



ODRA-VISTULA FLOOD MANAGEMENT PROJECT - 8524 PL

**LARAP – LAND ACQUISITION AND
RESETTLEMENT ACTION PLAN
UPDATE NO. 2**

**SUB-COMPONENT 1A *Flood protection of areas in
Zachodniopomorskie Voivodeship***

Contract 1A.1:

***Chlewice-Porzecze. Backwater embankment of Odra River at Myśla
River and Modernization of Marwicki polder stage I and II***

***Task: Chlewice-Porzecze. Backwater embankment of Odra River at
Myśla River***



Version	Date	By	Verified by	Employer's Approval	Description
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1 List of abbreviations used in the document

1A.1	Sign of Contract/Task - <i>Chlewice-Porzecze. Backwater embankment of Odra River at Myśla River and Modernization of Marwicki polder stage I and II</i>
APC	Administrative Proceedings Code - Act of 14 June 1960 (consolidated text, Journal of Laws of 2016 item 23)
CC	The Act of 23 rd April 1964 – Civil Code (consolidated text, Journal of Laws of 2016, Item 380, 585)
Consultant/ Engineer	Company/legal person who is employed by the Employer to perform the services (described in this document among others)
Contract/Task	Works Contract 1A.1 <i>Chlewice-Porzecze. Backwater embankment of Odra River at Myśla River and Modernization of Marwicki polder stage I and II</i>
Contractor	Public body realizing Contract 1A.1 <i>Chlewice-Porzecze. Backwater embankment of Odra River at Myśla River and Modernization of Marwicki polder stage I and II</i>
EIA	Environmental Impact Assessment
FAG Law	The Act of 13 th December 2013 on family allotment gardens (consolidated text, Journal of Laws of 2015, item 528)
GIS	Geographic Information System
IPIP	Investment Project Implementation Permit
Joint Venture (consortium)	Joint Venture Sweco Consulting Sp. z o.o./ Sweco Nederland B.V./ Artelia Ville & Transport SAS/Artelia Sp. z o.o./EKOCENTRUM Sp. z o.o.
LARPF	Land Acquisition and Resettlement Policy Framework
NBP	National Bank of Poland (<i>Narodowy Bank Polski</i>)
NGO	Nongovernmental Organization
OP 4.12	The designation of the document containing the rules for involuntary resettlements required for co-funding of the Task with the World Bank's loan – Operational Policy 4.12 – Involuntary Resettlements.
PAP	Project Affected Person(s)
PCU	Project Coordination Unit
PRoU	Permanent restriction of use
PIO	Project Implementation Office - An organizational unit responsible for the

	Project implementation allocated as part of PIU
PIU	Project Implementation Unit - West Pomerania Board of Amelioration and Hydraulic Structures in Szczecin
PIU/Employer	West Pomerania Board of Amelioration and Hydraulic Structures in Szczecin
Project	<i>Odra-Vistula Flood Management Project</i>
RAP	Land Acquisition and Resettlement Action Plan
RIPIP	Road Investment Project Implementation Permit
RLB	Registry of Land and Buildings
RRLB	Regulation of the Minister of Regional Development and Construction of 29 th March 2001 on the register of land and buildings (consolidated text, Journal of Law of 2015, Item 966, 1777)
RPM Law	The Act of 21 st August 1997 on property management (consolidated text, Journal of Laws of 2014, item 1774)
Special Flood Act	the Act of 8th July 2010 on special principles of preparation and execution of flood prevention constructions investments (consolidated text Journal of Laws of 2015, item 966, as amended)
Structure	A material scope allocated in terms of functions, which constitutes a part of Task 1A.1 <i>Chlewice-Porzecze. Backwater embankment of Odra River at Myśla River and Modernization of Marwicki polder stage I and II</i>
World Bank (WB)	International Bank for Reconstruction and Development
ZZMiUW	West Pomerania Board of Amelioration and Hydraulic Structures in Szczecin (<i>Zachodniopomorski Zarząd Melioracji i Urządzeń Wodnych w Szczecinie</i>)

1.1 KEY DEFINITIONS

The following key definitions are used herein:

Property price – an amount negotiated with the property owner to its benefit for a respective property or any part thereof, based on the value of the said property estimated by an authorised property appraiser.

Economic resettlement – loss of benefits, income or support means resulting from the land purchase or restricted access (to the land, water or forest), occurring as a result of the construction or operation of the designed structures or related services.

Groups requiring the provision of special assistance – people who due to their:

sex, ethnicity, age, mental or physical disability, difficult material situation or social position are more exposed to adverse resettlement effects than other groups and who may have a limited

possibility of submitting their complaints or using assistance in resettlement or participating in the benefits connected with the Project.

Resettlement cost – extent of compensation for lost goods/ properties, covering a replacement value of such goods/ properties as well as cost of resettlement .

Social impact – in view of OP 4.12 social impact related to the resettlement is any direct loss, economic or social, resulting from expropriation, permanent constraints in use of the property or access to the property.

Compensation – paid in money or in the form of a property which is a substitute for properties acquired or affected by the Project. Such compensation is disbursed when a respective property must be released by the owner to Zachodniopomorski Board of Amelioration and Hydraulic Structures in Szczecin. Pursuant to Polish law in this scope the compensation can be disbursed from the time when expropriation decision becomes final (IPIP for the development: Flood embankment Chlewice-Porzecze. Backwater embankment of Odra River at Myśla River, dated 02.07.2013, becoming final on 20.03.2015) and in all the cases – prior to the acquisition of such 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 resettlements connected with investments projects.

Natural person – in jurisprudence, a natural person is a human being, from birth until death.

Legal person – legal persons are the State Treasury and organizational units that the specific provisions grant legal personality to.

Project affected person – 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 multiannual harvests and crops or other related or moveable assets, in whole or in part, permanently or periodically.

Income - property increment obtained as a result of business activity or agricultural activity on the property, and including sale of such a 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.

Limited liability company - a limited company established by one or more persons for any purpose allowed by law.

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

Replacement value - compensation for the loss of assets is based on their market value plus any transaction costs (e.g. taxes and registration fees) objective of which is for the compensation to be sufficient to effectively replace assets affected by the implementation of the Project (replacement value). This valuation does not discount depreciation.

Purchase / Voluntary sales – a transaction of a charged acquisition of a right to a 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. In the event of an expropriation, such a purchase is not deemed voluntary (i.e. willing purchaser / willing seller).

Real estate assets (according to LMA) - public property that was sanctioned by the legislator in Article 20 of LMA. Assets have been divided according to the ownership. State Treasury property (Art. 21 and 21a of LMA) and assets of different types of local government units - Commune (Art. 24 of LMA), District (Art. 25a of LMA) and Province (Art. 25c of LMA) have been distinguished. The provision of Article 20 of LMA does not apply to real estate assets of the owners other than those mentioned herewith.

The terms which are used in RAP: **property - real estate – plot - land**, are used interchangeably depending on the context. Terms are used in accordance with the following legal acts:

- CC – property, real estate,
- LMA – real estate, property,
- the Regulation on land register – property, cadastral plot (abbreviated in RAP – plot) and
- Operational Policy 4.12 - land.

2 Introduction

This document presents the update of the Land Acquisition and Resettlement Action Plan (RAP) for Contract 1A.1 Chlewice-Porzecze. Backwater embankment of Odra River at Myśla River and Modernization of Marwicki polder stage I and II implemented as part of the Odra-Vistula Flood Management Project (OVFMP) co-financed by IBRD (World Bank) (loan dated 10.09.2015), Council of Europe Development Bank (loan dated 24.05.2016) and the State Budget. It must be underlined that this document is a “site-specific” document and it is dedicated only to Contract 1A.1 and not the entire OVFMP.

The update only covers the extension of the scope of the mitigating measures for the implementation of the flood embankments in Chlewice, as specified in item 4.2 in the original document and in some formal source data. The RAP update is carried out at a stage when the progress of the Chlewice embankment works is approx. 37%.

The need for introducing the update results from the comments and conclusions of land owners affected by the project. The update contains changes and impact-mitigating measures, as provided for in chapter 4.2 of the first version of the RAP.

All Tasks included in the Sub-component 1A provide the comprehensive solutions for the problems connected with flood protection activities, including areas most endangered with the risk of the flood. Sub-component 1A includes the following Tasks:

- 1A.1 - *Chlewice-Porzecze. Backwater embankment of the Odra River at Myśla River and Modernization of Marwicki polder stage I and II*
- 1A.2 - *Flood protection of Ognica village on Odra River Osinów Łubnica. Modernization of inter-embankment. Flood protection of Radziszewo and Daleszewo villages on Odra River at 726+400 ÷ 727+960 km. Modernization of Marwicki polder stage III – pump station.*
- 1A.3 – *Restoring natural values of Lower Odra Valley by improving retention and flood protection capacities of Międzyodrze.*

2.1 TASK DESCRIPTION 1A.1

West Pomerania Board of Amelioration and Hydraulic Structures in Szczecin (ZZMiUW), acting on behalf of Zachodniopomorskie Province, is the Project Implementation Unit (PIU) for this Task which includes the construction and reconstruction of the flood embankments. Update involves one structure:

Ad 1). “*Chlewice-Porzecze. Backwater embankment of Odra River at Myśla River*”, includes the implementation of the new flood embankment, surrounding buildings in Chlewice town. The structure's objective is flood protection of the towns of Chlewice against high waters of the Odra River and backwaters of the Myśla River (the right-bank tributary of the Odra River). The designed flood embankment includes two sections: WM with length of 1.00 km and WO with length of 1.33 km.

Chlewice-Porzecze. Backwater embankment of the Odra River at Mysla River includes:

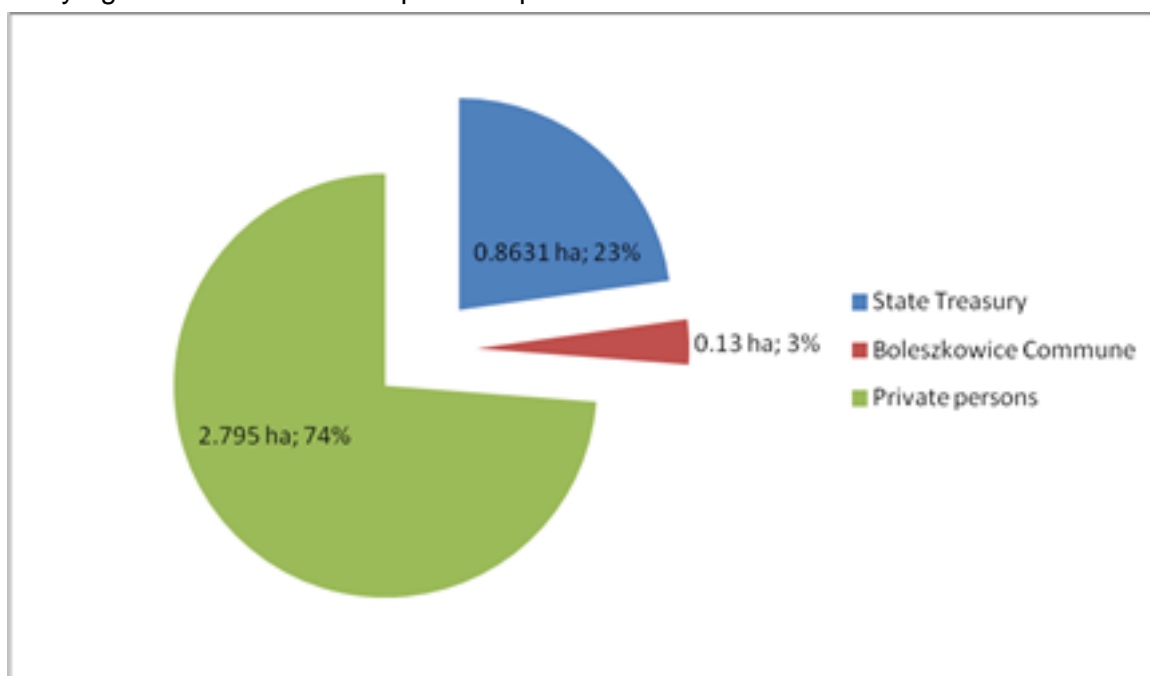
- Construction of the „M” flood embankment with total length of 1008 m from Mysla River,
- Construction of the „O” flood embankment with total length of 1328 m from Odra River,
- Construction of 18 passages (through the "M" and "O" embankments),
- Construction of the mobile anti-flood dam (by the intersection of "M" and "O" flood embankments),
- Implementation of the sucking well with diameter of 1200mm

2.2 AREA OF TASK 1A.1 IMPLEMENTATION

Chlewice-Porzecze. Backwater embankment of Odra River at Mysla River, it will be necessary to acquire 34 properties with total area of about 3.67 ha, including 24 private plots with total area of 2.79 ha (76% of total area). The remaining 10 properties (24% of total area) are owned by the State Treasury or Boleszkowice Commune. All properties are located in the area of Boleszkowice Commune.

Within the Task implementation area there are no residential or other buildings. However, there are elements of infrastructure such as fences. The identification was not final, because during actual works additional (i.e. not shown in maps) infrastructure items, especially underground infrastructure, were identified - e.g. water supply pipeline D100 supplying water to the village of Chlewice, running through the land plot No. 64, Chlewice range.

Only agricultural land was acquired as part of the Task.



Drawing 1 - Permanent occupancy in the Task 1A.1

Properties which use has been permanently restricted belong to the assets of the Boleszkowice Commune and Mysliborski District.

Prior to issuance of IPIP the plots belonging to the assets of the Agricultural Property Agency were not subject to any lease agreement. In relation with the implementation of the Task, there were no physical or economic displacements.

The list of the properties subject to permanent acquisition for the **Chlewice-Porzecze. Backwater embankment of Odra River at Myśła River** structure together with the detailed characteristic of their development is presented in the table which constitutes the Appendix No 1 to the first version of the RAP.

According to this table, the following, in particular, will be subject to expropriation: narrow parts of plots which are adjacent to the rivers. The usufruct analysis demonstrated that among the real properties under expropriation:

- 15 properties are classified in RRLB as arable lands; whereas, on some plots there are meadows, waste land and structures. Sections with these structures are not subject to expropriation. Total area of permanent occupation for this type of properties is 1.08 ha,

- 3 of those properties are classified as meadows, pastures or partly wastelands. Total area of occupation for these properties is 0.61 ha,

Other properties have been classified as wasteland.

In all cases the area affected by the project is less than 10% of the total productive area of the farms.

For none of the properties a limited material right, use of property without an agreement or other similar burdens were identified.

Properties where the embankment extension will be carried out do not include any properties which have allotment gardens.

For none of the plots there are identified any limited property law, non-contractual property usufruct or other similar encumbrances.

There are no cultural assets or historical monuments in the Investment area. There are no water intake points and other elements of technical and social infrastructure which would be of importance for the local population and which could require compensation under this RAP.

3 The basic principles adopted in RAP¹

The basic rules adopted in chapter 3 of RAP update No. 1, concerning the village of Chlewice, have not changed compared to the document dated Sep. 06, 2016.

Planned and implemented appropriate mitigating and preventive measures as well as property acquisition did not result in inequalities, did not cause social exclusion and did not lead to permanent environmental damage. Therefore, in the process of designing and implementing land acquisition and resettlement, the following principles were adhered to:

1. Land acquisition and involuntary resettlement shall be minimized or avoided where possible. Where resettlement is unavoidable, the procedures and requirements outlined in the RAP for the OVMP will be followed to prepare site-specific Land Acquisition and Resettlement Policy Framework (LARPF) to mitigate adverse impacts (see. http://www.odrapcu.pl/doc/OVFMP/Ramowy_dokument_dotyczacy_Przesiedlen_i_Pozyskiwania_Nieruchomosci.pdf).
2. The land expropriation procedures ensure that the livelihood and living conditions of project-affected people are improved, or at least restored, to pre-project levels.
3. All project affected persons (PAPs) have been meaningfully consulted and shall have a chance to be active and effective participants in the Project development process and will have grievance redress mechanisms. Social consultations shall take into account the needs of stakeholders who may be considered as particularly vulnerable and the ones resulting from the gender identity of the participants.
4. Implementation of effective grievance redress procedures for PAPs 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 cases of land acquisitions and resettlement, either permanent or temporary, will undergo procedures based on local regulations and WB OP 4.12 as per this LARPF and to be detailed for each site in the respective RAP. The RAP must be consistent with the LARPF.
6. RAP also concerns cases of permanent or temporary occupations as well as permanent and temporary limitations to the access to the property resulting in particular in the loss of business income (permanent or temporary) or worse standards of living.
7. The implementation of the RAP is and will be monitored and reported and in the end evaluated.
8. The process of social participation, protective and mitigation measures are and will be carried out in accordance with fair treatment regardless of age, sex or disability of affected people. Particular attention is paid to the households of vulnerable groups.
9. Resettlement plan and land acquisition are designed and implemented as an

¹ The content of the chapter compliant with LARPF.

- integral part of the Project. All costs connected with implementation of compensation actions will be included in the costs and benefits of the project.
10. Compensation for P A P s in economic terms, in particular for expropriated people, took place before starting construction works on that affected land.
 11. As part of compensatory measures, there was no priority for compensation on the "land for land" basis by granting real estate with equivalent production potential. Cash compensation was applied where land acquisition had no impact on the use of land for its former purposes as well as in cases where the affected persons expressed their will to receive cash compensation.
 12. Temporary occupation of the property for the Task fulfilment needs is possible only upon voluntary consent of the property owner and under terms and conditions specified in a consent declaration. At the moment the Contractor is at the stage of concluding agreements for temporary occupation with those owners of the properties where it is necessary and where it results from justified needs of the Contractor.
 13. In case of temporary acquisition, land will be restored to the original condition as beforehand to enable the owners or users to use it as they did before the implementation of the Project. In order to document the condition of these properties and to minimize unwarranted claims by residents, a photographic and technical inventory of selected properties that may be exposed to the negative impact of the works was carried out prior to the commencement of the works.
 14. All persons affected by the project, regardless of the title to the property, will receive (or have already received) support of various kinds, as per the principles set out in the Entitlement Matrix include in this RPF. Lack of legal title should not be an obstacle to compensation and/or other type of support. Detailed land acquisition procedures, social participation and protective, preventive, compensatory and mitigation measures are defined in this RAP.
 15. In accordance with section 1.5.9 of the General Specification ST-0, wherever possible, additional pedestrian, vehicle and animal crossings are planned, including reinforcement of their construction or adjustment of the location of the three crossings - in accordance with the requests of persons affected by the consequences of the investment.
 16. Also, in accordance with the requests of persons affected by the investment, the location of fences and enclosures was adjusted (and their length was extended) in order to limit cattle's access to embankments, thus eliminating the possibility of damage.
 17. In order to achieve the objectives described in points 15 and 16, the water law permit was updated by virtue of the decision of the Marshal of Wielkopolska (ref. No.: DR-IV.7322.66.2017) on Dec. 29, 2017. The changes were sanctioned by updating the IPIP on June 13, 2018 (decision No. AP-1.7840.6.1-6.2018.GZ).
 18. Currently, activities are underway in connection with the acquisition of the remaining land plot No. 26/9, owned by the Municipality of Boleszkowice.

The purpose of updating this RAP is not, among other things, to collect basic socioeconomic data that have not changed on persons affected by the project.

Based on agreed indicators, RAP document is and will be till the end of the Project subject to continuous monitoring and updating by the Consultant's team and PIU during the course of the works and the emergence of new facts and legal circumstances affecting implementation of its provisions. This will allow for delivery of relevant information to PAP, early identification of risks and implementation of methods that will allow minimizing or eliminating these risks. Monitoring results will be presented in the reports: monthly and quarterly.

Ex-post assessment will be carried out six months after complete implementation of LARPF and when its aims will be assessed and documented.

4 Minimising the impact

4.1 SOCIAL IMPACTS

Within the meaning of OP 4.12, social impacts connected with expropriation are as follows: direct losses, economic and social losses, resulting from the property expropriation, permanent limitation of hitherto usufruct manner or access to the property. Therefore, for the purpose of assessing the significance of social impacts a percentage ratio of the entire property to its expropriated part is assumed as a basic criterion. It is also necessary to obtain data acquired during a social-economic survey.

In order to assess the social impacts for the needs of this RAP, the following importance parameters were adopted, according to OP 4.12:

- minor impacts – less than 10% of the production area of the farm and assets is subject to a loss, and there is no physical relocation. Such impacts should be treated as the minor impacts.
- severe impacts – more than 10% of the production area of the farm and assets is subject to a loss, property dividing line runs in such way, that the farming/orchard activities on the property are not possible.

The determined significance of impacts was taken into consideration while preparing eligibility matrix.

For the distinction of the minor and severe losses, 10 % value was adopted, because the Task is conducted in the country side conditions, therefore for the part of the residents running the farms, loss of 10 % and more of the production area of the farm will result in certain limitation of the earnings from the Farming crops, however it will not have the essential influence on the earnings performance of the farm, because of the aerial structure of this farms. If expropriation involves wasteland impact is considered to be irrelevant, because the occupation of this land will have no impact on the livelihoods of the household.

4.1.1 Occurrence of severe impacts

During the interviews with the residents and public consultations, only one owner of the land pointed the loss of the economic profitability of farming on his property. His land is divided with the flood embankment in such a way, that the farming is completely impossible. Nevertheless, the social and economic analyses conducted do not demonstrate any significant impact in this case. Prior to expropriation the plot was used as an investment and the owner only indicated willingness for its development but till the day of issuing IPIP it had been only at the stage of plans. Therefore, the impact has been determined as minor.

In case of the areas owned by the Boleszkowice commune, the social impacts were treated as minor, because the recovery of the land from the entity does not have any impact on its situation and performance.

For the planned Task, there are no impacts connected with any physical displacements of the households or agricultural farms. The economic resettlements do not occur, either

4.2 MITIGATION MEASURES

1. All design works were conducted in such a way as to minimize the area of land needed for acquisition.
2. Amounts of compensations for the lost property were determined on the basis of the estimative calculations performed by the licensed property appraisers and decision of the Westpomerania Province Governor. The price estimation for calculations of the compensation amount was honest, objective and independent, and conducted in such way that the existing owner will receive the compensation for the property with a value adequate to the real loss, to minimize the negative influence of the loss of property on their financial situation.
3. As part of compensatory measures, there was no priority for compensation on the "land for land" basis by granting real estate with equivalent production potential, because the residents neither demanded or expected such compensation. Cash compensation was applied where land acquisition had no impact on the use of land for its former purposes as well as in cases where the affected persons expressed their will to receive cash compensation. Such form of acquisition was used in 100% of cases.
4. All costs connected with the protecting activities will be included in the compensation package. Presently, it is not necessary to implement a range of protecting activities, nevertheless this may change during the performance of Project.
5. Property releasing took place after harvesting current crops, for plots where agricultural activity is carried out in a given vegetative year for a given cultivation. If crops are not harvested, an equivalent in cash shall be disbursed. People who cultivate land were informed about the planned term of works commencement and should, within the provided term, clear the crops and harvest as well as their property stored on the land.
6. Each person under expropriation was entitled to free of charge use of the land for current purpose until the payment of compensation or (in case, when the agreement regarding value of the compensation will not be reached) its undisputed part.
7. PAPs were informed by the Employer about the commencement of the works within the time period that will allow to cease all activities performed on the property, but not less than 90 days.
8. To minimize any damages in the farming crops caused by animals, the protecting fences will be constructed to the extent specified in the table below.
9. Wherever possible, additional passages and crossings will be realized through the flood embankments, according to requests of persons affected with the Task implementation. The update also covers the execution of temporary crossings through the embankments, in their target location. This is in keeping with the expectations expressed during the public consultation of May 12, 2018 by residents farming on both sides of the embankments. The purpose of the crossings is to allow access to certain parts of the fields during construction works.

10. During the performance of construction works, there will be required distances preserved from overhead lines.
11. Near the existing underground services, all the works will be carried out manually in order to avoid any damage.
12. For the time of conducting works, the supervision of the owners of infrastructure network will be ensured. The owners of such networks was notified in advance of the date of commencing the works.
13. Upon the completion of works, the real properties will be recovered to their previous condition. Acquisition of property for the needs of temporary occupation shall be guided by the rules provided herein.
14. Prior to the commencement of works, the Employer conducted a wide-spread information campaign concerning the planned Contract and opened an information centre for Project affected persons, where they will be able to file their motions and comments to the conducted construction works and planned occupations. An information brochure was prepared and sent to all PAPs, advising on a possibility of submitting complaints (in accordance with the provisions of RAP) and providing contact details. The information centre was opened at the contractor's construction site in Chlewice and the local community was informed about it. The Contract Engineer and the Contractor are on duty in the information centre every second and fourth Tuesday of the month.
15. As part of the information campaign, PAPs was informed on a possibility of submitting an application for purchasing the remaining parts of the property so called remnants if upon property division and occupation of its part for the Task, there is a part left which is not suitable for further usage for hitherto purposes (pursuant to Article 23.2 of Special Flood Act).
16. Due to the implementation of the Contract temporary occupation of properties for the execution purpose will be necessary (for site facilities and storage of soil, as well as other building materials). The scope and final location of temporary occupations is being analysed by the Contractor. The Contractor will be negotiating conditions of temporary occupation of a property the Contractor will be guided by the principles described in this LARPF (this process will take place on voluntary basis).
17. In connection with crossing location adjustments and the resulting need to occupy larger areas, areas of limited use have been established. Their existing owners have agreed for those areas' occupation for construction purposes. The establishment of restricted use areas of a total area of 104.70 m² is addressed in the IPIP update issued on June 13, 2018.

Detailed mitigation measures: (included in the project documentation and covered by the public procurement)

Land plot No.	Activity
No. 100 range Chlewice	<ul style="list-style-type: none"> • performing an access road to both parts of the divided plot by means of ensuring passage through the embankment, • securing the embankment against cattle through building a fence, • reconstructing a wooden fence after constructing the embankment, • installing two gates (before starting works connected with the embankment construction) • cutting out 3 trees upon obtaining the required permit.
No. 27/1 range Chlewice, No. 98/2 range Chlewice	<ul style="list-style-type: none"> • cancellation of the passage construction at km 0+620, moving of the passage way at km 0+150 to km 0+120-0+130 for the owner of the property, to allow for continuity of farming activities, • securing the embankment against cattle through building a fence,
No. 81 range Chlewice	<ul style="list-style-type: none"> • securing the embankment against cattle through building a fence
No. 25/4 (former No 25/1) range Chlewice, No. 25/7 (former No 25/2) range Chlewice, No. 94 range Chlewice	<ul style="list-style-type: none"> • securing the embankment against cattle through building a fence,
No. 112 range Chlewice	<ul style="list-style-type: none"> • securing the embankment against cattle through building a fence, • terrain levelling in km 0+000-0+060
No. 24 range Chlewice	<ul style="list-style-type: none"> • performing flood protection in the technology alternative to the technology specified in the documentation by means of replacing the earth embankment with the mobile closure system.
No. 66/3 range Chlewice, No. 79/1 range Chlewice	<ul style="list-style-type: none"> • securing the embankment against cattle through building a fence from km 0+750-1+200 and the boundary of the plot No 79/4, • performing an additional passage through the embankment from plot No 72 to plot No 66/4
No. 90/1 range Chlewice, No. 113 range Chlewice, No. 147 range Chlewice	<ul style="list-style-type: none"> • performing an passage through the embankment in km 0+200 • determining the final localisation of the passage after final acceptance of the embankment route.

Additional detailed mitigating measures, resulting from requests and comments of Chlevice residents, introduced as additional and/or alternative works, recommended by the Employer, introduced in accordance with the provisions of the first version of RAP:

Land plot No.	Measures required by PAPs
<p>No. 100/2, Chlevice range</p> <ul style="list-style-type: none"> No. 100/2, embankment plot, after the division of land plot No.100, bordering with land plot No. 100/1 on the air side and with land plot No. 100/3 on the water side 	<ul style="list-style-type: none"> access on both sides of the divided land plot by ensuring vehicle/pedestrian passage through the embankment, at km 0+105 of embankment "M" securing the embankment against cattle by constructing a fence on both sides of the land plot No. 100/2 (total of 221 linear meters) and along the vehicle/pedestrian passage at km 0+105 (total of 32 linear meters)
<p>No. 27/4 range Chlevice; No. 98/4 range Chlevice, 99/2 range Chlevice,</p> <ul style="list-style-type: none"> No. 98/4 embankment plot, after the division of land plot No. 98/2, bordering with land plot No. 98/3 on the air side and with land plot No. 98/5 on the water side. No. 27/4 embankment plot, after the division of land plot No. 27/1 bordering with land plot No. 27/5 on the air side and with land plot No. 27/3 on the water side. No. 99/2 embankment plot, after the division of land plot No. 99, bordering with land plot No. 99/1 on the air side and with land plot No. 99/3 on the water side 	<ul style="list-style-type: none"> securing the embankment against cattle by constructing a fence on both sides of the land plot No. 98/4 (total of 74 linear meters), the land owner requested no fence to be built around the land plot No. 27/4, the land owner requested for protecting the embankment against cattle by building a two-sided fence on the embankment side of the land plot No. 99/2 (total of 69 linear meters),
<p>No. 94/2 range Chlevice, No. 25/4 range Chlevice, No. 81/2 range Chlevice</p> <ul style="list-style-type: none"> No. 94/2 embankment plot, after the division of land plot No. 94, bordering with land plot No. 94/1 on the air side and with land plot No. 94/3 on the water side No. 25/4 embankment plot, after the division of land plot No. 25/1, bordering with land plot No. 25/3 on the water side and with land plot No. 25/5 on the air side No. 81/2 embankment plot, after the division of land plot No. 81, bordering with land plot No. 81/1 on the air side and with land plot No. 81/3 on the water side 	<ul style="list-style-type: none"> securing the embankment against cattle by constructing a fence on both sides of the land plot No. 81/2 (total of 58 linear meters), securing the embankment against cattle by constructing a fence on both sides of the land plot No. 94/2 (total of 455 linear meters), the land owner requested no fence to be built around the land plot No. 25/4, 25/7,
<p>No. 112/2 range Chlevice</p> <ul style="list-style-type: none"> No. 112/2 embankment plot, after the division of land plot No. 112, bordering with land plot No. 112/1 on the air side and with land plot No. 112/3 on the water side 	<ul style="list-style-type: none"> securing the embankment against cattle by constructing a fence on both sides of the land plot No. 112/2 (total of 205 linear meters),

<p>No. 24/2 range Chlewice</p> <ul style="list-style-type: none"> No. 24/2 embankment plot, after the division of land plot No. 24, bordering with land plot No. 24/1 on the water side and with land plot No. 24/3 on the air side 	<ul style="list-style-type: none"> relocation of the fence from the land plot No. 24/2 to the boundary between land plots Nos. 24/2 and 24/3
<p>No. 66/5 range Chlewice, No. 79/3 range Chlewice, No. 74/3 range Chlewice, No. 75/1 range Chlewice, No.121/10 range Namyslin</p> <ul style="list-style-type: none"> No. 66/5 embankment plot, after the division of land plot No. 66/3, bordering with land plot No. 66/4 on the water side and with land plots No. 67/1, 69, 71, 72, 74/4 on the air side No. 74/3 embankment plot, after the division of land plot No. 74/2, bordering with land plot No. 74/4 on the air side and with land plot No. 103/2 on the water side No. 75/1 embankment plot, after the division of land plot No. 75, bordering with land plot No. 75/4 on the air side and with land plot No. 103/2 on the water side No. 121/10 embankment plot, after the division of land plot No. 121/1, bordering with land plot No. 121/11 on the air side and with land plot No. 121/9 on the water side No. 79/3 embankment plot, after the division of land plot No. 79/1, bordering with land plot No. 79/4 on the water side 	<ul style="list-style-type: none"> securing the embankment against cattle by constructing a fence from km 0+750-1+200 on both sides of the land plot No. 66/5 (total of 460 linear meters), securing the embankment against cattle by constructing a fence on both sides of the land plot No. 74/3 (total of 56 linear meters), securing the embankment against cattle by constructing a fence on both sides of the land plot No. 75/1 (total of 139 linear meters), securing the embankment against cattle by constructing a fence on the air side of the land plot No. 121/10 (total of 130 linear meters), securing the embankment against cattle by constructing a fence along the land plot No. 79/4 (total of 222 linear meters),
<p>No. 90/4 range Chlewice, No. 113/2 range Chlewice, No. 147/2 range Chlewice</p> <ul style="list-style-type: none"> No. 90/4 embankment plot, after the division of land plot No. 90/1 bordering with land plot No. 90/5 on the water side and with land plot No. 90/3 on the air side No. 113/2 embankment plot, after the division of land plot No. 113, bordering with land plot No. 113/1 on the water side and with land plot No. 113/3 on the air side No. 147/2 embankment plot, after the division of land plot No. 147 bordering with land plot No. 147/1 on the water side and with land plot No. 103/12 and 113/1 on the air side 	<ul style="list-style-type: none"> securing the embankment against cattle by constructing a fence on both sides of the land plot No. 90/4 (total of 78 linear meters), construction of a vehicle crossing through the embankment at km 0+200, determination of the target location of the vehicle crossing through the land plot No. 113/2. The land owner requested that the animal crossing o_10 be moved northwards, from km 0+200 of embankment "O" to km 0+240, securing the embankment against cattle by constructing a fence on both sides of the land plot No. 113/2 (total of 367 linear meters), securing the embankment against cattle by constructing a fence on both sides of the land plot No. 147/2 (total of 24 linear meters), The land owner requested that the animal crossing o_10 be moved northwards, from km 0+200 of embankment "O" to km 0+240,

<p>No. 103/11 range Chlevice</p> <ul style="list-style-type: none"> No. 103/11 embankment plot, after the division of land plot No. 103/6, bordering with land plot No. 103/10 on the water side and with land plot No. 103/113, 103/5, 103/12 on the air side 	<ul style="list-style-type: none"> securing the embankment against cattle by constructing a fence on both sides of the land plot No. 103/11 (total of 360 linear meters),
<p>No. 57/3 range Chlevice</p> <ul style="list-style-type: none"> No. 57/3 embankment plot, after the division of land plot No. 57/1, bordering with land plot No. 57/2 on the water side and with land plot No. 67/1, 64 on the air side 	<ul style="list-style-type: none"> securing the embankment against cattle by constructing a fence on both sides of the land plot No. 57/3 (total of 220 linear meters),
<p>No. 84/5 range Chlevice</p> <ul style="list-style-type: none"> No. 84/5 embankment plot, after the division of land plot No. 84/2, bordering with land plot No. 84/6 on the air side and with land plot No. 84/4 on the water side 	<ul style="list-style-type: none"> securing the embankment against cattle by constructing a fence on both sides of the land plot No. 84/5 (total of 162 linear meters),
<p>Pedestrian crossings: o_1; o_2; o_3; o_4; o_5; o_6; o_7; o_8; o_9; m_1; m_2; m_3; m_4; m_5; m_6; m_7; m_8</p> <p>Animal crossings: o_10</p>	<ul style="list-style-type: none"> double-sided protection of embankment crossings against cattle, by constructing a pole fence, including installation of mobile barriers ensuring the possibility of passage through embankment crown for maintenance purposes as well as for vehicle and animal movements: o_1 - 63 linear meters; o_2 and o_3 - 119 linear meters; o_5 - 49 linear meters; o_6 - 20 linear meters; o_7 - 24 linear meters; o_8 - 32 linear meters; o_9 - 25 linear meters; o_10 - 39 linear meters; m_1 - 52 linear meters; m_3 - 54 linear meters; m_4 - 50 linear meters; m_6 - 63 linear meters; m_7 - 47 linear meters, single-sided protection of the embankment crossing m_5 against cattle, constructing a pole fence, including installation of mobile barriers ensuring the possibility of passage through embankment crown for maintenance purposes - 30 linear meters construction of an additional fence, linked to the existing fence between the owners of the plots, near the footing of crossings m_4 - 5 linear meters, m_6 - 8 linear meters, m_7 - 6 linear meters, including installation of mobile barriers, providing access to crossings for the land owners reinforcement of vehicle and animal crossing surfaces by laying full concrete slabs on a geo-textile polyester substrate
<p>Pedestrian crossings: o_1, o_6, m_1, m_3, m_4, m_6</p>	<ul style="list-style-type: none"> construction of temporary crossing structures made of solid concrete slabs during the construction works in order to ensure mobility for owners of adjacent plots,
<p>No. 103/8 range Chlevice, No. 121/10 range</p>	<ul style="list-style-type: none"> placing a mobile barrier ensuring the

<p>Chlewice, No. 79/3 range Chlewice</p> <ul style="list-style-type: none"> No. 103/8 embankment plot, after the division of land plot No. 103/3, bordering with land plot No. 103/7 on the water side and with land plot No. 103/9 on the air side, No. 121/10 embankment plot, after the division of land plot No. 121/1, bordering with land plot No. 121/ on the air side and with land plot No. 121/9 on the water side. No. 79/3 embankment plot, after the division of land plot No. 79/1, bordering with land plot No. 79/4 on the water side 	<p>possibility of passage through the embankment crown for maintenance purposes and protecting the embankment crown against unauthorized access, at km 0+732 of the embankment "O", at km 1+325 of the embankment "O" and at km 0+932 of the embankment "M",</p> <ul style="list-style-type: none"> placing a protective barrier at km 0+682 of the embankment "O" in order to protect the abutment of the mobile barrier against unauthorized access,
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The remaining minimizing measures have been described in Environmental Management Plan.

Summary of changes introduced by update No. 2 of RAP

Figure	Type of security	Amount according to first version of RAP and Bill of quantities	Amount according to update No. 2 of RAP
1	Embankments barriers [pc.]	0	37
2	Protective barriers [pc.]	0	4
3	Temporary crossings [pc.]	0	6
4	Wire fence [linear meters]	889	3020
5	Pole fence [linear meters]	327	667
6	Wooden fence [linear meters]	1680	291

5 Social-economic survey – not subject to change as part of the update

6 Binding law regulations and evaluation methodology- not subject to change as part of the update

7 Social consultations and participation of public

When planning the participation of the society in connection with preparation and implementation of RAP it is important, that the preparation of the Task is an activity spread in time, therefore, all needs and stakeholder situation, especially persons affected by the physical displacement, will not change during implementation of RAP. For this reason, the process of consultation and participation of the society in the development and implementation of RAP should be treated as continuous and spread in time process, whose correct implementation will let to minimize the negative impacts of the project on the affected persons and to minimize all risks connected with the potential social conflict, especially all risks regarding the blocking of the Task implementation by PAP.

In the period from the selection of the Contractor and the commencement of Works, 9 consultation meetings were held, during which the local community was informed about the details of the Project:

- a) requirements resulting from World Bank policies,
- b) presentation of persons responsible for the implementation of the Project, development and implementation of RAP,
- c) detailed information about the planned scope of the Task,
- d) planned sequence of the Employer's activities,
- e) complaints and requests mechanism,
- f) RAP compensation rules,
- g) European Union subsidies.

Consultation meetings have taken place:

1. on Sep. 28, 2017 in Chlewice concerning (a), (b), (c), (d), (e), (f) and (g)
2. on Oct. 24, 2017 in Chlewice concerning the landowners' request for designation of an additional passage through the embankment "O",
3. on Dec. 07, 2017 in Chlewice concerning requests for direct and area payments under RDOP 2014-2010 submitted by farmers in Chlewice after taking into account the division of land into parcels acquired as part of the Task,
4. on Dec. 12, 2017 in Chlewice concerning the use of public roads during the execution of works related to the Task,
5. on May 17, 2018 in Chlewice concerning fencing of plots securing properties and flood embankments,
6. on June 05, 2018 in Chlewice on securing temporary passage through the embankment for the duration of the works,
7. on June 12, 2018 in Chlewice concerning the issue of fencing of the embankment adjacent to cattle breeders' plots, and the arrangements for the type of passage through the embankments,
8. on July 06, 2018 in Chlewice concerning the determination of the location of the passage o_10 through the embankment "O" in Chlewice,
9. on 24.08.2018 in Chlewice concerning the determination of the location of the passage through the shaft "O" on plot no. 100, Chlewice district.

The report and minutes of meeting from public consultations and the discussion are attached to this RAP update. This attachment is not subject to publication due to personal data protection requirements.

8 Complaints management – not subject to change as part of the update

The institutional structure and the implementation team - not subject to change as part of the update

9 Monitoring and evaluation - not subject to change as part of the update

10 Costs and budgets – not subject to change as part of the update

11 RAP implementation schedule- not subject to change as part of the update

12 Appendices

12.1 FORM OF COMPLAINTS SUBMITTED TO THE CONSULTANT (BASED ON WB GUIDELINES) – NOT SUBJECT TO CHANGE AS PART OF THE UPDATE

12.2 LAND ACQUISITION MONITORING TABLE – NOT SUBJECT TO CHANGE AS PART OF THE UPDATE

12.3 LAND ACQUISITION TIME SCHEDULE - NOT SUBJECT TO CHANGE AS PART OF THE UPDATE

12.4 MAPS WITH INVESTMENT AREA BOUNDARIES (2 SHEETS) - NOT SUBJECT TO CHANGE AS PART OF THE UPDATE

12.5 DOCUMENTS CREATED IN THE COURSE OF RAP IMPLEMENTATION

- 12.5.6 Public consultations memo of Sep. 28, 2017
- 12.5.7 Public consultations memo of Oct. 24, 2017
- 12.5.8 Public consultations memo of Dec. 07, 2017
- 12.5.9 Public consultations memo of Dec. 12, 2017
- 12.5.10 Public consultations memo of May 17, 2018
- 12.5.11 Public consultations memo of Jun. 05, 2018
- 12.5.12 Public consultations memo of Jun. 12, 2018
- 12.5.13 Public consultations memo of Jul. 06, 2018
- 12.5.14 Public consultations memo of Aug. 24, 2018
- 12.5.15 Arrangements with the Employer concerning additional mitigating measures discussed on May 25, 2018.
- 12.5.16 KNA No. 14 dated June 12, 2018 concerning Chlewice embankment fencing.
- 12.5.17 KNA No. 15 dated July 09, 2018 concerning animal crossing relocation
- 12.5.18 KNA No. 19 dated August 23, 2018 concerning possible movement through land plot No. 100/2.