

Report on public consultations

01/22/2021 –
02/12/2021

02/12/2021
(2.00 am -4.00 pm) -
webinar



Project/Contract:	Odra-Vistula Flood Management Project (hereinafter referred to as the OVFMP) Contract 3D.3 Łęg IV – extension of the left river embankment at chainage km 0+082 – 5+030 within the Commune of Gorzyce, and of the right embankment at chainage km 0+000 – 5+236 within the Commune of Gorzyce		
Organizer of consultations:	Consultant acting upon authorization by the State Water Holding Polish Waters RZGW in Rzeszów (hereinafter referred to as the Consultant)	Type of consultations:	Correspondent, electronic
Speaker:	Wojciech Wieczorek – Senior Supporting Expert in the Consultant Engineer’s team for LA&RAP development, AECOM Polska Sp. z o.o.		

Introduction

The Draft Land Acquisition and Resettlement Action Plan for Contract 3D.3 Łęg IV – extension of the left river embankment at chainage km 0+082 – 5+030 within the Commune of Gorzyce, and of the right embankment at chainage km 0+000 – 5+236 within the Commune of Gorzyce (hereinafter referred to as the Draft LA&RAP) has been developed in accordance with an operational policy of the International Bank for Reconstruction and Development (World Bank) referring to Resettlements (OP 4.12 Involuntary Resettlement) and in accordance with the rules determined in the LARPF (Land Acquisition and Resettlement Policy Framework).

The Draft Land Acquisition and Resettlement Action Plan has been developed in Polish and in English.

The Draft LA&RAP has been subject to public consultations.

An objective of the public consultations is – in conformity with requirements under operational policies of the World Bank (OP 4.12) – to allow for reviewing the document by natural persons, institutions and all interested parties, and to assure the possibility of providing potential remarks, claims, enquiries, and motions in reference to its contents.

According to the schedule, the public consultations have been implemented from January 22 to February 12, 2021.

Disclosure of the Draft LA&RAP

The process of public consultations has been commenced through disclosure of the documents (Draft LA&RAP). Disclosure of the Draft LA&RAP was done through the following:

- Publication of an announcement on public consultations in “Nowiny” (local newspaper) – paper issue and electronic issue – on 01/22/2021;
- Individual notification on the public consultations for the Draft LA&RAP by registered information letter sent to owners of properties on 01/21/2021;
- Display of the announcement on the public consultations on 01/22/2021 (including information poster) on notice boards of the following:
 - PGW Polish Waters RZGW in Rzeszów,
 - Commune Office of Gorzyce,
 - District Starosty in Tarnobrzeg,
 - work performance site in Gorzyce,
 - work performance site in Orliśka,
 - work performance site in Sokolniki,
 - work performance site in Zalesie Gorzyckie;
- Publication of the announcement on consultations in social media on 01/22/2021 at <https://www.facebook.com/GorzyceFace>,
- Publication of the announcement on consultations, including the Draft LA&RAP, on 01/22/2021 at the following websites:
 - PGW WP RZGW in Rzeszów at <https://rzeszow.wody.gov.pl/aktualnosci/>;
 - Odra-Vistula Flood Management Project Coordination Unit at <http://odrapcu2019.odrapcu.pl/ogloszenia/>;
 - Commune Office of Gorzyce at <https://www.gminagorzyce.pl/>;
 - District Starosty in Tarnobrzeg at <https://www.tarnobrzanski.pl>.

The disclosure documentation for the Draft LA&RAP has been presented in appendix no. 1 and in appendix no. 2 to this Report.

Form and mode of the public consultations

Due to the epidemic threat, aggravations and restrictions were implemented in the range of possible conduction of direct public consultations. Taking into account health of potential

attendees of such consultations, a public debate on the Draft LA&RAP has been done in a form of a webinar. Furthermore, all of the interested parties were able to provide motions and remarks to the Draft LA&RAP in a correspondence or telephone form.

Every interested person was able to file remarks and motions referring to the Draft LA&RAP:

- In writing (i.e. by letter) to the PIO in Rzeszów: State Water Holding Polish Waters Regional Water Management Authority in Rzeszów, 17B. Hanasiewicza Street, 35-103 Rzeszów;
- In digital form using the following e-mail addresses:
rzeszow@wody.gov.pl,
ik_rzeszow@aecom.com;
- And by phone using the following telephone numbers: +48 17 8537 441 (PGW WP RZGW Rzeszów), +48 32 7822 652 (Technical Assistance Consultant – AECOM Polska Sp. z o.o.) from 12.00 pm to 3.00 pm, from January 22 to February 12, 2021.

An institution responsible for addressing the remarks and motions was PGW WP RZGW in Rzeszów.

Webinar

The webinar took place on February 12, 2021, from 2.00 pm to 4.00 pm, and then Mr. Wojciech Wieczorek presented the Draft LA&RAP, and especially described the following:

- OVFM Project,
- Aim of developing the LA&RAP, and rules of its disclosure,
- Scope of construction works for Contract 3D.3,
- Data about areas acquired for investment purposes,
- Legal bases for development of the LA&RAP,
- Mitigation measures,
- Procedures for the issuance of IPIP decision,
- Procedure for compensation establishment,
- Grievance redress mechanism,
- Issue of temporary acquisition.

The webinar has been conducted using Microsoft Teams application. In conformity with

information provided by the application, 8 people attended the webinar (some attended anonymously). The webinar was held in accordance with the plan, there were no technical remarks to the method of preparing and conducting the webinar.

Remarks and conclusion drawn from the public consultations process

During the consultations done for the Draft LA&RAP some motions for clarifications were provided in reference for the following issues:

- Access to a property located within the embanked area of the River Łęg – left embankment (telephone notification) – after analyzing the issue the PIU answered the applicant that the access to the property shall be secured, while clarifying the way for accessing the property after completing the contract;
- Access to a property, and stabilization and disclosure of the plot boundaries after splitting, as set out after splitting of the original plot based upon the decision of Podkarpackie Governor dated August 28, 2019, ref. no.: N-VIII.7820.3.4.2019, on investment project implementation permit for flood defenses referring to the task (telephone notification) – after analyzing the issue the PIU answered the applicant, and indicated that the access to the property shall be kept, and that stabilization shall be done using boundary marks placed in specific points of plot's boundary bends, after completion of the works; however, the Contractor shall be obliged during the performance to set out and maintain the splitting line;
- Possibility of using a remaining part of property and of disclosing the property boundaries (telephone notification) – analysis of the case proves that the owner may without difficulties use the remaining part of the property from a road at the embankment (service road) – on the landside – which has been designed along the entire boundary between the investment site and the private property. In case of disclosing the property boundaries, stabilization with boundary marks shall be done using boundary marks placed in specific points of plot's boundary bends, after completion of the works; however, the Contractor shall be obliged during the performance to set out and maintain the splitting line.
- When will the works on site be commenced? (enquiry notified during the webinar) – it was clarified during the webinar that it is planned to commence the construction works

in the break of the 1st and the 2nd quarter of 2021; bidding procedure is currently in progress in order to select the Contractor, and completion of the procedure shall allow for concluding an agreement with the Contractor and for commencement of the construction works;

- Was a possibility of passing through an iron bridge for pedestrians over the River Łęg secured? (enquiry notified during the webinar) – it was clarified during the webinar that the construction works shall be performed on the right bank and on the left bank of the River Łęg; issues of the possibility and on the rules of pedestrian traffic during the works shall be established with the Contractor of construction works, while assuming that pedestrians shall be able to still use the traffic form secured by the footbridge / small iron bridge;
- How will the issue of temporary acquisition look like during the construction works? (enquiry notified during the webinar) – it was clarified during the webinar that the issue of potential (as we do not know if such acquisitions will be necessary as of today) temporary acquisition during the construction works – i.e. such that results from the technology and performance method adopted by the Contractor – shall depend on the land employer's consent; for the purpose of protecting the land owner's position a draft agreement was developed within the framework of LA&RAP, and it shall be applied for implementation of temporary acquisition by the Contractor.

Summary

The process of public consultations for the Draft LA&RAP has been done in conformity with the adopted schedule. During the consultations no remarks on the method of conduction were notified, no claims associated with that process were provided.

The Report was developed by the Team of the Technical Assistance Consultant, AECOM Polska Sp. z o.o., including the following members: Małgorzata Ochędowska, Wojciech Wiczorek.

Appendices:

1. Documentation on displaying the announcement and on publishing the Draft LA&RAP.
2. List of persons (anonymized) provided with information letters, including a sheet for provision of claims and opinions.
3. Contents of the announcement.
4. Report – questions asked during the webinar (generated automatically).