

Table of changes to the LA&RAP after public consultations (02/06/2020)

Project: ODRA-VISTULA FLOOD MANAGEMENT PROJECT (OVFMP)

Subcomponent 3D: Passive and Active Protection in San Basin

Works Contract 3D.2/1 Construction of the Right Embankment of the Biała River in the City of Tarnów

Project Implementation Office: State Water Holding Polish Waters represented by the

Director of the State Water Holding Polish Waters

Regional Water Management Authority in Cracow

with its registered office at 22. Marszałka J. Piłsudskiego Street, 31-109 Cracow

No.	Draft LA&RAP	Final LA&RAP
1	Title page DRAFT 12/17/2019	Title page FINAL 02/26/2020
2	Page 2 December 2019	Page 2 February 2020
3	Page 6 -	Page 6 Estimated number of PAP, natural persons using allotment gardens, 188 people.
4	Page 6 -	Page 6 Footnote added: The number of 175 objects, including 174 garden sheds and one unoccupied building, has been indicated in the IPIP decision, although actually there are more structures, and all of those objects shall be priced by a valuer acting in the name of the Investor, and compensation shall be paid for them.
5	Page 9 -	Page 9 Table supplement, line 2 Users of allotment gardens - Replacement allotment gardens (InfoBase, search assistance)
6	Page 1 The Law of June 14, 1960 – Code of Administrative Procedure (consolidated text: Journal of Laws of 2018, item 2204, as amended)	Page 12 The Law of June 14, 1960 – Code of Administrative Procedure (consolidated text: Journal of Laws of 2020, item 256)
7	Page 11 The Law of August 21, 1997 on the properties management (consolidated)	Page 12 The Law of August 21, 1997 on the properties management (consolidated)

	text: Journal of Laws of 2018, item 2204, as amended)	text: Journal of Laws of 2020, item 65)
8	Page 19, table, lines 5, 6, 7 PAF	Page 20, table, lines 5, 6, 7 Lack
9	Page 27 (...) information brochure...	Page 28 (...) information leaflet...
10	Page 28 (...) information brochure (...) information brochures	Page 29 (...) information leaflet (...) information leaflets
11	Page 49, paragraph 4 -	Page 50 (updated) in the Gardener's House at the FAG "Semafor"
12	<p>Page 50-51</p> <p>After completing the works on the Draft LA&RAP and obtaining the acceptance of the World Bank the publication procedure shall commence, and it shall be ended with the public discussion on the draft LA&RAP.</p> <p>The public shall be informed about publishing the LA&RAP and about the planned date of a public debate on the draft LA&RAP, and about a possibility of filing claims and motions in reference to the draft LA&RAP through:</p> <ul style="list-style-type: none"> • Publishing of information on consultations at the PIU website, • Publishing of information on consultations at the City Office of Tarnów website, • Announcement in local press, e.g.: "Dziennik Polski" "Fakt", "Gazeta Krakowska", "Gazeta Wyborcza", "Rzeczpospolita", • Publishing of information on consultations on notice boards in Tarnów, • Individual invitations submitted by the Mayor of Tarnów, Chairman of PAF RO, Chairman of FAG "Semafor". <p>Public consultation shall last for 21 days, so every interested individual</p>	<p>Page 51-54</p> <p>Public consultations on the Draft LA&RAP</p> <p>After completing the works on the Draft LA&RAP and after obtaining – upon its basis – the World Bank's acceptance for commencing a publication procedure, the documents underwent public consultations in accordance with requirements under the World Bank's operational policy (OP 4.12), which was to allow natural persons, institutions, and any party interested in contents of that document for acknowledging the document and for assuring the possibility of filing remarks, enquiries and motions referring to its contents.</p> <p>In conformity with operational policy OP 4.12, publication of the Draft Land Acquisition and Resettlement Action Plan commenced on January 15, 2020 at publishing of the announcement in TEMI Galicyjski Tygodnik Informacyjny [Informational Weekly Magazine of Galicia] (local magazine). The announcement invited natural persons, authorities, and interested institutions to review the Draft LA&RAP for Contract 3D.2/1.</p> <p>Every interested party was able to acknowledge the Draft LA&RAP (hard copy) from January 15, 2020 to February 5, 2020 (inclusive) available in</p>

would be able to acknowledge the draft LA&RAP and submit its conclusions and remarks to the draft LA&RAP, which may be filed in writing, by e-mail and by phone, orally to the protocol or by mail to the following address:

STATE WATER HOLDING

POLISH WATERS

REGIONAL WATER MANAGEMENT AUTHORITY IN CRACOW

22. Marsz. Józefa Piłsudskiego Street, 31-109 Cracow

or by e-mail to: jrp.krakow@wody.gov.pl. After completing the publication process a public debate (public meeting) on the draft LA&RAP shall be organized. Venue and time of the public debate shall be provided in the aforementioned information for the society. The public shall be able to file oral and written comments on the draft LA&RAP and to the debate memo.

All previously informed (in writing, by mail, by phone, orally to the protocol) questions and remarks, as well as the answers, shall be read during the meeting. Additional questions and remarks of participants shall be collected during the meeting. If an answer requires time, contact data of the person shall be noted and the answer shall be provided within 7 days by mail or by post. A meeting memo shall be developed, which would be submitted to the World Bank (Appendix no. 14 to this LA&RAP). Remarks of the public, which would require inclusion, shall be implemented to the LA&RAP, and the final version of the document shall be developed. That form of the LA&RAP shall also be submitted to the WB to obtain the acceptance clause – so-called “no objection”. The final LA&RAP – after obtaining the WB’s “no objection” clause shall also be available for the interested parties, i.e. published at a website until completion of the Contract. Any updates of the LA&RAP shall also be available for the interested parties at websites of the PIU and the OVFM

offices of the following:

1. State Water Holding Polish Waters, Regional Water management Authority in Cracow (PGW WP RZGW in Cracow), 22. Marsz. J. Piłsudskiego Street, 31-109 Cracow, on working days from 9:00 am to 2:00 pm,
2. Water Inspectorate in Tarnów, 5. Ostrogskich Street, 33-100 Tarnów, on working days from 7:30 am to 3:30 pm,
3. OVFM Project Office, AECOM Polska Sp. z o.o., 1. Pokoju Alley (building K1 – 4th floor), 31-548 Cracow, on working days from 7:30 am to 3:30 pm;

or a digital document published on publicly available websites:

1. PGW WP RZGW in Cracow at - www.krakow.wody.gov.pl,
2. City Office of Tarnów at – www.tarnow.pl,
3. Polish Allotment Federation, Branch of Małopolskie in Cracow at – www.malopolski.pzd.pl,
4. Project Coordination Unit at – www.odrapcu.pl.

Every interested party was able to file remarks and motions referring to the Draft LA&RAP in writing and in an oral form to the protocol in the aforementioned offices or via e-mail to: jrp.krakow@wody.gov.pl on working days from 01/15/2020 to 02/05/2020 (inclusive). An institution responsible for consideration of remarks and motions was the PGW WP RZGW in Cracow, and the contact person was: Mr. Rafał Sionko, tel. +48 12 62 84 209.

Detailed information on the possibility of reviewing the document and on the possibility of filing motions and remarks (including provision of detailed contact data: telephone numbers, e-mails, snail-mail addresses where the draft document may be reviewed, office hours) were published in the Announcement placed at the following locations:

	PCU.	<ol style="list-style-type: none"> 1. At websites of PGW WP RZGW in Cracow at - www.krakow.wody.gov.pl, PAF Branch of Małopolskie in Cracow at - www.malopolski.pzd.pl; PCU at - www.odrapcu.pl, City Office of Tarnów at – www.tarnow.pl; 2. In local press – TEMI Galicyjski Tygodnik Informacyjny; 3. On noticeboards in the offices of: PGW WP RZGW in Cracow, City Office of Tarnów, and Polish Allotment Federation, Branch of Małopolskie in Cracow; 4. As well as on noticeboards in locations visited by the local society, e.g. in the area of Family Allotment Gardens SEMAFOR, noticeboards of other Family Allotment Gardens, e.g. FAG Jaskółka, and local noticeboards. <p>The aforementioned announcement also included information on the possibility of participating in an open meeting and in a discussion for all of the interested persons, organizations, and institutions, and it was planned for February 6, 2020 (including provision of a venue, day and hour of the meeting).</p> <p>That information was additionally submitted (individually, or invitations were submitted to Councils) to the following public institutions interested in implementation of the Project:</p> <ol style="list-style-type: none"> 1. City Office of Tarnów, 2. City Council of Tarnów, 3. PAF Branch Management in Cracow, 4. FAG SEMAFOR Management Board, 5. Council of Estate no. 7 “Krakowska”, 6. Management Board of TARNOVIA Mall.
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	<p>Publication of the Draft LA&RAP – officially commenced on January 15, 2020 – ended after 21 days, on February 5, 2020. In the period of publishing the Draft Land Acquisition and Resettlement Action Plan the PGW WP RZGW in Cracow, the Water Inspectorate in Cracow, and the Consultant’s Project Office did not receive any enquiries or motions – neither by e-mail nor by phone, and they were not handed over personally. Some interest in the document available electronically was however noted. Downloads of files from the websites informed in the announcement were observed.</p> <p>The open meeting for the public – referring to public consultations on the Draft Land Acquisition and Resettlement Action Plan for Contract 3D.2/1 Construction of the right embankment of the Biala River in the City of Tarnów, implemented under the Odra-Vistula Flood Management Project, was held in a venue located close to domiciles of project affected persons, in the Mirror Hall of the City Office of Tarnów, 10. Wałowa Street, 33-100 Tarnów, on February 6, 2020, at 3:00 pm.</p> <p>20 people attended the meeting, and the attendees were representatives of the City Office of Tarnów, PAF Branch Management Board, FAG Semafor Management Board. Representatives of entities directly engaged in implementation of the OVFMP also participated in the meeting, i.e.: Project Implementation Office of PGW WP RZGW in Cracow, Project Coordination Unit, and the Consultant Engineer’s Team (including the: Project Manager, Designer, and the Properties Management Team).</p> <p>The meeting was opened by the Manager of the Project Implementation Office of PGW WP RZGW in Cracow, who welcomed the attendees and gave the floor to the Project Manager from the Consultant Engineer’s Team. The Manager welcomed the attendees and briefly presented the purpose of the meeting and thanked the local authorities of Tarnów, representatives of the PAF Branch Management Board and of the FAG</p>
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		<p>Semafor for their engagement and assistance in actions associated with obtainment of properties. She subsequently gave the floor to the Consultant Engineer's Senior Supporting Expert for properties and technical assistance to the Client. The Consultant's Representative shown a multimedia presentation:</p> <ol style="list-style-type: none">1. Purpose and financing for the OVFMP were briefly discussed.2. It was explained why the Draft LA&RAP was developed and how did its publication procedure look like.3. Information on Contract 3D.2/1 (scope of works, area protected against flooding due to implementation of the Contract in question) were provided.4. The greatest attention was paid to: legal regulations on payment of compensation in the area of newly formed embanked area and the area underneath the embankment, procedure of their establishment, provision of appeals, and claim and complaint provision mechanism.5. The progress of compensation establishment and payment process for planned liquidation of allotment gardens located within the embanked area was discussed.6. An exceptional attention was paid to the issue of changing the Investor, i.e. to the liquidation of the Matopolski Board of Amelioration and Water Structures in Cracow on 12/31/2017, and to forming of a new entity – State Water Holding Polish Waters – which took over rights and liabilities of the liquidated unit. Coincidence between those events and the date of issuing the IPIP decision for the Contract in question and the day it became final was discussed. The speaker apologized for not taking actions back then to establish the compensation, and informed that on 02/05/2020 an application on establishing the
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		<p>amount of compensation for allotment gardens located underneath the embankment, which shall be liquidated, was submitted to the Małopolski Governor. Further steps associated with the compensation payment were also discussed.</p> <ol style="list-style-type: none">7. The attendees were informed about the possibility of receiving the undisputable part of the compensation despite a potential appeal against the decision of the Governor establishing the compensation amount.8. The attendees were informed about the purpose and contents of the developed Draft LA&RAP, Operational Policy OP 4.12 was discussed. At presenting the issues of the Draft LA&RAP Mrs. Marta Rak drew special attention to measures mitigating social impact and to liabilities of the Contractor related to the rules of obtaining properties for temporary acquisition, which shall be its obligation and refer to the scope of acquisition greater than the one indicated under the IPIP decision. The final area of temporary acquisition shall be determined by the Contractor, which would be selected by the Investor in a public bidding proceeding. Its representatives shall contact the owners/holders of land in vicinity of the embankments to establish the acquisition conditions. The process shall be implemented on a voluntary basis and based upon the rules determined under the agreement concluded between the property owner and the Contractor. It shall be monitored by the Investor and the Consultant acting in its name (a framework agreement template for temporary acquisition, which would need to be applied by the Contractor for Works Contract 3D.2/1, is given in the Draft LA&RAP).
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		<p>After completing the presentation the floor was given to the attendees.</p> <p>During the public discussion at the meeting (open for anyone interested in implementation of the Project) every attendee was able to provide oral and written comments/remarks on the Draft LA&RAP to the report. Additional questions were asked and remarks were raised during the meeting, answers to which required additional time and verification of information. The questions asked during the meeting referred to issues described in details in the LA&RAP, and the Consultant attempted to answer them and clarify the doubts during the meeting, and they do not require updating the Draft LA&RAP. Some questions referred to the scope and the area beyond ones described in that document; thus – in accordance with a will of one PAP – a Question Form was submitted by e-mail, so the person would be able to receive related answers. Those questions were answered in writing and by e-mail.</p> <p>Some remarks submitted by the PAP have been included in the final LA&RAP. Additionally, the LA&RAP underwent autocorrection in the range of data given in table on page 19.</p> <p>A meeting report was developed and it was submitted to the World Bank. The report forms Appendix no. 11 to the LA&RAP.</p> <p>After obtaining WB’s “no objection” clause the final LA&RAP shall be made available to the interested parties, i.e. published at a website and left there until the completion of Contract implementation. Any updates of the LA&RAP shall also be made available to the interested parties on websites of the PIU and the PCU.</p>
13	Page 58 Mrs. Ewa Uczniak – Grzanka	Page 61 Mrs. Aleksandra Macek
14	Page 70	Page 73

	Appendix no. 11 – Will be attached in an electronic version after public consultations.	Appendix no. 11 – Attached in an electronic version.
15	Page 70 14.12 Information Brochure	Page 73 14.12 Information Leaflet

NOTE: The table of contents has been updated