

**LAND ACQUISITION
AND RESETTLEMENT ACTION PLAN**

FINAL REPORT
**on implementation of
measures determined in the
LA&RAP**

WORKS CONTRACT 3D.1

*San Programme. Passive
Protection in San Basin.*

**ODRA-VISTULA
FLOOD MANAGEMENT
PROJECT**





FINAL REPORT ON IMPLEMENTATION OF MEASURES DETERMINED IN THE LAND ACQUISITION AND RESETTLEMENT ACTION PLAN

FINAL

ODRA-VISTULA FLOOD MANAGEMENT PROJECT

THE FINAL REPORT ON THE LAND ACQUISITION AND RESETTLEMENT ACTION PLAN HAS BEEN DEVELOPED FOR THE WORKS CONTRACT IMPLEMENTED BY THE STATE WATER HOLDING POLISH WATERS – REGIONAL WATER MANAGEMENT AUTHORITY IN RZESZÓW.

COMPONENT 3:

FLOOD PROTECTION OF THE UPPER VISTULA

SUBCOMPONENT 3D:

Passive and Active Protection in San Basin

WORKS CONTRACT 3D.1:

San Programme. Passive Protection in San Basin.

ISSUE	DATE	AUTHORS	VERIFIER	CLIENT'S APPROVAL	DESCRIPTION
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ODRA-VISTULA FLOOD MANAGEMENT PROJECT

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Table of abbreviations applied in this paper

Name	Description
CEB	Council of Europe Development Bank
Contractor	Company/legal person executing Works Contract 3D.1
Contract / Task	Works Contract 3D.1 San Programme. Passive Protection in San Basin
Engineer - Consultant	AECOM Polska Sp. z o.o.
IPIP	Investment project implementation permit
LA&RAP	Land Acquisition & Resettlement Action Plan
LARPF	Land Acquisition & Resettlement Policy Framework
OP 4.12	Operational Policy containing the main principles and procedures underlying the WB approach to involuntary resettlement related to investment projects
PAP	Project Affected Person(s)
PCU	Odra-Vistula Flood Protection Project Coordination Unit
PGW WP	State Water Holding Polish Waters
PIO	Project Implementation Office - An organizational unit responsible for the Project implementation allocated as part of PIU
PIU / Employer / Investor <i>(to December 31, 2017)</i>	Podkarpackie Board of Amelioration and Hydraulic Structures in Rzeszów
PIU / Employer / Investor <i>(from January 1, 2018)</i>	State Water Holding Polish Waters Regional Water Management Authority in Rzeszów / Odra - Vistula Flood Management Project Implementation Unit
Project/OVFMP	Odra - Vistula Flood Management Project
PZMiUW	Podkarpackie Board of Amelioration and Hydraulic Structures in Rzeszów
RZGW	Regional Water Management Authority in Rzeszów
World Bank (WB)	International Bank for Reconstruction and Development (IBRD)
Special Decision	Investment project implementation permit (IPIP) issued under the Special Flood Act
Special Flood Act	Law of July 8, 2010 on particular conditions for preparing flood management projects for implementation within the scope of flood facilities (consolidated text, Journal of Laws of 2021, item 484, as amended)

1. INTRODUCTION

The Final Report on the implementation of the Land Acquisition and Resettlement Action Plan (LA&RAP), as developed in accordance with the requirements of the provisions of the *Project Operations Manual* and the *Land Acquisition and Resettlement Policy Framework*¹, is to document the process of land acquisition and the evaluation of whether it meets the requirements of OP 4.12 or if there are any inadequacies that must still be filled in.

In consistency with assumption adopted in the Land Acquisition and Resettlement Action Plan, ex-post evaluation has been done within about six months after complete implementation of the LA&RAP, and it confirms that its objectives have been met and properly documented. It was stated that all measures described under the LA&RAP have been implemented and that each entity affected by the investment (family, single persons, public entities) received compensation (indemnity) and the standard of living was improved or, at least, reinstated.

This document presents the Report on implementation of the measures scheduled in the LA&RAP for the *Works Contract 3D.1 San Programme. Passive Protection in San Basin* implemented under the *Odra-Vistula Flood Management Project (OVFMP)*, co-financed by the International Bank for Reconstruction and Development (World Bank or WB), Council of Europe Development Bank (CEB), and State Budget.

This Task was performed in two communes located within the Podkarpackie Province: Commune of Gorzyce (District of Tarnobrzeg), and Commune of Zaleszany (District of Stalowa Wola). It involved the extension of the left San embankment at chainage km 0+000 ÷ 4+445, including functionally associated objects.

The location of the Task is shown on a graph attached (Attachment No. 1 hereto).

Key dates of the Contract implementation:

The date of signing the Contract:	12/31/2019
The date of handing over the construction site:	01/09/2020
The date of commencement of Works:	09/01/2020
The date of completion of Works:	12/18/2020
The date of completion of Defects Liability Period:	12/18/2025

The scope of implemented Task:

- Extension of the embankment in a form of earth-fill slope in sections km 0+000 ÷ 2+960 and 3+440 ÷ 4+445 (at chainage km 2+955 ÷ 2+960 and 3+435 ÷ 3+445 earth-fill embankment with a retaining wall) to reach the following parameters: raising the embankment crest at km 0+000 ÷ 3+150 – 1 m, on average, and at km 3+150 ÷ 4+445 – 0.5 m, on average; crest width – 3.0 m, gradient of riverside slope and waterside slope – 1:2.5;

¹ <https://odrapcu.pl/projekt-opdow/popdow-dokumenty/>

- Extension of embankment crossings, development of a paved road at the embankment with passing loops within the area beyond the embankment;
- Development of green area in the area beyond the embankment and within the embanked area – min. 4.0 m (if the slope corresponds with the land gradeline – 5 m);
- Development of a retaining wall on the embanked area’s side, with an earth-fill slope in the area beyond the embankment, in a reach km 2+960 ÷ 3+130 (at km 2+955 ÷ 2+960 earth-fill embankment overlapping the retaining wall);
- Development of a retaining wall in sections km 3+130 ÷ 3+180 and 3+212 ÷ 3+440 (at km 3+440 ÷ 3+445 the wall overlaps the flood embankment);
- Development of a mobile flood protection system in a form of a heap of sandbags (crest width – 1.5 m, slope gradient – 1:1) for the time of flood flow;
- Development of an anti-seepage protection – vertical anti-seepage membrane with various depth at km 0+000 ÷ 2+960 (membrane depth 12-14 m), at km 3+440 ÷ 4+435 (membrane depth 8 m);
- Protection against animals digging lairs – 3 mm thick steel mesh in PVC protection, mesh size 5x5 cm, in the zone from the embankment foot to the level of control water flow;
- Repairs to the course of a provincial road on the embankment crest, including development of a passing loop and road barriers, development of a drainage along the provincial road, with drainage outlets;
- Development of slope stairs at km 4+135 of the embankment, with a width of 6 m (landside slope in vicinity of plot no. 2261/1);
- Assembly of embankment turnpikes and hectometer posts, and other accompanying objects.

Table 1. Parameters of the embankment after the expansion.

Specific parameters	Value
Length of redeveloped embankment	4.445 km
Crest width (for the crest without a communication course)	3.0 m
Crest width (for the crest with a communication course)	5.0 m
Riverside slope gradient	1:2.5
Landside slope gradient	1:2.5
Width of the embankment strip footing on the landside	5m (3.5 m lane + shoulders on both sides 0.75 m)
Width of the service zone	4.0 m (if the slope corresponds with the land gradeline - 5 m)

The completed extension of the embankments improved flood safety within two communes: Commune of Gorzyce (District of Tarnobrzeg), and Commune of Zaleszany (District of Stalowa Wola), in the Podkarpackie Province, i.e. it secured protection against floods for about **1 600 residents** living in the area of about **3 000 ha**.

The task is fully complementary territorially and technically with *Contract 3B.2 Flood Protection Tarnobrzeg* (also implemented under the OVFMP), as the section of the River San embankment in question joins the right embankment of the River Vistula, which is extended under Contract 3B.2; whereas the final section of the extended embankment joins the left River San embankment at km 4+438-9+390, which was modernized in the years 2013-2015. Implementation of the entire aforementioned scope of complementary tasks allowed for achieving much greater flood protection effect within the entire area of Podkarpackie Province.

Implementation of the linear Task (extension of the existing embankment and accompanying facilities) required purchase of properties, but it did not result in physical or economic resettlement of households. Acquisition on behalf of the State Treasury referred to small parts of properties owned by natural persons, including arable land applied for farming purposes (arable land and meadows) with area of from 4 m² to less than 2000 m². It is not possible to deem those areas as ones generating any income that may form a basis for securing the existence of a household. All cases of acquisition of over 10% were subject to socio-economic research that confirmed that impacts caused by the Project are insignificant, as the household either do not maintain from farming, or they have far greater area under management and the expropriated land is less than 10% of the farm's total area. In no case developed parts of properties (e.g. residential houses, outbuildings, or other) were acquired. Vulnerable groups were not identified during the research.

Additionally, due to implementation of the Investment outstanding issues were settled. Some plots were transformed in the previous decade and acquired for a service road at the embankment foot, but still those parts of properties were owned by private persons. The PAPs – due to implementation of Contract 3D.1 – received relevant compensation for those parts. Therefore, although the table containing a summary of properties informs about acquisition of 100% of the area, there is a small area of plots (from several m² to – in one case – about 0.1 ha), which has already been split from few to several years ago, and where a service road was developed for the purpose of servicing the embankment; thus, they did not generate income to the PAPs, and it was consequently indicated that the Project's impact is insignificant in those cases.

All the impacts were insignificant, in no case impact referring to e.g. the loss of income sources, work posts, availability of infrastructure, loss of farming possibilities, loss of using the environment/access to parks and nature reserves, the access to educational institutions, cultural units, etc., were not identified.

The implemented Task has a positive social impact, because the assets, the work posts, and – in extreme cases – life of the PAPs were secured against catastrophic effects of floods.

During the works the local society was very positively responding to the investment in progress, as the extension of the embankment – as mentioned above – has protected their lives and assets against floods that may occur in the future. Some motions were filed to implement technical solutions improving the conditions for applying a traffic system associated with the extended embankments,

and they were mostly assessed positively. Those formed additional minimizing/compensation measures. No claims of the local society were recorded.

Websites addresses, where information on implementation of the Task and of related assignments, are given below. All the implemented and planned Tasks (including Contracts 3B.2 and 3B.3) strongly resonate among the public through securing the protection against floods for that area:

1. <https://rzeszow.uw.gov.pl/aktualnosci/rozbudowa-prawego-walu-wisly-w-tarnobrzegu/>
2. <https://tyna.info.pl/bezpieczenstwo-i-ochrona-przeciwpowodziowa-powiat-tarnobrzescki/>
3. <http://www.gminagorzyce.pl/j3/index.php/serwis-tematyczny/gmina/2981-rusza-modernizacja-walow-przeciwpowodziowych>
4. https://www.wnp.pl/budownictwo/na-podkarpaciu-przebuduja-16-km-walow-przeciwpowodziowych,342484_1_0_0.html
5. <http://www.gorzyce.itl.pl/j3/index.php/informacje-o-sp-723788140/archiwum-strony/61-informacje/2680-rusza-remont-walow-doliny-wisly-i-sanu>
6. <https://www.radio.rzeszow.pl/wiadomosci/20367/remont-walow-rzecznych-od-zalesia-gorzyckiego-po-granice-woj-lubelskiego>
7. <https://echodnia.eu/podkarpackie/w-tarnobrzegu-bedzie-spotkanie-w-sprawie-remontu-walu-trzesniowki/ar/9590326>
8. <https://echodnia.eu/podkarpackie/powodz-juz-niestraszna-w-trzesni-zbudowano-nowa-przepompownie-wal-trzesniowki-gruntownie-przebudowano-zdjecia/ar/13715592>
9. <http://leliwa.pl/gorzyce-rusza-kolejna-rozbudowa-walow-przeciwpowodziowych/>
10. <https://nowiny24.pl/region-nie-jest-przygotowany-do-powodzi/ar/5902859>
11. http://www.przetargi.egospodarka.pl/553874_Ochrona-przeciwpowodziowa-Tarnobrzegu-Wisla-Etap-2-Rozbudowa-prawego-walu-rzeki-Wisly-na-dl-13-959-km-prawego-walu-rzeki-San-na-dl-2-193-km-oraz-lewego-walu-rzeki-Leg-na-dl-0-112-km-na-terenie-gm-Gorz_2018_2.html
12. <https://samorzad.infor.pl/wiadomosci/669194,Sandomierz-Zakonczono-remont-walu-przeciwpowodziowego-na-Trzesniowce.html>
13. <https://itw Wisla.tv/wielki-dzien-w-zalesiu-gorzyckim-kolejne-inwestycje-przeciwpowodziowe/>
14. <https://itw Wisla.tv/nigdy-wiecej-powodzi-poteczne-inwestycje-w-gorzycach/>
15. <https://itw Wisla.tv/zabezpieczaja-przed-powodzią/>

Information about Contract 3D.1 were also published on Facebook fanpage, where registered users were able to form networks and groups, share messages and photos. Addresses of those sites were however not active anymore on the day of developing this Report.

2. SUMMARY OF MAIN MEASURES IMPLEMENTED UNDER THE CONTRACT

2.1. Overview of Project's Objectives

The flood of 2010 caused serious damage to private and public assets and to road infrastructure and sewerage facilities in the area, where the *Works Contract 3D.1 San Programme. Passive Protection in San Basin* has been implemented. Effects of the flood also affected the communes of Gorzyce and Zaleszany².

Within the area protected with embankments that have been redeveloped under Contract 3D.1 the flood of 2010 caused damages to households. Within communes of Radomyśl nad Sanem, Gorzyce, and Zaleszany damage to the road infrastructure was done at 63 sections of roads over a total length of 57.97 km, and it reached PLN 4 807 209.00. 5 bridges and footbridges were damaged in total for the estimated amount of PLN 80 000.00. Damage to water-piping facilities amounted to PLN 500 000.00, whereas in case of the sewerage facilities – to PLN 2 071 369.00. Total damages caused by the flood amounted to PLN 26 762 688.00³. **Implementation of Contract 3D.1 shall allow for avoiding material flood damage with average annual value (AAD) of PLN 4 million.**

Due to implementation of the Works Contract 3D.1 the area of communes of Gorzyce and Zaleszany, where residential houses and technical infrastructure have been developed since 2010, is currently protected against floods.

2.2. Legal Changes to the Investor's Status

On January 1, 2018 the Act on Water Law of July 20, 2017 – that modified the previous structure of units and water management rules – was enacted. New provisions were passed mainly to implement the Water Framework Directive into the Polish legal order. The State Water Holding Polish Waters that shall be responsible for managing all widely understood issues associated with the water management in Poland, including investments, was formed instead of the previous governmental administration structure comprising the National Water Management Authority and subordinated regional water management authorities remaining local units, as well as Provincial Boards of Amelioration and Hydraulic Structures placed within the structure of local authorities. The Polish Waters are a state legal person according to Article 9 (14) of the Act of August 27, 2009 on the public finances.

The Polish Waters comprise the following organizational units: National Water Management Authority with its office in Warsaw, regional water management authorities, catchments boards, and water inspectorates. A detailed catalogue of liabilities and rights, including a breakdown of competences between particular units, has been determined under Article 240 of the Water Law Act.

² Source: document titled "Specificity of the task planned for implementation under the Odra-Vistula Flood Management Project", as provided by PZMiUW in Rzeszów.

³ Source: Report of the Podkarpacki Governor on flood damage suffered in 2010.

In Article 536 of the Water Law Act of July 20, 2017 the legislator regulated issues related to transferring rights and liabilities resulting from agreements (including financial agreements or agreements co-funded from funds coming from foreign sources) and decisions referring to investments at public waters owned by the State Treasury and to basic water amelioration facilities – that have previously been applicable to regional water management authorities, provinces, province marshals, or relevant provincial organizational units – to the Polish Waters. It shall be indicated that all the dues, liabilities, rights, and obligations of the previous National Water Management Authority and of regional water management authorities became dues, liabilities, rights, and obligations of the Polish Waters. Therefore, there was a general succession from previous regional authorities to the Polish Waters.

The task described in this Report was implemented until 12/31/2017 by the Marshal in the name of whom the Podkarpacki Board of Amelioration and Hydraulic Structures acted, and from 01/01/2018 by the State Water Holding Polish Waters that – as indicated above – has a legal personality and applies property rights in the name and on behalf of the State Treasury. The Regional Water Management Authority in Rzeszów is an internal organizational unit of the Polish Waters and has been acting in the name and on behalf of the PGW WP as a Project Implementation Unit for the purpose of implementing the Task in question.

Legal changes described above have not affected the provisions referring to the purchase of properties, establishments of the form and level of compensation, and payment of compensation.

The purchase of properties was done based upon provisions of the Special Flood Act and upon the Property Management Act. For the purpose of implementing this Task the Project Implementation Unit applied any rules resulting from the World Bank's operational policy OP 4.12, as well as procedures indicated in the *Land Acquisition and Resettlement Policy Framework* and in the *Land Acquisition and Resettlement Action Plan*.

2.3. Information on the Investor's undertaken administrative measures and the Contractor's civil and legal actions, obtained decisions and the stage of their implementation

For the subject Task, the Investor obtained the following environmental and water management decisions:

1. Decision on Environmental conditions dated 01/02/2017 (ref. no.: WOOŚ.4233.2.2015.KR.76) for the Investment titled "San III – Extension of the Left San Embankment at km 0+000 – 4+445, Commune of Gorzyce, Podkarpackie Province", as issued by the RDOŚ in Rzeszów. The decision became final on 02/08/2017.
2. Water-law permit dated 07/24/2017 (ref. no.: OWŚ-VII.7322.28.2017) for the task titled "San III – Extension of the Left San Embankment at km 0+000 – 4+445, Commune of Gorzyce, Podkarpackie Province", as issued by the Marshal of Świętokrzyskie Province.
3. Decision of the Director of RDOŚ in Rzeszów dated 03/21/2018 (ref. no.: WOOŚ.420.22.2.2018.GJ.2) on transferring the decision listed under item 1 to the PGW WP RZGW in Rzeszów.

4. Decision of the Minister of Maritime Management and Inland Navigation dated 07/18/2018 (ref. no.: DOK.WO.80.13.8.2018.JC, PW: 52384) on transferring the decision listed under item 2 to the PGW WP RZGW in Rzeszów.

For the purpose of the Task in question the Investor obtained the following decision related to the investment project implementation permit and to property issues:

5. Decision on the investment project implementation permit for flood defenses (IPIP) dated 11/22/2018 (ref. no.: N-VIII.7820.3.2.2018), as issued by the Podkarpacki Governor for the task titled “San III – Extension of the Left San Embankment at km 0+000 – 4+445, Commune of Gorzyce, Podkarpackie Province”. No one appealed against the issued decision; thus the decision became final and binding on 12/28/2018. The decision refers to 330 properties or their parts within the total area of 17.5306 ha.

330 properties in total were permanently acquired to implement the Works Contract 3D.1, including 228 properties owned by natural persons (69.1%), and 102 properties owned by the State Treasury, Commune of Gorzyce, Podkarpackie Province, and District of Tarnobrzeg. The total area of permanent acquisition is 17.5306 ha, including only 30.5% of the area, i.e. 5.3474 ha, owned by natural persons.

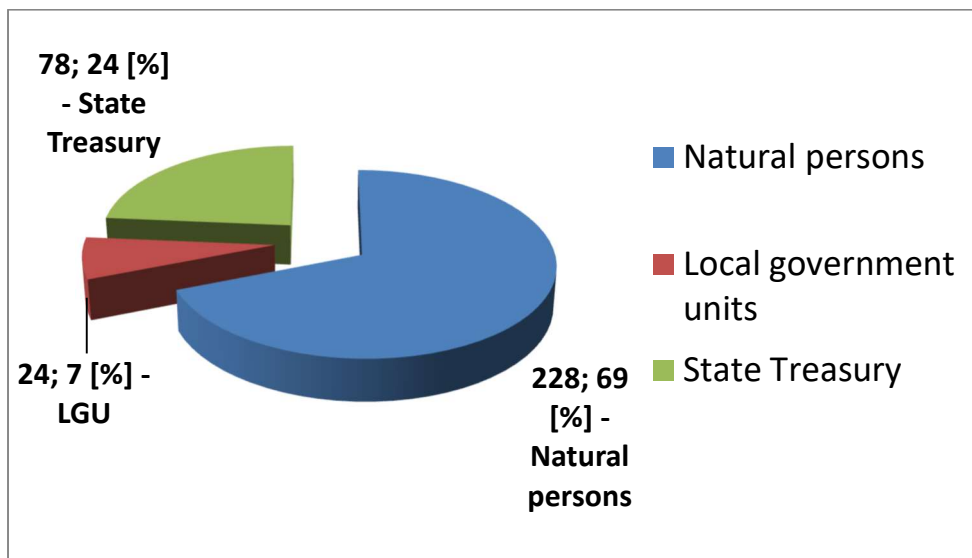


Diagram 1. Structure of plot amount and their % share covered by the analysis, in division to owners.

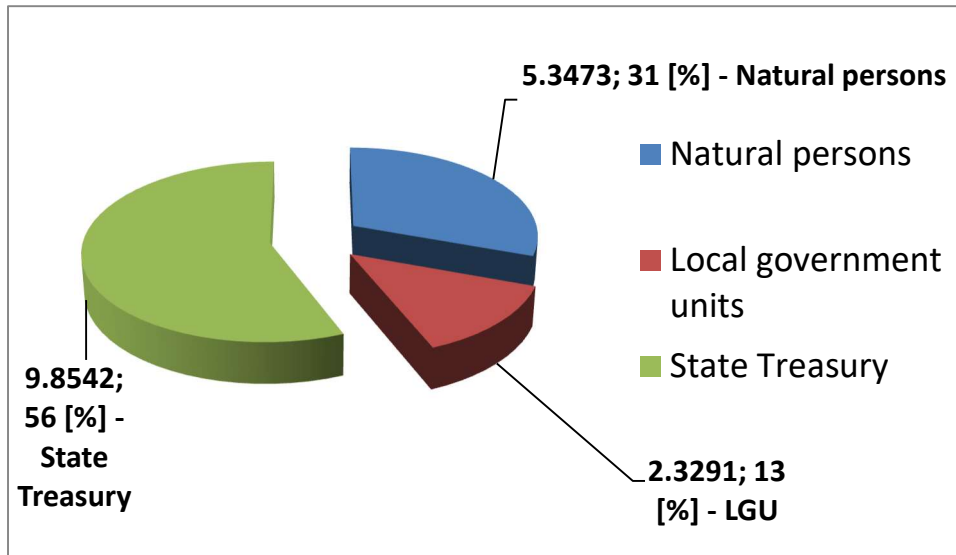


Diagram 2. Structure of plot area (in ha and in %) covered by the analysis, in division to owners.

In case of the Works Contract 3D.1 it was neither necessary to permanently restrict the method of use of the properties nor to redevelop infrastructural networks that would collide with a section of embankment to be redeveloped.

The Contractor obtained 60 properties with area of 2.2078 ha on its own for the purpose of temporary acquisition. The acquisition was done upon a voluntary agreement between the Property Owner and the Contractor. Agreements were provided for review to the Contract Engineer and to the Investor. After the performance the Contractor restored the properties to the condition preceding the investment or to the condition that has been established by the parties in the statement providing the consent for temporary acquisition, and returned them to lawful Owners in a good condition. The Contractor has also settled issues referring to the payment of compensation. A summary of properties in question has been presented in Table 2.

Table 2. Summary of properties obtained by the Contractor for the purpose of temporary acquisition.

Plot no.	Plot owner	Plot area [ha]	Agreement (Y - yes/N - no)	Temporary acquisition dates		Completion, ordering and payment of compensation
				Commencement date	Completion date	Y - yes/N - no
185/4, 186/4, 187/4, 188/4, 189/4, 341/4, 206/4	Natural person	0.0100	Y	01/21/2020	05/31/2020	Y
		0.0106				
		0.0109				
		0.0209				
		0.0224				
		0.0225				
		0.0403				

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CONTRACT 3D.1 San Programme. Passive Protection in San Basin

Plot no.	Plot owner	Plot area [ha]	Agreement (Y - yes/N - no)	Temporary acquisition dates		Completion, ordering and payment of compensation
				Commencement date	Completion date	Y - yes/N - no
686/4	Natural person	0.0528	Y	01/21/2020	09/30/2020	Y
179/2, 180/4, 349/4	Natural person	0.0175	Y	01/21/2020	05/31/2020	Y
		0.0274				
		0.0890				
184/4	Natural person	0.0118	Y	01/21/2020	05/31/2020	Y
197/4	Natural person	0.0223	Y	01/21/2020	05/31/2020	Y
201/4, 340/4	Natural person	0.0133	Y	01/21/2020	05/31/2020	Y
		0.0188				
200/4, 199/4, 332/2	Natural person	0.0250	Y	01/21/2020	05/31/2020	Y
		0.0267				
		0.0900				
344/4, 346/4, 347/4	Natural person	0.0940	Y	01/21/2020	05/31/2020	Y
		0.0174				
		0.0159				
193/4, 191/10, 204/4	Natural person	0.0136	Y	01/21/2020	05/31/2020	Y
		0.0179				
		0.0234				
196/4, 195/4, 194/10, 207/4, 350/4, 342/4	Natural person	0.0121	Y	01/21/2020	05/31/2020	Y
		0.0125				
		0.0125				
		0.0154				
		0.0950				
		0.0113				
191/8	Natural person	0.0177	Y	01/21/2020	05/31/2020	Y
194/8	Natural person	0.0118	Y	01/21/2020	05/31/2020	Y
178/7	Natural person	0.0653	Y	01/21/2020	05/31/2020	Y
181/4	Natural person	0.0298	Y	01/21/2020	05/31/2020	Y
183/4	Natural person	0.0232	Y	01/21/2020	05/31/2020	Y
2255	Natural person	0.0900	Y	02/14/2020	09/30/2020	Y
2304	Natural person	0.0800	Y	02/03/2020	09/30/2020	Y
337/4	Natural person	0.0365	Y	03/09/2020	09/30/2020	Y
355/4	Natural person	0.0167	Y	03/09/2020	09/30/2020	Y
353/4	Natural person	0.0215	Y	03/09/2020	09/30/2020	Y
345/4	Natural person	0.0200	Y	03/09/2020	09/30/2020	Y
352/4	Natural person	0.0200	Y	03/09/2020	09/30/2020	Y
343/4	Natural person	0.0208	Y	03/09/2020	09/30/2020	Y
335/10	Natural person	0.0184	Y	03/30/2020	09/30/2020	Y
334/4	Natural person	0.0984	Y	03/30/2020	09/30/2020	Y
359/10	Natural person	0.0174	Y	03/09/2020	09/30/2020	Y
359/12		0.0090				
348/4	Natural person	0.0198	Y	03/09/2020	09/30/2020	Y

Plot no.	Plot owner	Plot area [ha]	Agreement (Y - yes/N - no)	Temporary acquisition dates		Completion, ordering and payment of compensation
				Commencement date	Completion date	Y - yes/N - no
358/4	Natural person	0.0078	Y	03/09/2020	09/30/2020	Y
205/4	Natural person	0.0122	Y	04/06/2020	09/30/2020	Y
335/8		0.0186				
333/2	Natural person	0.0121	Y	04/14/2020	09/30/2020	Y
357/4	Natural person	0.0166	Y	04/06/2020	09/30/2020	Y
646/4	Natural person	0.0859	Y	04/06/2020	09/30/2020	Y
678/4	Natural person	0.0300	Y	04/06/2020	09/30/2020	Y
681/4	Natural person	0.0855	Y	04/23/2020	09/30/2020	Y
526/4	Natural person	0.1876	Y	06/01/2020	09/30/2020	Y
582/5	Natural person	0.1254	Y	06/08/2020	09/30/2020	Y
539/6	Natural person	0.0883	Y	06/08/2020	09/30/2020	Y
544/4	Natural person	0.0483	Y	06/08/2020	09/30/2020	Y
	60 plots	2.2078				

A summary of information on the number of properties to be permanently or temporarily acquired is given in a table below (Table 3).

Table 3. Summary of the number of properties to be permanently or temporarily acquired.

	Total number of hectares	Total number of plots	Public plots	%	Private plots	%	Physical resettlement	Economic resettlement
Permanent acquisition (owner: State Treasury)	9.8542	78	78	100%	n/a	n/a	-	-
Permanent acquisition (expropriation for the ST – unit representing the resources: PGW WP)	7.6764	252	24	10%	228*	90%	-	-
Temporary acquisition (Contractor)	2.2078	60	0	0.0%	60	100%	-	-

* this number includes plots belonging to natural persons, excluding plots from the resources of the Gorzyce commune

Acquisition of properties was done while observing the operational policy OP 4.12 and in accordance with the rules determined under the LARPF and the LARAP.

2.4 Development and adoption of the Land Acquisition and Resettlement Action Plan for implementation

For the purpose of the Task in question the Investor developed a Draft LA&RAP, which was subject to public consultations from 12/14/2018 to 01/02/2019 (inclusive).

After completing the works on the draft LA&RAP and after obtaining – upon its basis – a World Bank’s acceptance for the commencement of disclosure procedure, the document has been subject to public consultations held according to the requirements of the World Bank’s operational policy (OP 4.12), which aimed at allowing for acknowledging contents of the document to natural persons, institutions, and all interested parties, and at assuring the possibility of filing potential remarks, enquiries, and motions referring to its contents.

In conformity with the operational policy OP 4.12, disclosure of the Draft Land Acquisition and Resettlement Action Plan was done on December 14, 2018 at publishing an announcement in NOWINY newspaper (local daily).

Every interested party was able to review the Draft LA&RAP (hard copy) from 12/14/2019 to 01/02/2019 (inclusive) in the office of:

- State Water Holding Polish Waters Regional Water Management Authority in Rzeszów, 17B. Hanasiewicza Street, 35-109 Rzeszów, on working days from 7:00 am to 3:00 pm,
- State Water Holding Polish Waters Regional Water Management Authority in Rzeszów, Water Inspectorate in Tarnobrzeg, 86. Sienkiewicza Street, 39-400 Tarnobrzeg, on working days from 7:00 am to 3:00 pm;

or an electronic version of the document at the following websites:

- PGW WP RZGW in Rzeszów at – www.wodypolskie.bip.gov.pl,
- Commune Office in Gorzyce at – www.gminagorzyce.pl,
- Commune Office in Zaleszany at – www.zaleszany.pl,
- Odra-Vistula Flood Management 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 orally to the protocol at the aforementioned addresses or electronically to the e-mail address: rzeszow@wody.gov.pl within the deadline indicated above. An institution responsible for addressing the remarks and the motions was PGW WP RZGW in Rzeszów. A contact person in the PGW WP RZGW in Rzeszów was Mrs. Dominika Żurawska (telephone number: +48 17 853 74 41).

The announcement on public consultations was also placed on noticeboards at the PGW WP RZGW in Rzeszów, in its site office in Tarnobrzeg, as well as published at websites of the following institutions:

- PGW WP RZGW in Rzeszów at - www.wodypolskie.bip.gov.pl,
- Commune Office in Zaleszany at – www.zaleszany.pl
- Commune Office in Gorzyce at – www.gminagorzyce.pl
- Odra-Vistula Flood Management Project Coordination Unit at – www.odrapcu.pl;

as well as on noticeboards in the Commune Office in Gorzyce and in the Commune Office in Zaleszany, and at performance sites (noticeboards applied commonly in Wrzawy and in Skowierzyn).

The announcement invited natural persons, the authorities, and interested institutions to review the Draft LA&RAP for the Works Contract 3D.1.

Information in question was additionally sent (personal invitations) to public institutions interested in implementation of the Project:

- Representatives of the Podkarpacki Governor (Director of the Environment and Farming Department),
- Representative of the Podkarpackie Province Marshal (Director of the Farming, Geodesy, and Assets Management Department),
- Alderman of the District of Tarnobrzeg,
- Head of Gorzyce Commune,
- Head of Zaleszany Commune,
- Village mayor of Wrzawy.

After 11 days of disclosing the document, on 01/03/2019 at 4:00 pm there was an open meeting for all interested parties, held in the Communal Culture Center in Wrzawy, 486. Wrzawy, where information on the Draft LA&RAP were presented and where public discussion on the document was held. Motions and remarks filed to the document prior to the debate or during the discussion were included in the Final LA&RAP. The World Bank’s “No Objection” was obtained for the document on 04/15/2019.

The Final LA&RAP – after obtaining the WB’s “No Objection” clause – has been made available to the interested parties, i.e. published at the PIU website and at the website of the Odra-Vistula Flood Management Project Coordination Unit, and left there until the completion of the Contract implementation. Provisions of the LA&RAP were implemented both: prior to the commencement, as well as throughout the performance of assembly and construction works.

2.5. Summary of measures associated with payment of compensation

The process of obtaining the properties, with particular consideration of compensation payment, was monitored from the issuance of IPIP decision to the completion of works and to the return of properties that have been temporarily acquired. The table below informs the range of monitored indexes and the values reached.

Table 4. Summary of monitoring indexes applied for implementation of Contract 3D.1, as implemented by the PGW WP RZGW in Rzeszów (according to the monitoring table given in the LA&RAP)

Index	Information source	Monitoring frequency	Progress index
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Assumed parameters			
Number of properties to be permanently acquired	IPIP Decision	Once after issuance of the decision	330
Number of properties to be permanently restricted	IPIP Decision	Once after issuance of the decision	0
Number of project affected persons (PAP): - owners - perpetual users - autonomous possessor - others (if any)	Mortgage registers, decisions establishing compensation level	Update after completing the compensation payment	173 households ⁴ ; 319 PAP ^{5*} 0 0 0
Number of acquired properties	Registers of the Investor/Consultant	Monthly/Quarterly	330
Achieved parameters			
Amount of all compensation costs	Financial registers of the Investor	Monthly/Quarterly	PLN 668 312.17**
Number of acquired properties	Registers of the Investor/Consultant	Monthly/Quarterly	330
Efficiency indexes			
Number of claims/motions	Registers of the Investor/Consultant	Monthly/Quarterly	3
Number of addressed claims/motions	Registers of the Investor/Consultant	Monthly/Quarterly	3
Paid compensation, others	Financial registers of the Investor	Monthly/Quarterly	PLN 668 312.17**

* the number changed in relation to the value presented in the LA&RAP due to modifications to the number of owners of particular properties during payment of compensation (settling legal statuses of the properties)

** the amount of compensation, court fees, and postal fees paid until the day of developing the Final Report

⁴ According to data presented in the TSP reporting table, the number of household covered by the impact of Contract 3D.1.

⁵ The number of people to whom compensation was paid (natural persons and the Commune of Gorzyce); a part of Page | 18 compensation was paid to the court escrow, so the funds shall be paid after settling the inheritance issues to eligible PAP.

Table 5. Additional monitoring indexes applied during the LA&RAP implementation process

Index	Information source	Monitoring frequency	Index
Number of people threatened by flood prior to the Contract implementation	Modelling tests data	Once on the stage of investment preparation	About 1 600 people (8 800 persons – Contract 3D.1 with Contract 3B.2)
Number of people protected against flood	Registers of the Investor/Consultant	Once after Contract implementation	About 1 600 people (8 800 persons – Contract 3D.1 with Contract 3B.2)
Number of hectares threatened by flood prior to the Contract implementation	Modelling tests data	Once on the stage of investment preparation	About 3 000 ha
Number of hectares protected against flood	Registers of the Investor/Consultant	Once after Contract implementation	About 3 000 ha
Number of properties to be temporarily acquired and returned to the owners in a good condition	Registers of the Investor/Consultant	Entire implementation period	60 units

Summary of socio-economic research and status of the PAP after compensation payment

From February to March 2018 a survey was done among PAPs in reference to the legitimacy of Works Contract 3D.1 implementation, income sources, impact of the Project on the standard of their lives and on the economic situation (impact on the level of income). A target group that answered the surveys were natural persons, whose properties were expropriated, and the permanently acquired area exceeded 10% of the initial area of plot to be acquired (the research excluded a group of PAPs, who owned small parts of a service road at the embankment – although 100% of those plots was acquired, the impact on those persons was insignificant, as the existing condition was ordered; the issue was described above).

Repeated and important – in the view of the investment process – issues recorded during the survey were discussed below.

The investment area is inhabited by families that mostly run farming activities as one of side, less important income sources. Among 22 successful interview only 4 households were identified, where farming remains a basis for existence of entire families. In all 4 cases parts of properties acquired on behalf of the State Treasury do not result in effects that adversely affect the economic situation of households. During the interviews the respondents informed that they own several or several dozen farming plots, and in case of one household those were 200 properties; thus, splitting over 20% from one plot, where they run farming, only shall not affect the level of their income adversely. In each case those persons declared that they are interested in cash compensation, and not an equivalent compensation in the “land-for-land” form.

In other cases the farming is a kind of legacy of the old generation, for which it was a way of earning for living, and the land was left to the children based upon notary deeds. That group is not professionally active anymore – those are annuitants and old-age pensioners. Currently, the generation in working age is more often employed beyond the farms. The main, biggest employer in that area is an industrial plant Federal-Mogul Gorzyce Sp. z o.o. [limited company]. In many cases 2 or 3 people forming particular households are employed in that plant.

The aforementioned analyzes confirmed expectations of the PAPs to have the compensation paid in cash.

Relatively small socio-economic costs of the Contract are also a consequence of a fact that there were no public institutions – such as: schools, offices, plants, or churches or seats of other religious groups – within the area designated for embankment extensions; thus, the expropriation procedure affected persons that are not owners of properties covered by it only in a minor way.

Compensation payment

After the issuance of IPIP decision and after it became legally binding, the project affected persons (PAP) were provided with offers of the Investor referring to the payment of compensation for expropriated properties in the amounts resulting from estimate studies developed by an independent assessor. 257 out of 319 owners/co-owners of 234 properties answered positively to the offers provided, and in case of 180 properties the compensation might have been completely paid, while for 7 properties in part only, due to unsettled ownership issues (necessary implementation of inheritance procedures).

In case of 45 properties, after an ineffective attempt to establish the compensation amount (due to the lack of consent for the compensation amount proposed by the Investor, or due to unsettled legal status of the properties) cases were transferred by the Investor for addressing them by the Podkarpacki Governor.

All procedures of the Governor have already been completed. None of the Project Affected Persons appealed to superior authorities against the decision of the Podkarpacki Governor establishing the compensation amount.

Based upon legally binding decisions of the Governor establishing the compensation amount the Investor applied to the Court for a consent to pay the compensation to the court escrow, and simultaneously paid the compensation to the escrow account in (according to a relevant special procedure determined in the LA&RAP).

In case of 24 public properties (22 owned by communes, 1 by district, and 1 by province) the compensation was paid – based upon an agreement with the Investor – for 3 properties, and in case of other 21 properties the compensation was paid in to the escrow due to the lack of documents that unequivocally determined the right to properties.

To sum up, all compensations for 252 properties expropriated under the Project were either paid directly to the PAPs, or to the court escrow prior to the commencement of works.

In case of other 78 properties it was not necessary to pay the compensation, as those properties have already been owned by the State Treasury prior to the commencement of implementation for the Works Contract 3D.1.

Details referring to the payment of compensation were presented in Appendix no. 2 to the Final Report.

Table 6. Summary of LA&RAP implementation costs.

Item	Quantity	Amount
Compensation for permanent acquisition, including planting and infrastructure elements	17.5306 ha	PLN 663 559.65
Purchase of remnants*	0 properties	PLN 0
Cost of developing estimate studies	252	PLN 76 024.55
Court fees**	Not applicable	PLN 4 568.32
Other LA&RAP implementation costs***	Not applicable	PLN 184.20
TOTAL		PLN 744 33672

* see below

** fees for filed applications, press announcements, and keeper's remuneration

*** postal fees

The source of funding for the costs indicated above were funds of the International Bank for Reconstruction and Development, the Council of Europe Development Bank, and the State Budget.

The compensation was paid by the Investor, i.e. PGW WP RZGW, with a bank transfer from the account of PGW WP RZGW to the indicated PAP's bank account, and in few cases with a postal order or to an escrow account (in case of missing legal inheritors, who would have a right to the properties).

The Project Affected Persons (PAP) have been informed – within the framework of informational actions ran according to the provisions of LA&RAP – about a possibility of applying for purchase of a remaining part of properties (so called “remnants”), if – after splitting of a property and acquisition of its part for the investment purpose – the remaining part would not be suit for further use for previous purposes.

None of the persons applied for the purchase of “remnants” until the day of developing this Report, but it does not mean that such an application would not be filed in the future – detailed information in that scope were presented in the table presented in Section 3.3.

The total compensation amount for expropriated properties is PLN **663 559.65**. According to the WB's operational policy OP 4.12, in all the cases, where payment was feasible to the previous owners/co-owners, the compensation was paid prior to the commencement of construction works, i.e. until

01/09/2020. If there was no person authorized for payment of compensation, due amounts were paid to the court escrow. The funds are available and shall be immediately paid to entitled persons.

2.6. Scope of performed works

The task comprised extension of the left San embankment at km 0+000-4+445, which is located within the Commune of Gorzyce, District of Tarnobrzeg, Podkarpackie Province, in the register area of Wrzawy, and – in the ending section – within the Commune of Zaleszany, District of Stalowa Wola, Podkarpackie Province, in the register area of Skowierzyn.

Construction works consisting of the extension of a flood embankment, including accompanying objects, were performed within the investment area. The San III investment is a section of the embankment linked with the Vistula embankment and with the further course of the San embankment:

- The beginning (embankment km 0+000) – has been linked with the extended right Vistula embankment (Contract 3B.2 implemented as "Vistula Stage 2 – Extension of the Right Vistula embankment over a length of 13.959 km, the right San embankment over a length of 2.193 km, and the left Łęg embankment over a length of 0.112 km within the Commune of Gorzyce and the Commune of Radomyśl nad Sanem, Podkarpackie Province");
- The end (embankment km 4+445) – has been linked with the left San embankment under extension since 2015 (the investment implemented as "San III – extension and anti-seepage protection of the left San embankment at km 4+438-9+390, over a length of 4.952 km, within the Commune of Zaleszany").

During the works the Contractor secured archaeological supervision over the entire construction site, as there are four archaeological sites within the Commune of Gorzyce that were entered into the register of heritage (cremation burial sites in Furmany, Trześnia, and Gorzyce).

Archaeological sites or other traces of historic items were not discovered during implementation of Contract 3D.1.

The implementation site for Contract 3D.1 was also subject to sapper supervision. Prior to the commencement of works a site prospection was done to identify unexploded shells and misfires. Dangerous items of military origin have not been found during the works. All the works were performed by an expert sapper company.

During the works the public was positively inclined toward the performance, as the extension of the embankment protected lives and assets against floods that may occur in the future.

Applications that were submitted to the Engineer or to the Employer have been considered and answered, according to the procedure given in the LA&RAP (a detailed description of filed and addressed applications is given below and in Section 5).



Photo no. 1. Completed embankment redevelopment (San III km 0.4 – general view) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 2. Completed embankment redevelopment (San III km 0.05 – general upstream view) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 3. Completed embankment redevelopment (San III km 2.955 – raising of embankment crest datum by a retaining wall with a top-plate and a protective barrier) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 4. Completed embankment redevelopment (San III km 3.4 – raising of embankment crest datum by a retaining wall with a top-plate and a protective barrier) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 5. Completed embankment redevelopment (San III km 3.180 – general view) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 6. Completed embankment redevelopment (San III km 3.895 – public road on the embankment crest) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 7. Completed embankment redevelopment (San III km 3.895 – descent road to the embanked area) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 8. Completed embankment redevelopment (San III km 4.315 – public road on the embankment crest) (source: own materials of AECOM Polska Sp. z o.o.).

During the performance the Contractor applied public roads and internal roads based upon agreements signed with their Administrators. After completion of the work the roads have been restored to the condition indicated in agreements signed with the Administrators.

Table 9. List of public roads’ sections and internal roads’ sections repaired by the Contractor after completion of the construction and assembly works.

Marking	Chainage or locality	Length of repaired section [m]
Provincial road no. 854	km 23+600 – 28+663 of the road	About 5063 m
District road no. 1089R	Wrzawy	About 150 m
Communal road located on plot no. 2234	Wrzawy	About 0.06 km

Repair cost for road sections, as given above, that have been applied by the Contractor during the performance was **PLN 2 735 139.36** gross.

Due to positively addressed applications of the PAPs on the development of additional traffic facilities – access roads to fields and parcels (the issue has been described in Section 5) – additional descent roads have been developed. Costs of additional descent roads for farmers to the green strips: **PLN 40 729.73** (according to the variation order request no. 3 to the annex to the agreement on construction works). Costs of additional descent roads to parcels located at the embankment at km 4+095, 4+150, 4+176, 4+310: **PLN 17 349.10**. It shall be indicated that those actions correspond with the Bank's operational policies and form additional minimizing/compensation measures to the PAP, as implemented during implementation of the Contract.

2.7. Number of people, who gained profit from implementation of the Contract

Due to implementation of the *Works Contract 3D.1 San Programme. Passive Protection in San Basin* the flood protection covers about 1 600 residents living within about 3 000 ha. The flood protection was assured for residential houses and outbuildings, sacral objects, trade and service-providing structures, health care objects, educational-cultural-sports facilities, cemeteries. Implementation of the project also contributed to the protection against flooding with flood waters for the entire technical and communal infrastructure located within that area, i.e. power networks, telephone networks, gas pipings, water-supply networks, sewerage.

Performance of the works ran without conflicts. The situation was an effect of proper implementation of the measures indicated in the "Land Acquisition and Resettlement Action Plan for the Works Contract 3D.1 San Programme. Passive Protection in San Basin" (e.g. actions minimizing the impacts, informational measures, organizational activities), implementation of additional minimizing measures for the PAPs, and implementation of guidelines determined under the "Environmental Management Plan for the Works Contract 3D.1 San Programme. Passive Protection in San Basin" by the Contractor, i.e. mitigation measures – ones minimizing adverse impacts, also including ones referring to valuable environmental resources or historic objects. During the performance additional motions filed by the residents – referring to facilitation of the access to farm sites located around the embankment under redevelopment (this issues was described further in section 2.6 as well as in section 5) – were included.

It shall be underlined that among the PAPs directly affected by implementation of the Works Contract 3D.1 100% of people are beneficiaries of that Project, as each of the persons has a direct place of leaving or – at least – a property used for farming within the area protected against floods due to the embankment redevelopment under the Contract in question, and the entire area is currently protected against floods.

To sum up, implementation of Contract 3D.1 resulted in improving the sense of security among the local society, protection of habitats, properties/assets against floods directly.

3. RULES OF LA&RAP IMPLEMENTATION OBSERVED DURING IMPLEMENTATION OF THE CONTRACT

During the performance the rules resulting from the Polish legislation, World Bank's policy OP 4.12, and the LA&RAP were observed. Those related to the purchase of properties necessary for implementation of the Contract, as well as to the performance method, which minimizes adverse impacts on project affected persons. A leading rule for the measures was to obtain an improvement effect or at least to restore the standard of living for the PAPs, and to secure long-term balanced application of natural resources within that area.

The rules that were applied in the process of obtaining the properties and of resettlements are in conformity with the assumptions defined in the OVFMP general programme document, so-called Land Acquisition and Resettlement Policy Framework (LARPF) available at:

<https://odrapcu.pl/projekt-opdow/popdow-dokumenty/>

The undertaken measures were described in details in the following sections of this Report.

3.1. Minimizing the acquisition area

One of the key rules applied during designing was the rule of minimizing the permanent acquisition area, as well as the temporary acquisition area. Such solutions were applied for both: natural persons, as well as legal persons, and public entities (i.e. the State Treasury and Communes), e.g.:

- redevelopment of the embankment was designed through the extension of the embankment body on the embanked area's side in order to limit permanent acquisition on the landside, where dense residential development is located;
- service zone was designed and developed at the riverside slope in order to avoid increased interference in the area beyond the embankment due to residential development, road infrastructure, and water-sewerage installations, or farms and orchards;
- sealing of the embankment was designed and developed using an anti-seepage membrane through deep-soil-mixing method applied at the foot of the riverside embankment slope, what limited the impact on the area beyond the embankment during the performance.

It shall also be indicated that the factual situation – it is redevelopment of the embankment that has been existing for many years (linear investment comprising extension of the embankment and accompanying facilities) – affected the fact of limiting the acquisition area, and therefore the impact on the PAPs, which was associated with acquisition of small areas of properties directly adjacent to that object. Implementation of the Contract additionally allowed for regulating legal statuses of many small road properties (a service road along the embankment foot on the landside), where the plots were owned by natural persons, but they did not generate income, and even remain burden for budgets of households through an annual tax related to those properties. Within the framework of

Contract 3D.1 those issues have been regulated, and relevant compensation was paid to the PAPs, what significantly improved positive inclination towards the Contract among the local society.

3.2. Minimizing the impact on the performance stage

Prior to the commencement of works the Investor, i.e. PGW WP RZGW in Rzeszów, carried out an information campaign concerning the planned Contract and opened an information centre for Project Affected Persons, where they could file their motions and complaints regarding construction works in progress and scheduled acquisition. An information brochure was prepared and distributed to all the PAPs, advising on a possibility of submitting complaints (in accordance with the provisions of the LA&RAP) with contact details (Appendix no. 3 to this document).

It was necessary to temporarily acquire properties for the purpose of the Contract implementation (acquisition for site facilities and for storing of soil and other building materials). The Contractor minimized the extent of temporary acquisition, whilst their location was selected so that it would be convenient for the local community (nuisances related to material supplies and transportation of the equipment were minimized). While negotiating the conditions of temporary land acquisition the Contractor applied the provisions set out in the LA&RAP (the process was voluntary). The Contractor, apart from cash payments, was also entitled to offer other forms of assistance to the PAPs, such as levelling the plot. Compensations for land acquisition were reimbursed by the Contractor to the owners prior to the acquisition. After the performance the properties temporarily acquired were reinstated and handed over back to their owners without deterioration. The whole process was monitored by the Engineer and by the Investor.

3.3. Minimizing the impact through informing the parties about their rights

As part of the information campaign described in item 3.2 herein, the Project Affected Persons (PAP) were informed on a possibility of submitting a motion for purchasing the remaining parts of the property (i.e. remnants) if – as a result of property splitting and acquisition of its part for the investment purpose – the remaining part would not be suitable for further use to serve the previous purpose (pursuant to Article 23 (2) of the Special Flood Act). The provision states the following:

(...) Article 23

2. In case of properties discussed under Article 9 (5) letter a, if a part of the property is taken over and the remaining part is not suit for the proper use for previous purposes, the investor is obliged to purchase that part of the property – based upon an application of the owner or of the perpetual usufructuary of the property – in the name and on behalf of the State Treasury or unit of the local authorities. (...)

No motions on the purchase of remnants were submitted until the development of the Final Report on LA&RAP implementation. It however does not exclude provision of motions on the purchase of remnants in future, as the deadline for submission of such applications has not expired yet.

In case such a motion would be provided, it shall be analyzed by a specially assigned Commission formed by the PIU. A PAP who files the application shall be informed on an ongoing basis about further steps and actions undertaken in the case.

3.4. Minimizing the impact through organizational measures

Minimizing the impact throughout the Contract implementation was also achieved through implementation of organizational measures at the stage of construction and assembly works. The following actions were introduced:

- handing over of the property after the harvesting period.
- expropriated land owners were entitled to use the land free of charge in the manner they used to do it until they have been compensated.
- Project Affected Persons (PAP) were advised of the actual commencement of works by the Investor in advance, which enabled them to complete the management carried out on the property.
- all costs related to the measures minimizing and compensating adverse impact were included in the OVFMP Project costs.
- required distances from overhead power lines were maintained during the construction works.
- all works in the vicinity of underground utilities were carried out manually in order to prevent damage,
- works were performed in daily hours (7.00 am – 4.00 pm) only.
- a cut-off wall was installed using the deep-soil mixing technology, i.e. a vibration-free method.
- supervision by the infrastructure owners has been ensured for the duration of works.
- the owners of the properties which were temporarily acquired for the performance of the Task were compensated for temporary acquisition (the Contractor was responsible for the actions undertaken in this respect, and it acquired the land for temporary acquisition on its own through negotiating the possibility of temporary acquisition based upon a voluntary consent of the owner). After the completion of works the properties were reinstated to the previous status and handed over in good condition.
- the Contractor cared for the condition of the access roads that were used. The Contractor secured the construction site and site facilities with storage yards against excessive dusting.

3.5. Minimizing the impact through formal and legal activities

Property owners/perpetual usufruct holders received compensation for the properties taken over by virtue of the law, the amount of which was determined based on appraisals drawn up by a licensed property appraiser (according to OP 4.12).

Any person dissatisfied with the amount of the Investor-proposed compensation was entitled to access a free of charge and easy to apply appeal procedures. 2 months after the day when the IPIP decision became final and no agreement on the compensation amount was reached between the former owner/perpetual usufruct holder and the Investor, the amount of the compensation was determined by the Podkarpacki Governor in the form of an administrative decision. The decision could have been appealed against by the PAP free of charge to superior authorities, i.e. a component Minister.

In the case of Contract 3D.1, none of the PAPs appealed against the Governor's decision to such superior authorities as the Civil Engineering Minister.

4. PUBLIC CONSULTATIONS

Throughout the period of both preparation for the implementation of the Contract and the implementation itself, starting from the moment of application for the decision on environmental conditions, the process of informing the public about the Project was carried out.

The local community was informed about the prospective Contract at the stage of administrative proceedings related to the issuance of:

- the decision on environmental conditions (from 07/28/2015 to 01/02/2017),
- the water law permit (from 04/04/2017 to 07/24/2017),
- the Investment Project Implementation Permit (from 03/24/2018 to 11/22/2018);

through announcements posted at websites of the authorities conducting the proceedings (the Regional Director for Environmental Protection in Rzeszow, the Marshal of the Świętokrzyskie Province, and the Podkarpacki Governor) and – as is customary – on publicly available notice boards in the areas where the Contract was implemented.

In this manner the local community was informed of the submission of relevant applications by the PIU, as well as of the issuance of the aforementioned decisions. This provided the parties with the opportunity to comment on all matters relating to the planned Contract.

Upon issuance of the decisions the parties were also informed by the issuing authorities about the possibility to appeal against those decisions. No appeals have been filed.

Additionally, the PAPs, who owned properties within the Contract implementation site, have been informed in writing (by registered letter with acknowledgement of receipt) about the proceedings related to takeover of the real estate on behalf of the State Treasury.

The PAPs have been informed about implementation of the Task during a meeting organized by the Podkarpacki Board of Amelioration and Hydraulic Structures on March 16, 2016 in the Community Center in Wrzawy.

On April 17, 2018, in the Fire Station in Wrzawy there was another open meeting for all the interested parties, where information about the Task and initial data on the Draft Land Acquisition and Resettlement Action Plan under development were introduced. The following were presented: legal bases and property acquisition procedure, rules for establishing and reimbursing the compensation for the purchase of rights to properties by the State Treasury, in accordance with the binding legal provisions and the World Bank's policy. The attendees have also been informed about appealing procedure against a decision determining the amount of compensation, as prescribed by the law, and about a procedure referring to provision of claims and motions. Attention of the attendees was especially drawn to the necessary settling of legal statuses for the properties and update of address data in all the registers. The participants were able to review the maps, where plots to be acquired on behalf of the State Treasury for the purpose of Task implementation were marked. Some of the attendees reviewed the map in question.

During the meeting the participants were provided with a brochure containing information about objectives of the Task, scope of the expected works, and the area necessary for implementation of the Task. The brochure also contained a description of procedure for obtaining the properties by the State Treasury, as well as the rules for establishing and reimbursing the compensation for obtainment of rights to the properties, in conformity with the binding legal provisions and the World Bank's policy. The brochure also included information on the rules of establishing and reimbursing the compensation, rules and place of submission for claims and motions. The brochure was additionally distributed by the village mayor of Wrzawy among the residents.

Public consultations were additionally carried out due to the development of the LA&RAP. The aim of those consultations was to allow natural persons, institutions, and all the interested parties to review contents of that document and to assure the possibility of filing potential remarks, enquiries, and motions referring to the contents. According to the World Bank's operational policy OP 4.12, disclosure of the Draft LA&RAP was commenced on December 14, 2018, when an announcement was published in NOWINY (a local daily newspaper). The announcement about public consultations was also placed on noticeboards in the PGW WP RZGW in Rzeszów, the Water Inspectorate in Tarnobrzeg, the Commune Office in Gorzyce, the Commune Office in Zaleszany, and at performance sites.

The announcement invited natural persons, the authorities, and interested institutions to review the Draft LA&RAP for the Works Contract 3D.1. The published announcement also contained information about the planned open meeting – that shall be held within the framework of public consultations for the Draft LA&RAP – for all the interested parties (including date, time, venue, and purpose of the meeting).

The Draft LA&RAP (electronic version in Polish and in English) was disclosed from December 14, 2018 to January 2, 2019 (i.e. for 11 working days) at the following websites:

- PGW WP RZGW in Rzeszów at – www.wodypolskie.bip.gov.pl,
- Commune Office in Zaleszany at – www.zaleszany.pl,
- Commune Office in Gorzyce at – www.gminagorzyce.pl,

- Odra-Vistula Flood Management Project Coordination Unit at – www.odrapcu.pl.

The hard copy was available for review to all the interested parties from December 14, 2018 to January 2, 2019 in offices of the following:

- State Water Holding Polish Waters Regional Water Management Authority in Rzeszów, 17B. Hanasiewicza Street, 35-109 Rzeszów, on working days from 7:00 am to 3:00 pm,
- Water Inspectorate in Tarnobrzeg, 86. Sienkiewicza Street, 39-400 Tarnobrzeg, on working days from 7:00 am to 3:00 pm;

Information in question was additionally submitted (personal invitations) to public institutions interested in implementation of the Project:

- Representatives of the Podkarpacki Governor (Director of the Environment and Farming Department),
- Representative of the Podkarpackie Province Marshal (Director of the Farming, Geodesy, and Assets Management Department),
- Alderman of the District of Tarnobrzeg,
- Head of Gorzyce Commune,
- Head of Zaleszany Commune,
- Village mayor of Wrzawy.

In the period allowing for asking questions referring to the disclosed Draft Land Acquisition and Resettlement Action Plan the PGW WP RZGW in Rzeszów did not receive any enquiries or motions. However, interest in that document was noted. Downloads of files from websites indicated in the announcement were recorded. No questions were asked by e-mail or personally in the Office/Offices of the PGW WP RZGW in Rzeszów.

After 11 days of disclosing the Draft LA&RAP, on January 3, 2019 at 4:00 pm there was an open meeting for the public, held in the Communal Culture Center in Wrzawy, 486. Wrzawy, in reference to the public consultations on the **Draft Land Acquisition and Resettlement Action Plan for the Works Contract 3D.1**, as implemented under the *Odra-Vistula Flood Management Project*.

21 persons interested in the Project implementation attended the meeting, and representatives of the local authorities, as well as representatives of entities directly engaged in implementation of the OVFMP – Project Implementation Office of the PGW WP RZGW in Rzeszów and Water Inspectorate in Tarnobrzeg, Project Coordination Unit from Cracow, and the Engineer Consultant's Team (AECOM Polska Sp. z o.o.) – were among the participants.

At the meeting (open for any party interested in implementation of the Project), during a public debate any attendee was able to inform comments/remarks referring to the Draft LA&RAP orally or in writing to the protocol/report. No additional questions were asked or remarks raised – requiring time to answer – during the meeting. Three questions asked during the meeting referred to the issues discussed in detail in the LA&RAP, and they have been discussed and clarified during the debate, and did not require updating of the Draft LA&RAP.

A meeting memo was developed and submitted to the World Bank. The final document – after obtaining the WB’s “No Objection” clause – has been made available to the interested parties, i.e. published at the PIU website and at the website of the OVFMPUCU, and left there until the completion of the Contract implementation.

During the whole Contract implementation period InfoPoint dedicated to the Project was available (details indicated in Section 5). Depending on the informed needs, meetings with representatives of the local society were organized, e.g. in relation to the provided motion no. 3 on the modification of traffic solutions. None of the issues informed was left without reaction of the Investor and the Consultant.

5. GRIEVANCE REDRESS MECHANISM

The grievance redress mechanism regarding all the issues associated with implementation of Contract 3D.1 has been implemented at the beginning of the entire process and remained in force during the whole period of the execution, operation and completion of the Contract in question.

All interested parties were allowed to file a complaint or a motion in one of the following three places:

1. Directly in the main Project Office that remained a consultation point, i.e.:

AECOM Polska Sp. z o. o.

18. Warszawska Street

35-205 Rzeszów

Tel.: +48 17 8521207

Person responsible: Adrianna Siemionek-Ryszkowska (Consultant, AECOM Polska Sp. z o.o.)

2. Directly in the Investor’s Office, i.e.:

PGW WP Regional Water Management Authority

17B. Hanasiewicza Street

35-103 Rzeszów

Tel.: +48 17 8537441

Person responsible: Dominika Żurawska (PIO at the PGW WP RZGW in Rzeszów)

3. Additionally claims and motions might have been submitted:

- 1) Via mail to addresses stated above, or

- 2) via Internet:

e-mail: ik_rzeszow@aecom.com,

e-mail: rzeszow@wody.gov.pl

4. Information line has been activated – claims might have been informed using the following telephone number:

tel. +48 17 8537441 (Mrs. Dominika Żurawska, PIO at the PGW WP RZGW in Rzeszów)

+48 17 8521207 (Mrs. Adrianna Siemionek-Ryszkowska, Consultant, AECOM Polska Sp. z o.o.)
fax: +48 17 853 64 21

During implementation of Contract 3D.1 few motions referring to the Contract in progress were obtained, and all of them were addressed, and the PAPs were provided with answers according to the adopted grievance redress mechanism. No claim was provided during implementation of the Contract.

Issues notified by the PAPs to the Investor or to the Contract Engineer are described below.

Summary of motions

1. Motion of the residents on redevelopment of descent roads to fields. A group of residents applied to the Investor for proper shaping of land that would allow for traffic of farming machines right and left from the service road to the green zone in the area beyond the embankment at km: 0+010, 0+425, 1+050, 1+650, 2+225, with a course width of 4.0 m. The motion was addressed positively and, in conformity with the application of the residents, descent roads were developed.
2. Motion of the Commune of Gorzyce, filed in the name of the Commune residents, on reinforcing kerb of descent roads from a service road located on the embankment crest to adjacent parcels at km 4+095, 4+150, 4+176, 4+310 with open-work slabs with backing. The motion was addressed positively and, in conformity with the application, such reinforcement was done for 4 descent roads.
3. Motion of the residents of the village of Wrzawy, Zadole farmstead, on development of a traffic ramp in vicinity of households no. 44 and 45. After analyzing the case the application has not been accepted, as the embankment crossing no. 6 was designed and developed in a distance of only 130 m from the traffic ramp in vicinity of households no. 44 and 45, and each crossing disturbs free flow of flood water, and – due to technical reasons – individual crossings are not developed in such a short distance. A meeting with the applicants and communal authorities was held, where aforementioned technical data and justification for the refusal were presented. The case was closed, because after provision of clarifications the public accepted the designed solution and further reservations in that range have not been raised and no related remarks were provided.

6. SUMMARY

The main, measurable effect of the implementation of Contract 3D.1 “San Programme. Passive Protection in San Basin” is securing the flood protection within about 3 000 ha inhabited by about 1 600 residents. It eliminated the necessity of incurring huge financial expenses to remedy flood damage. In accordance with the findings of the Podkarpacki Governor during the flood of 2010 damage incurred within that area amounted to approximately over PLN 26 million. Bearing in mind the climate changes currently taking place, it is expected that the frequency and intensity of floods will increase. A one-time investment in the implementation of the project has, therefore, helped to avoid the need to secure huge financial sources in the coming years to remove damage.

In addition to the economic aspect, another non-measurable social aspect of the implementation of the subject investment is equally important, namely the sense of security of the local community living in the area covered by the investment in question, as well as the socio-economic expectations of the local population. As a result of floods, the hygienic and sanitary conditions in the flooded area drastically deteriorate each time. In the event of very high water levels and the risk of damage to the embankments, evacuation of people and farm animals to safe areas is necessary. The plots located in areas exposed to flooding are less attractive, which determines their low value in the property market. Such a situation is a serious obstacle and results in inconvenient conditions for the development of the local entrepreneurship and attracting potential investors, which translates directly into limiting the development of business activity. All these social concerns and obstacles to development after implementation of the Works Contract 3D.1 have been eliminated. Positive social impacts, i.e. profits for the local society that directly refer to investment objectives, shall also be noted. The long-term profits are as follows:

- Limitation/elimination of a flood threat;
- Protection of the area and of private assets and public assets, including properties and farmland;
- Psychological comfort for the local society during long-term tempestuous rainfall or during spring thaw (previously each alert raised concern against a threat to properties and life – the area was flooded in the past);
- The landscape gained new values due to ordering – new leisure sites were formed (possible walks or bicycle trips on the embankment crest or at a service road on the landside).

In the range of a direct impact of the Project its shall be noted that:

- 252 properties were acquired on behalf of the Stated Treasury, including 228 properties owned by private persons (319 land owners), and only remaining 25 properties were owned by communes, districts, and provinces;
- 78 properties of the State Treasury were subject to permanent acquisition.

The Works Contract 3D.1 did neither cause physical nor economic resettlements. Within the implementation area of Contract 3D.1 no vulnerable groups were identified, and the impact of Contract did not adversely affect entrepreneurs or farming activities. Impacts referring to e.g. the loss of income source, work posts, availability of infrastructure, loss of farming possibilities, loss of using the environment/access to parks and nature reserves, the access to educational institutions, cultural units, etc. have not occurred.

- compensation was paid to all land owners, who were able to prove the right to properties acquired on behalf of the State Treasury;
- if there were no persons entitled (the owner passed away, and inheritors have not commenced an inheritance procedure yet), the compensation was paid to the court escrow.

Detailed information on payment of compensation was presented in Section 2.2 and in Appendix no. 2 to this Report.

- the Investor have not received any applications for the purchase of remnants.

Detailed information on the issue of remnants were described in Section 3.3.

- 3 InfoPoints, where it was possible to file claims and motions related to implementation of the Contract, were active within the entire implementation period for the Works Contract 3D.1.

Detailed information were provided in Section 5.

- no claims were provided during implementation of the Works Contract 3D.1. The PAPs have however filed motions on inclusion of additional traffic facilities – each application has been addressed in accordance with the grievance redress mechanism, as determined under the LA&RAP, and in each feasible case such an application was accepted.

Detailed information on the motions provided and on their addressing method were provided in Section 5.

- Public consultations were held during preparation of the Contract for implementation (obtainment of particular decisions), as well as after development of the Draft LA&RAP – the process was carried out in accordance with the World Bank standards, as well as with the Polish law.

Detailed information on the public consultations were described in Section 4.

During the performance the rules resulting from the Polish law, the World Bank's policy OP 4.12, and the LA&RAP were observed. Those referred to the purchase of properties necessary for implementation of the Contract, as well as to the performance method that would minimize adverse impacts on the project affected persons. A leading rule of the measures was to achieve an improvement effect or at least restore the PAPs' standard of living, and secure long-term balanced application of natural resources within that area.

The objective was achieved and in case of the Works Contract 3D.1 there are no elements/issues that have not been completed yet.

After implementation of the Works Contract 3D.1 the standard of life for the PAPs has been restored or improved, as relevant compensation was paid, and every person living in the area where the embankments have been redeveloped was protected against floods, which may not only pose a threat to their properties, but also to life.

The key objective of the Land Acquisition and Resettlement Action Plan was also implemented, the properties necessary for the execution of the Contract were acquired in accordance with the Polish law and the World Bank's policy OP 4.12 including Resettlement Policy Framework in a way that minimized adverse impacts on the Project Affected Persons and that did not cause physical or economic resettlement of households. Significant impacts on the PAPs have not occurred during performance of the Works. Due to implementation of the measures indicated in the LA&RAP, the

living conditions of PAP have improved and long-term sustainable use of natural resources in this area has been ensured.

7. APPENDICES

Appendix no. 1 – Location of the Task.

Appendix no. 2 – Tabulated Summary of Properties and Information about Compensation Paid.

Appendix no. 3 – Information Brochure for the PAPs.