZGW WR are shown in the table below.

Indicator	Source of information	Frequency of monitoring	Progress indicator
Intended parameters			
The number of property to be expropriated	IPIP Decision	One-off once a decision has been taken	number (units)
Number of properties subject to permanent limitation	IPIP Decision	One-off once a decision has been taken	number (units)
Number of people affected by the project (PAP)	Land and mortgage registers, land register extracts, IPIP Decision	One-off once a decision has been taken Continuous updating during the reconciliation and compensation period	Number
Include an indicator of standard of living or livelihood remaining equal to or better than pre-project levels			
Amount of all compensation expenditure (planned)	Records of the RZGW WR/Consultant	Monthly/Quarterly	PLN
Number of properties acquired	Records of the RZGW WR/Consultant	Monthly/Quarterly	Quantity (units)
Reached parameters			
Amount of all compensation expenditure (expenses)	Financial records of the RZGW WR	Monthly/Quarterly	PLN
Number of properties acquired	Records of the RZGW WR /Consultant	Monthly/Quarterly	Quantity (units)
Effectiveness indicators			
Number of complaints.	Records of the RZGW WR /Consultant	Monthly/Quarterly	Quantity (units)
PAPs able to maintain or improve their standard of living to pre-project levels	Financial records of the RZGW WR	Monthly/Quarterly	PLN
Compensations paid, other	Financial records of the RZGW WR	Monthly/Quarterly	PLN

15. Costs and budgets

No	Item	Number of plots	Total - estimate [PLN]
1	Permanent occupation*	114	4 000 000.00
2	Permanent limitations, temporary occupations*	62	450,000.00
3	Costs of LARAP deployment**	Not applicable.	50,000
4	Total	176	4,500,000.00

* the compensation will be determined by an independent property appraiser and paid before the actual occupation of the land

** this category includes advertising costs in the press and remuneration for the curator, information campaign costs (PAP correspondence), cost of postal transfers, in case of compensation payments to non-bank account holders.

Funding will come from the International Bank for Reconstruction and Development, the Council of Europe Development Bank and the State budget.

The compensation will be paid by the Investor i.e. PGW WP RZGW. The funds are guaranteed by the State Treasury and distributed through the Ministry of Finance and the Ministry of Maritime Affairs and Inland Navigation to the State Water Holding Polish Waters.

PAP will receive compensation by means of a transfer from the account of PGW WP RZGW to a specified bank account or if the PAP does not have a bank account, payment will be made by postal transfer.

16. The personal data protection policy used in the Contract

The following principles, which are applied in the course of this Task, are intended to ensure the transparency, protection and security of the personal data collected and concerning persons affected by the project (PAP).

1. State Water Holding Polish Waters Regional Water Management Authority in Wrocław, Norwida Street 34, 50-950 Wrocław is the Administrator of the Personal Data. It is responsible for the use of the data in a safe and legal manner - in particular in accordance with the provisions of the Regulation of the European Parliament and of the Council (EU) 2016/679 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.
2. If the PAP has questions about the way and scope of processing personal data in relation to the operation of the PGW WP and its rights, they may contact the Data Protection Supervisor in the GWP via iod@wody.gov.pl

3. The legal basis for processing personal data concerns the Art. 6 sec. 1 (e) of the Resolution of the European Parliament and the Council (EU) 2016/679 of 27 April 2016 on the protection of individuals 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 the Art. 3 of the Act of 8th July 2010 on the specific rules of preparing for implementations investments in the scope of flood control.
4. Personal data concerns any personal information that allows you to identify a particular person. The PGW WP RZGW in Wrocław collects only the data which are necessary for the execution of the investment tasks carried out by PGW WP RZGW in Wrocław. Such data shall be processed only within the range specified by the PAP.
5. A consent to the storage and processing of personal data is voluntary, but failure to do so may prevent compensation payments from being made or the provision of information to PAP on the start of construction works and their progress. PGW WP RZGW in Wrocław only stores current personal data of PAP, who should inform PGW WP RZGW in Wrocław of any change in the data.
6. In order to identify owners/perpetual users/landlords/lease holders of properties that will be subject to permanent occupation or restriction of use, PGW WP RZGW in Wrocław collected personal data from land and buildings records and the electronic system of Land and Mortgage Register.
7. PAP's personal data may only be disclosed to:
 - a) authorized public entities for the purposes of their proceedings when PGW WP RZGW in Wrocław is obliged to do so on the basis of relevant provisions and documents (e.g. summons from a court, court order or other administrative or legal procedure),
 - b) the bodies involved, in the performance of the Contract, only to the extent necessary for the performance of the activity in question,
 - c) postal operators in order to inform PAP,
 - d) Consultant's representatives and lawyers to support the execution of Works Contract and compensation payments.
8. Each PAP has the right to:
 - a) access, update and correct personal data,
 - b) delete their personal data ("right to be forgotten") or transfer them to another controller,
 - c) restricting the processing of personal data - certain data may be marked as restricted to processing only in certain circumstances,
 - d) lodging a complaint to the competent authority supervising the processing of personal data by PGW WP RZGW in Wrocław, if they consider that the processing of personal data infringes the provisions of the General Data Protection Regulation of 27 April 2016 (referred to above),
 - e) withdrawing the consent to the processing of personal data at any time. PAP's data will not undergo automated decision-making (profiling) processes.
9. Personal data will be stored until the claims for damages of the PAP become invalid by lapse of time.

CONTACT WITH THE SUPERVISORY AUTHORITY TO WHICH THE COMPLAINT MAY BE LODGED President of the Office for the Protection of Personal Data in ul. [Street] Stawki 2 00-193 Warsaw phone 22 531 03 00 fax. 22 531 03 01 Office hours: 8.00 – 16.00 Helpline: 606-950-000 open on business days from: 10.00– 13.00

At the time of the conducted socioeconomic study, each PAP was provided with the above content of the policy.

17. LARAP implementation Schedule

Particular steps necessary for preparation and implementation of LARAP, in accordance with LARPF are presented below. Detailed schedule in this scope is included in the Appendix 18.2 hereto.

LARAP DEVELOPMENT			
Steps	Action	Responsibility	Verification of completed activities
1	Preliminary assessment of the Task's social impact	JOINT VENTURE -Legal and Social Matters Team	RZGW WR – LARAP Verification Team
2	Establishing the final scope of expropriation and drawing up a building permit design	Designer	RZGW WR – LARAP Verification Team
3	Specifying the coordination frames in the scope of LARAP implementation with relevant government administration bodies	JOINT VENTURE -Legal and Social Matters Team	RZGW WR – LARAP Verification Team
4	Collecting extracts and map extracts from the land registers and building registers and spatial area development plans	JOINT VENTURE -Legal and Social Matters Team	RZGW WR – LARAP Verification Team
5	Assessment of the Task's social impact	JOINT VENTURE -Legal and Social Matters Team	RZGW WR – LARAP verification team
6	Verification and update of collected materials, impact analyses and economic analyses	JOINT VENTURE -Legal and Social Matters Team	RZGW WR – LARAP Verification Team
7	Drawing up a draft LARAP	JOINT VENTURE -Legal and Social Matters Team	RZGW WR – LARAP Verification Team
8	Public consultations of LARAP	JOINT VENTURE -Legal and Social Matters Team	RZGW WR – LARAP Verification Team
9	Introduction of changes resulting from public consultations to the building permit design	Designer	RZGW WR – LARAP Verification Team
10	In the scope resulting from taking into account remarks and conclusions of LARAP - verification and update of collected materials, impact analysis and economic analyses	JOINT VENTURE -Legal and Social Matters Team	RZGW WR – LARAP Verification Team
11	In the scope resulting from taking into account remarks and conclusions of LARAP - introduction of changes to LARAP.	JOINT VENTURE -Legal and Social Matters Team	RZGW WR – LARAP Verification Team
12	Submitting LARAP to the World Bank	RZGW WR	PCU
13	No objections from the World Bank	WB	

LARAP DEVELOPMENT			
Steps	Action	Responsibility	Verification of completed activities
14	Publication of the LARAP (also published on the website)	WB	RZGW WR – LARAP Verification Team

LARAP IMPLEMENTATION			
Steps	Action	Responsibility	Verification of completed activities
1	Establishing a detailed schedule of LARAP implementation	LARAP Consultant -Legal and Social Matters Team	RZGW WR – LARAP monitoring and implementation team
2	Acquiring by PIU properties that may be handed over as swap properties	LARAP Consultant -Legal and Social Matters Team	RZGW WR – LARAP monitoring and implementation team
3	Handing over to PAP information on obtaining IPIP and its consequences and planned further actions of the Investor	LARAP Consultant -Legal and Social Matters Team	RZGW WR– LARAP monitoring and implementation team
4	Valuation of properties by independent and objective appraisers, in accordance with binding regulations and price verification	LARAP Consultant -Legal and Social Matters Team, Economic Matters Team	RZGW WR – LARAP monitoring and implementation team
5	Submission of applications to the Voivode for the decision determining the amount of compensation	LARAP Consultant -Legal and Social Matters Team	RZGW WR – LARAP monitoring and implementation team
6	Payment of compensations or handing over swap properties, start of implementation of other compensation and mitigation actions as planned in LARAP	LARAP Consultant -Legal and Social Matters Team	RZGW WR – LARAP monitoring and implementation team
7	Physical taking over of expropriated properties and commencement of works	Contractor	RZGW WR – LARAP monitoring and implementation team
8	LARAP implementation evaluation	LARAP Consultant -Legal and Social Matters Team, Economic Matters Team	RZGW WR – LARAP monitoring and implementation team

CYCLICAL TASKS			
Step	Action	Responsibility	Verification of completed activities
1	Internal constant monitoring of LARAP implementation	LARAP Consultant -Legal and Social Matters Team	RZGW WR – LARAP monitoring and implementation team
2	Reporting to the World Bank	RZGW WR – LARAP monitoring and implementation team	PCU
3	Constant coordination with government and local	RZGW WR – LARAP monitoring and implementation team	PCU

	government administration bodies		
4	Continuous communication with PAP	LARAP Consultant -Legal and Social Matters Team	RZGW WR – LARAP monitoring and implementation team

POST IMPLEMENTATION TASKS			
Step	Action	Responsibility	Verification of completed activities
1	LARAP implementation evaluation	Independent external auditor	World Bank

18. Appendices

18.1 SUMMARY LIST OF PROPERTIES

- the table is attached in an electronic version on a CD

18.2 SCHEDULE FOR THE ACQUISITION OF PROPERTIES

- on a CD

18.3 PROPERTY ACQUISITION MONITORING

- on a CD

18.4 MAPS WITH BOUNDARY LINES OF THE INVESTMENT SITE

- on a CD

18.5 SOCIO-ECONOMIC STUDY FOR THE TASK

- attached in an electronic version on a CD. This study is not published due to the protection of personal data in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons in relation to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC

18.6 REPORT ON PUBLIC CONSULTATIONS

18.7 AGREEMENT FOR TEMPORARY OCCUPATION OF A PROPERTY - TEMPLATE

18.8 COMPLAINT FORM SUBMITTED TO THE CONSULTANT

Appendix 18.8 Complaint form submitted to the Consultant (based on the WB guidelines)

Case No: _____	
First name and family name <i>Note: The complaint may be made anonymously or there may be a request not to disclose the applicant's information to anyone else without the consent of the applicant</i>	First name of the applicant _____ Surname of the applicant _____ <input type="checkbox"/> I would like to make a complaint anonymously I request that my personal information be not disclosed without my consent
	Contact details Please indicate how to contact the applicant (by email, telephone, by post) By post (please enter your mailing address): _____ By phone: _____ E-mail _____
Preferred language for communication	Polish – English - Other (please, specify).....
A description of the subject matter of the case or complaint	Subject matter of the case/complaint when the case occurred, state the place of the case/complaint, list the persons involved in the case what the effects of the situation are _____ _____
Date of the event/subject matter of the complaint/case	One-off event/complaint (date _____) It occurred more than once (specify the number of times: _____) In progress (current problem)
What actions would ensure problem solving in the applicant's assessment? _____ _____	
Signature: _____ Date: _____ Please forward this form to: [Family name] EH&S Inspector [Company's name] Address _____ Phone: _____ or E-mail: _____	