

**LAND ACQUISITION
AND RESETTLEMENT ACTION PLAN**

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

WORKS CONTRACT 3B.2
Flood Protection Tarnobrzeg

**ODRA-VISTULA
FLOOD MANAGEMENT
PROJECT**





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

FINAL VERSION

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 3B:

Flood Protection Sandomierz and Tarnobrzeg

WORKS CONTRACT 3B.2:

Flood Protection Tarnobrzeg

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ODRA-VISTULA FLOOD MANAGEMENT PROJECT

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Table of abbreviations applied in this paper

Name	Description
ARMA	Agency for Restructuring and Modernisation of Agriculture (pl. Agencja Restrukturyzacji i Modernizacji Rolnictwa)
CEB	Council of Europe Development Bank
Contractor	Company/legal person executing Works Contract 3B.2
Contract / Task	Works Contract 3B.21 Flood Protection Tarnobrzeg
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 (to December 31, 2017)	Podkarpackie Board of Amelioration and Hydraulic Structures in Rzeszów
PIU / Employer / Investor (from January 1, 2018)	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 Land Acquisition and Resettlement Action Plan (LA&RAP) for *Works Contract 3B.2 Flood Protection Tarnobrzeg* has been implemented. 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 corrective measures that must be taken. In the case of Contract 3B.2, as presented in the following chapters of this Report, this goal has been achieved and there is no need to take corrective measures. The ex-post evaluation of the LA&RAP was carried out 6 months after the full implementation of the LA&RAP and the achievement of its objectives.

In consistency with assumption adopted in the Land Acquisition and Resettlement Action Plan, ex-post evaluation has been done after implementation of the LA&RAP, and it confirms that mitigation measures have been fully implemented 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, legal persons) received compensation (indemnity) and their 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 3B.2 Flood Protection Tarnobrzeg* 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 Radomyśl nad Sanem, and Commune of Gorzyce. The scope of works of the Contract 3B.2 has not changed and has remained the same as described in Chapter 1.2 of the LA&RAP.

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:	03/22/2019
The date of handing over the construction site:	03/25/2019
The date of commencement of Works:	04/04/2019
The date of completion of Works:	12/28/2020
The date of completion of Defects Liability Period:	12/28/2025

¹ <https://odrapcu.pl/en/project-ovfmp/documents/>

The completed extension of the embankments improved flood safety within two communes: Radomyśl nad Sanem in the District of Stalowa Wola, and Gorzyce in the District of Tarnobrzeg, i.e. it secured protection against floods for about **18 500 residents** living in the area of about **9 750 ha**.

The following are located within the area in question: about 7 132 residential buildings and outbuildings, 11 office buildings, 3 sacral buildings, 10 commercial-service buildings, 3 medical health units, 6 educational-cultural-sports buildings, 19 industrial facilities, 4 technical-connection objects, 2 churches with parishes, monuments, cemeteries. Implementation of the project has also contributed to the protection against flooding for the entire technical and communal infrastructure located within the area, i.e.: power lines, telephone network, gas pipings, water-supply network, sewerage. Furthermore, within the area of communes covered by the project, numerous historic objects entered into the heritage register or to communal heritage records were protected against floods. Among the most valuable objects in the area of the Commune of Radomyśl nad Sanem are the following: Church of St Sigismund in Pniów, Church of St John the Baptist in Radomyśl nad Sanem built in 1852, parish cemetery “Na Zjawieniu”, Church of Holy Mary’s Visitation built between the end of 19th century and the 1st quarter of 20th century in Wola Rzeczycka. South of the San mouth to Vistula the Commune of Gorzyce is located, where such historic objects are placed as: parish church of St Andrew Bobola, or neogothic cemetery chapel built in the 2nd half of 19th century in Gorzyce, neoromanesque parish church of Saint Family in Trześnia built in 19th century, as well as a manor granary built in the 2nd half of 19th century, as well as a wooden manor house in Trześnia built in that period. In Wrzawy, which is the north-most part of the commune, a classicistic parish built about 1870s is located.

The task is fully complementary territorially and technically with *Contract 3D.1 San Programme. Passive Protection in San Basin* (also implemented under the OVFMP), as the 4.445 long section of the River San embankment – developed under Contract 3D.1 – joins the right embankment of the River Vistula, which is extended under Contract 3B.2, to which this Report refers to. 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 sections and accompanying facilities) required purchase of properties, but it did not result in physical or economic resettlement of households.

Table 1. Area and number of properties acquired and the impact of the Contract 3B.2².

	Total Hectares Required, ha	Total Plots, pcs	Public Plots	%	Private Plots	%	Physical displacement	Economic displacement
Permanent Occupation	95.8264*	1 328	423	31.85%	905	68.15%	0	0

* together with the plots where the embankment is located

² The values given in Table 1 differ from the values in the LA&RAP because the LA&RAP document was prepared before the decisions for implementation were issued - during the administrative proceedings the values changed

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 1 m² to 3619 m², including land used for agricultural purposes, i.e. arable fields, orchards and meadows up to 2947 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% (in relation to the initial plot area) 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 20% of the farm's total area. In no case developed parts of properties (e.g. residential houses, outbuildings, or other which would be used) were acquired. Vulnerable groups were not identified during the research.

Additionally, due to implementation of the Investment outstanding issues were settled (historic land take by Podkarpacki Board of Amelioration and Hydraulic Structures in Rzeszów - predecessor of State Water Holding Polish Waters Regional Water Management Authority in Rzeszów - for the construction of service road at embankments without compensation). 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 3B.2 – received relevant compensation for those parts (paid according to OP 4.12). 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 0.3619 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 (this situation concerns 292 plots of land owned by natural persons and 2 plots of the State Treasury in perpetual usufruct of natural persons i.e. 22% of all plots).

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 all of them were assessed positively. Those implemented technical solutions formed additional minimizing/compensation measures. 5 grievances were submitted (3 regarding the payment of compensation, 1 from the Investor regarding the change of the IPIP decision and 1 regarding the excess road). All were analyzed and in each case the PAPs received information about measures undertaken.

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.3 and 3D.1 carried out as part of OVFMP with the co-financing of the World Bank) 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-BEtap-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 3B.2 were also published on Facebook fanpage, where registered users were able to form networks and groups, share messages and photos. Some addresses of those sites were however not active anymore on the day of developing this Report (print screens of some of the websites are included in Appendix 5).

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 3B.2 has been implemented. Effects of the flood also affected the communes of Radomyśl nad Sanem and Gorzyce³.

Within the area protected with embankments that have been redeveloped under Contract 3B.2 the flood of 2010 caused damages to 1,203 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 26 762 688.00⁴.

Due to implementation of the Works Contract 3B.2 the entire area, 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.

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

³ Source: document titled "Specificity of the task planned for implementation under the Odra-Vistula Flood Management Project", as provided by PZMiUW in Rzeszów.

⁴ Source: Report of the Podkarpacki Governor on flood damage suffered in 2010.

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 duties, 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 the LA&RAP and evaluated 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 as well as other the LA&RAP provisions.

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*⁵ and in the *Land Acquisition and Resettlement Action Plan*⁶.

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 09/07/2016 (ref. no.: WOOŚ.4233.24.2013.MG.157) for the Investment titled "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 Voivodship", issued by RDOŚ in Rzeszów. The decision became final on 10/12/2016.
2. Decision on water-law permit dated 01/26/2017 (ref. no.: ZU-4360-38/16) for the Investment titled "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

⁵ <https://odrapcu.pl/en/dokumenty/resettlement-policy-framework/> - adopted and approved by the World Bank in April 2015

⁶ <https://odrapcu.pl/en/dokumenty/rap-for-contract-3b-2-flood-protection-of-tarnobrzeg/> - adopted and approved by the World Bank in September 2017

km, within the Commune of Gorzyce and the Commune of Radomyśl nad Sanem, Podkarpackie Voivodship”, issued by the Director of RZGW in Cracow.

3. Decision of the Director of RDOŚ in Rzeszów dated 06/07/2018 (ref. no.: WOOŚ.420.22.5.2018.GJ.2) on transferring the decision listed under item 1 to 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:

4. Decision no. 4/2017 on investment project implementation permit (IPIP) for flood defenses dated 11/10/2017 for Section I and for SAN Section (ref. no.: IV.7820.1.5.2017) issued by the Podkarpacki Governor. No one appealed against the decision, and the decision became final on 12/22/2017 and binding.

5. Decision no. 2/2017 on investment project implementation permit (IPIP) for flood defenses dated 09/05/2017 for Section II (ref. no.: I-V.7820.1.2.2017) issued by the Podkarpacki Governor. No one appealed against the decision, and the decision became final 10/11/2017 and binding.

6. Resolution dated 12/29/2017 correcting a mistake in decision no. 2/2017 on investment project implementation permit for flood defenses (ref. no.: I-V.7820.1.2.2017) issued by the Podkarpacki Governor.

7. Resolution dated 04/10/2018 correcting a mistake in decision no. 2/2017 on investment project implementation permit for flood defenses (ref. no.: I-V.7820.1.2.2017) issued by the Podkarpacki Governor.

8. Decision no. 3/2017 on investment project implementation permit (IPIP) for flood defenses dated 09/25/2017 for Section III (ref. no.: I-V.7820.1.4.2017) issued by the Podkarpacki Governor. No one appealed against the decision, and the decision became final 11/02/2017 and binding.

The Investor developed a Draft LA&RAP for the Task in questions, and it was subject to public consultations from 08/17/2017 to 09/07/2017 (inclusive). After 21 days of making the document available for review, on 09/08/2017 at 4:30 pm there was an open meeting in the Communal Culture Center in Zaleszany, 4. Kościuszki Square, 37-415 Zaleszany, for all interested parties, where information on the Draft LA&RAP were presented and a public discussion on the document was held. The final LA&RAP incorporating the report and outcome of the public consultation gained the World Bank’s “No Objection” on 09/29/2017. Provisions of the LA&RAP were implemented throughout the performance of assembly and construction works.

1328 properties in total were subject to permanent acquisition under the Works Contract 3B.2, including 905 properties owned by natural persons (69%), and remaining 423 properties owned by the State Treasury, Commune of Radomyśl Nad Sanem, and Commune of Gorzyce. Two plots of the State Treasury had administrators.

The total area of permanent occupation is 95.8264 ha, including the area of plots covered with permanent acquisition for the purpose of implementing Contract 3B.2, but excluding 2 plots returned to natural persons (plots no. 2/1 and 3/1, area of Zalesie Gorzyckie, Section III). Those 2 plots were marked in red in Appendix no. 2. Among plots owned by the State Treasury, 1 is owned by the State

Treasury and administered by PKP S.A. (the scope of works have been agreed with PKP – note dated 11/14/2016, ref. no.: IZDK1c-505/85/2016 – and implemented according to those establishments) and the second administered by County Roads Authority.

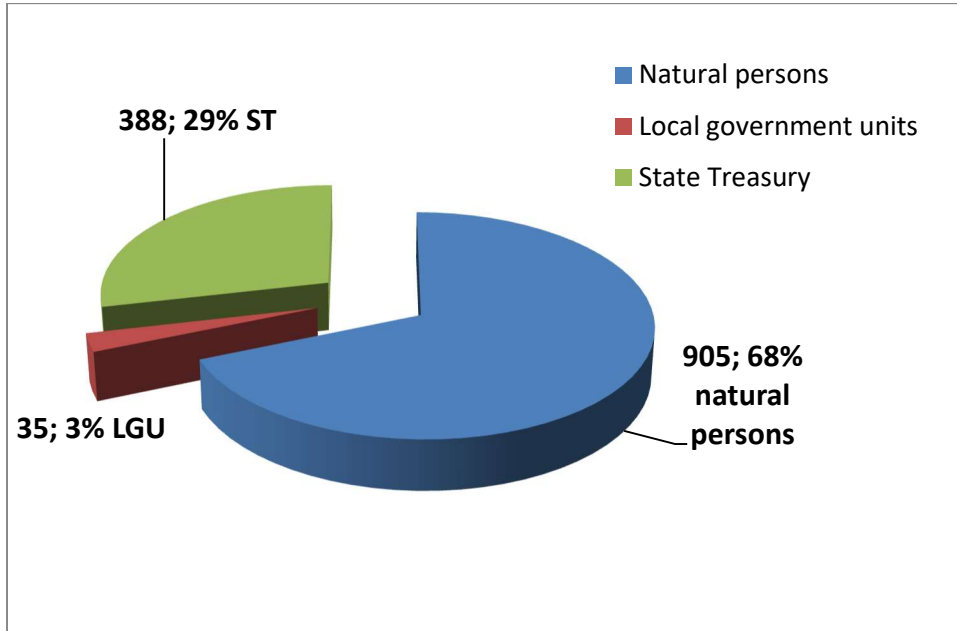


Diagram 1. Structure of plot amount and their % share covered by the analysis, in division to owners.

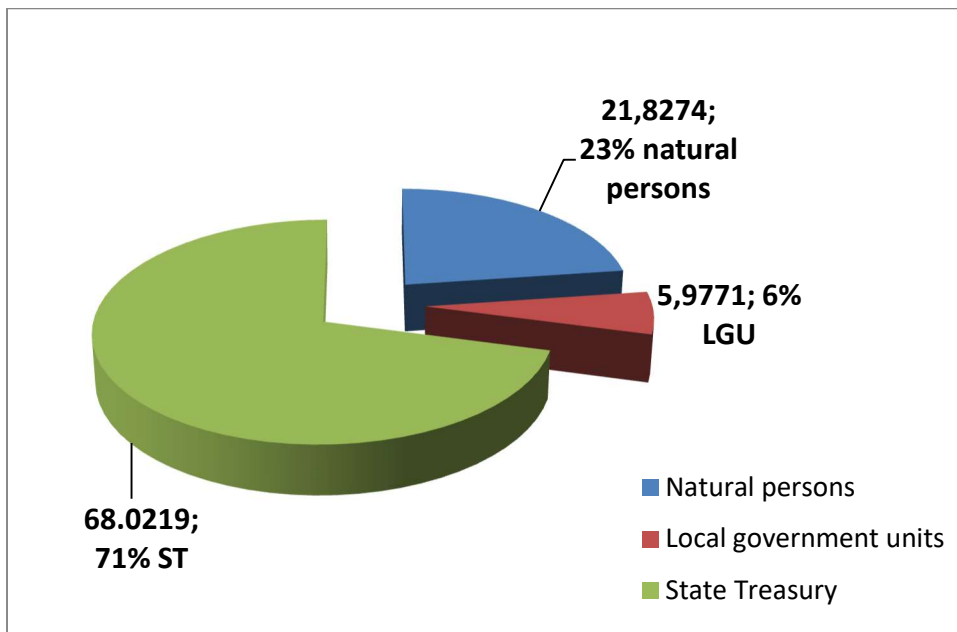


Diagram 2. Structure of plot area (in ha and in %) covered by the analysis, in division to owners.

Compensation for termination of perpetual use rights at properties of the State Treasury was paid in case of 7 properties (items 587, 927, 928, 1045, 1241, 1251 and 1254 in Appendix 2 to the Report).

In case of the Works Contract 3B.2 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.

In case of two plots – register no.: 2/1 and 3/1, area of Zalesie Gorzyckie (Section III) – owned by natural persons, PGW WP RZGW in Rzeszów applied to the Podkarpacki Governor for cancelling a part of the decision on investment project implementation permit no. 3/2017 dated 09/25/2017. The plots in question were originally to be used for 4 m wide access road to the planned storage yard for soil and top-soil on the embanked area's side, and for protection of site facilities' ground. However, after a complex analysis of all of the factors, it was stated that such a design solution referring to the plots in question should not be implemented. On 08/10/2018 the Governor issued a resolution refusing to start a procedure for cancelling the IPIP decision in the determined scope. On 08/20/2018 PGW WP RZGW in Rzeszów filed a claim to the Minister of Investment and Development against the Governor's resolution. For the time of settling the case the Governor suspended the procedure on the issuance of a decision establishing compensation for plots 2/1 and 3/1. On 02/11/2019 the Minister submitted a notification establishing a new date for settling the case until March 29, 2019. On 03/28/2019 the Minister has again submitted a notification establishing a new date for settling the case until May 31, 2019. The Minister of Investment and Development issued a decision dated 06/14/2019 overruling the entire appealed resolution, and transferred the case for re-addressing by the first instance authorities. On July 9, 2019 the Podkarpacki Governor issued a notification on the commencement of procedure for cancelling the decision on investment project implementation permit for flood defenses in the range of plots no. 2/1 and 3/1, area of Zalesie Gorzyckie. On 08/14/2019 the Podkarpacki Governor issued a decision stating cancelling of decision of the Podkarpacki Governor no. 3/2017 dated 09/25/2019 on investment project implementation permit (IPIP) for flood defenses in Section III (ref. no.: I-V.7820.1.4.2017) in a part covering properties no. 2/1 and 3/1 (plots no. 2 and 3 prior to splitting), area of Zalesie Gorzyckie. The decision of Podkarpacki Governor dated 08/14/2019 became final on 09/03/2019. A tabulated summary of plots given in Appendix no. 1 marks those plots with a red background (those plots and their area was not included in values presented in this document).

The Contractor obtained– for the purpose of temporary acquisition – 15 properties with an area of 4.4015 ha on its own. The acquisition based upon **voluntary agreement between the property Owner and the Contractor** (the owner can refuse to make the property available). Temporary acquisition of properties was feasible only upon a written, voluntary consent of the property owner and based upon the rules determined in the agreement providing that consent. The agreements were provided for review to the Contract Engineer and to the Investor. After performing the works the Contractor has restored the properties to the condition from before the investment or to the conditions established by the parties in agreement providing consent for temporary acquisition, and has returned them to the lawful Owners in a good condition. The Contractor has also settled issues referring to the payment of compensation⁷. Measures of the Contractor were strictly monitored by the CE/PIO/PCU throughout the performance period, as well as during the return of those properties to their owners, and abnormalities in that range were not identified. A summary of properties in question is given in Table 2.

⁷ The compensation has been paid in line with the LA&RAP – it was verified by the Engineer (documentation: copy of agreement between Owner and Contractor, monthly monitoring during realization in Monthly Reports, Building Council minutes and final protocol signed by the owner)

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

Temporary acquisition of properties						
Plot no.	Plot owner	Plot area [ha]	Agreement (Y/N)	Temporary acquisition dates		Completion and ordering
				Commencement date	Completion date	(Y/N)
638/2	Natural person	0.0600	Y	04/01/2019	07/31/2020	Y
639/2	Natural person	0.4400	Y	04/01/2019	07/31/2020	Y
88	Legal person	0.0470	Y	04/05/2019	12/28/2020	Y
196/2	Commune of Gorzyce	0.1081	Y	03/29/2019	12/28/2020	Y
148	Natural person	0.2000	Y	05/15/2019	06/30/2020	Y
99/5	Natural person	0.2000	Y	05/06/2019	12/28/2020	Y
39/1	Natural person	0.2000	Y	05/06/2019	12/28/2020	Y
155/2	Natural person	0.0700	Y	05/08/2019	05/31/2020	Y
1097/4	Commune of Gorzyce	0.8539	Y	05/31/2019	12/28/2020	Y
996/2	Commune of Gorzyce	0.0900	Y	05/31/2019	12/28/2020	Y
175/2	ST, Alderman of Tarnobrzeg	0.1125	Y	07/18/2019	12/28/2020	Y
454/2	Natural person	0.4900	Y	09/02/2019	09/30/2020	Y
48/2	Natural person	0.2500	Y	10/25/2019	10/31/2020	Y
238/2	Natural person	0.3000	Y	10/01/2019	12/28/2020	Y
330	Commune of Gorzyce	0.9800	Y	06/05/2019	12/28/2020	Y
TOTAL	15 plots	4.4015 ha				

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 and building structures to be demolished.

	Total number of hectares	Total number of plots	Public plots	%	Private plots	%	Physical resettlement	Economic resettlement
Permanent acquisition	95.8264	1328	423	31.85	905	68.15	0	0
Temporary acquisition (Contractor)	4.4015	15	5	33.33	10	66.67	-	-
Building structures	-	1	0	0	1	100	0	0

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 LA&RAP. There haven't been any deviation in LA&RAP implementation.

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 08/17/2017 to 09/07/2017 (inclusive).

After completing the works on the draft LA&RAP and after obtaining on 08/07/2017 – upon its basis – a World Bank's acceptance (so-called "OK" clause) 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 August 17, 2017 at publishing an invitation to the public consultation of LA&RAP Draft in a local issue of "Gazeta Wyborcza" (national daily).

Every interested party was able to review the Draft LA&RAP (hard copy) from 08/17/2017 to 09/07/2017 (inclusive) in the office of:

- Podkarpackie Board of Amelioration and Hydraulic Structures in Rzeszów, 9. Hetmańska Street, 35-959 Rzeszów, on working days from 8:30 am to 2:30 pm,
- Podkarpackie Board of Amelioration and Hydraulic Structures in Rzeszów, Branch in Tarnobrzeg, 86. Sienkiewicza Street, 39-400 Tarnobrzeg, on working days from 8:30 am to 2:30 pm;

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

- PZMiUW at - www.pzmiuw.pl,
- City Office of Tarnobrzeg at - www.tarnobrzeg.pl,
- Commune Office of Zaleszany at - www.zaleszany.pl,
- Commune Office of Gorzyce at - www.gorzyce.pl,
- Commune Office of Radomyśl nad Sanem at - www.radomysl.pl,
- Project Coordination Unit at - www.odrapcu.pl.

Every interested person was able to file motions and remarks referring to the Draft LA&RAP in writing and in an oral form to the memo using the aforementioned addresses, or in a digital form to the following e-mail address: piu@pzmiuw.pl within the period indicated above. Institution responsible for addressing claims and motions was the Podkarpacki Board of Amelioration and Hydraulic Structures in Rzeszów.

Announcement on public consultations was also displayed on noticeboards at PZMiUW in Rzeszów, its site office in Tarnobrzeg, as well as at websites of such institutions as:

- PZMiUW at - www.pzmiuw.pl,
- City Office of Tarnobrzeg at – www.tarnobrzeg.pl,
- Commune Office of Zaleszany at – www.zaleszany.pl,
- Commune Office of Gorzyce at – www.gorzyce.pl,
- Commune Office of Radomyśl nad Sanem at – www.radomysl.pl,
- Project Coordination Unit at – www.odrapcu.pl.

as well as on noticeboards in the City Office of Tarnobrzeg, Commune Office in Gorzyce, Commune Office in Zaleszany, and Commune Office of Radomyśl nad Sanem, and at performance sites (commonly applied noticeboards) – Appendix 4a.

The announcement invited natural persons, the authorities, and interested institutions to review the Draft LA&RAP for the Works Contract 3B.2.

Information in question was additionally sent (personal invitations) to public institutions interested in implementation of the Project (Appendix 4b):

- 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,
- Head of Radomyśl nad Sanem Commune.

After 21 days of disclosing the document, on 09/08/2017 at 4:30 pm there was an open meeting for the public, held in the Communal Culture Center in Zaleszany, 4. Kościuszki Square, 37-415 Zaleszany, on the public consultations for the Draft Land Acquisition and Resettlement Action Plan for the Works Contract 3B.2. The World Bank's "No Objection" was obtained for the document on 09/29/2017.

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 a, b. Summary of monitoring indexes applied for implementation of Contract 3B.2, as implemented by the PGW WP RZGW in Rzeszów.

Index	Information source	Monitoring frequency	Progress index
Assumed parameters			
Number of properties to be permanently acquired	3 IPIP Decisions (Sections I, II, and III) and plots division projects	Once after issuance of the decisions	1 328 ⁸
Number of properties to be permanently restricted	IPIP Decisions – Sections I, II, and III	Once after issuance of the decision	0
Number of project affected persons (PAP): - households - perpetual users - others (if any)	Mortgage registers, extracts from land and building registers, IPIP decision	After issuance of the IPIP decision and after payment of compensation	675 7 2 (administrators of the plots of ST)
Number of paid compensation for rights associated with the properties (cash compensation)	Registers of the Investor/Consultant	Monthly/Quarterly	969 (all compensations were paid out)*
Number of PAPs	Registers of the Investor/Consultant	-	1 483
Number of land parcels affected permanently	Registers of the Investor/Consultant	-	1 326
Number of land parcels affected temporary	Registers of the Investor/Consultant	-	15
Number of PAPs losing access to land who are not owners	Registers of the Investor/Consultant	-	0

⁸ The number is different than the number given in the 3 issued IPIPs, because 2 properties were returned to the owners (plots no. 2/1 and 3/1, area of Zalesie Gorzyckie, Section III).

Index	Information source	Monitoring frequency	Progress index
Universe of all PAPs	Registers of the Investor/Consultant	-	1 483 + 12
Universe of all land parcels	Registers of the Investor/Consultant	-	1 326 + 15
Achieved parameters			
Amount of all costs (expenditures)**	Financial registers of the Investor	Monthly/Quarterly	2 851 586.28 PLN
Efficiency indexes			
Number of motions (regarding technical changes)	Registers of the Investor/Consultant	Monthly/Quarterly	2
Number of addressed motions	Registers of the Investor/Consultant	Monthly/Quarterly	2
Number of grievances	Registers of the Investor/Consultant	Monthly/Quarterly	5
Number of addressed grievances	Registers of the Investor/Consultant	Monthly/Quarterly	5

Index	Information source	The entity concerned	Progress index
TOTAL: Compensation (land and assets attached to land)	Registers of the Investor/Consultant	All, everybody	2 680 158.09 PLN
PAPs' paid compensation	Registers of the Investor/Consultant	-	2 116 981.76 PLN
Escrow paid compensation:	Registers of the Investor/Consultant	-	563 176.33 PLN (162 cases)
		Natural persons (absentees)	351 433.33 PLN (148 cases)
		Legal persons (Communes)	211 743.00 PLN (14 cases)
Compensation taken from the escrow (May 2023):	Registers of the Investor		
		Natural persons	6 942.16 PLN (2 cases)
		Legal persons (Communes)	0

* the value comprises payment of compensation for properties together with assets attached to land owned by natural persons, compensation paid for communal properties, and compensation paid to perpetual users as well as compensation paid to the escrow due to unregulated legal status

** the amount of compensation, court fees, and postal fees paid until the day of developing the Final Report (see Table 6)

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 18 850 people
Number of people protected against flood	Registers of the Investor/Consultant	Once after Contract implementation	about 18 850 people
Number of hectares threatened by flood prior to the Contract implementation	Modelling tests data	Once on the stage of investment preparation	about 9 750 ha
Number of hectares protected against flood	Registers of the Investor/Consultant	Once after Contract implementation	about 9 750 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	15 land parcels

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

From April to May 2017 a survey was done among PAPs in reference to the: legitimacy of Works Contract 3B.2 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 only; the issue was described above).

82 out of 110 people, who received questionnaires personally or by post (if they live beyond the Task implementation site), answered questions asked in the survey. Two persons refused to fill in the questionnaire.

Conclusions:

- 100% of interviewees are satisfied with the fact of extending the flood embankment and final improvement of protection against floods.

- 95% of interviewees confirmed that implementation of the Task shall not affect their standard of living adversely. Four persons, who answered that adverse impact shall occur, did not justify such statements while answering following questions. According to the responses from PAP, in three cases farming is the main source of upkeep for those persons, and in two cases expropriation covers less than 2% of the area where they farm. In no case expropriation exceeds 10% of the total area, where farming is done.

- 42% of interviewees indicated that farming is their upkeep source, i.e. 34 cases.

- Out of 82 interviewees only 23 (28%) revealed a fact that their plots are subject to EU financial support programs (subsidies), including only 5 persons, who provided details whether the subsidies are direct or provided by RDP 2014-2020 (although such a request was included in the survey). Mitigation measures and compensation measures indicated in the LA&RAP were planned in case of those PAPs (applying the "force majeure" principle and supporting PAP in submitting applications to the ARMA). The issue of subsidies was verified during the settlement of the amount of compensation, each PAP was asked to sign a statement regarding the collection of subsidies for the plot covered by the IPIP decision. This action revealed that none of the plots subject to expropriation was covered by any EU financial support program (as already indicated above, the Investment was largely occupied by small plots already occupied for a service road).

- In case of assessing the Project impact (i.e. planned expropriation of properties within an indicated area) on the level of income:

- **1%**, i.e. 1 person did not answer the question,
- **65%** of interviewees indicated that such an impact shall not occur,
- **33%** answered that scale of such an impact shall not be significant,
- Only 1 person (**1%**) stated that the total loss of income shall occur. This person's upkeep bases upon farming and EU subsidies (direct subsidies).

For the purpose of deepen the analysis and objectively assessing the scale of project impact – regardless of the answers given in the survey – on the level of PAPs' income, the Communes were requested to provide data on properties owned by particular PAPs. A summary provided allowed for independent verification of situation in case of the person, who stated in the survey that the expropriation under the OVFMP shall result in the total loss of income. In this case it shall be stated that the person owns 10 farming properties with a total area of 5.2719 ha. The expropriation bereave the person of **2.3%** of the farming area, and a relevant compensation – in the amount corresponding with a market value of properties with similar potential – was paid. In the opinion of the Consultant, in that case the interviewee's answer shall be considered as a subjective approach to the situation associated with implementation of the Project. This person did not appeal against the IPIP decision, accepted compensation for the expropriated plot and in the statement on collecting subsidies for the plot covered by the IPIP decision (signed at the stage of agreeing the compensation) indicated that he did not report this property for subsidies. PAP did not file any complaints at the stage of the Investment implementation. There were no further comments or appeals in any of the cases described above.

- the surveyed persons have also been asked to indicate a percentage share of planned expropriation in the total area where they farm. In case of 11 people they indicated that the expropriation shall cover more than 10% of the owned area. Based upon data provided by the Communes the issue was independently analyzed. Expropriation of over 10% factually occurs in 9 cases, and in 6 cases the persons are not farmers and they indicated that expropriation shall neither reduce their level of income nor result in decreasing their standard of living. In remaining 3 cases the expropriation covers from 10.25% to 16.19%. Priority establishment and payment of compensation was applied in those cases to minimize the impact.

To sum up, among all properties expropriated under the Project there were 475 applied for farming purposes (fields, meadows, orchards), among those only 330 properties belonged to natural persons. Whereas those were very small plots (excluding meadows) in each case – from 1 m² to 1315 m², i.e. less than 0.5 ha, so in no case they could have been a basis of existence for households. Including in this analysis meadows up to 2947 m², which is also a small area. The remaining plots are wastelands, wooded areas and areas overgrown with bushes, service roads and watercourses that do not bring PAP income (detailed information on the use of each plot is provided in LA&RAP). In no case did PAP submit an application for the "land for land" compensation principle.

Compensation paid (including compensation for the land and assets) – as established by independent assessors on the level of market prices – allowed all interested people for purchasing farming properties with a similar economic potential. After implementation of Contract 3B.2 the standard of PAPs' living was restored or improved, as everyone living in the area, where the embankments have been redeveloped, was protected against floods posing threat not only to their assets, but also to life.

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. Owners/co-owners of/perpetual users of 621 properties answered positively to the offers provided. Remaining cases of compensation payment were transferred to the Governor due to the fact of missing consent for the proposed compensation amount or of unsettled legal status.

All procedures of the Governor have already been completed. In 3 cases the Project Affected Persons appealed to superior authorities against the decision of the Podkarpacki Governor establishing the compensation amount. The Minister, as a higher-level authority, examined these cases and upheld the Governor's decisions. Those procedures have also been completed and the compensation paid.

In 162 compensation cases, 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).

Compensation was paid also in case of 7 properties – under perpetual usufruct – owned by the State Treasury, including payment of compensation basing upon establishments made with the Investor in one case, payment of compensation after the Governor's decision in one case, and payment to the

escrow in 5 cases due to unsettled legal status (in accordance with the law and procedure set out in the LA&RAP). In these 5 cases, the perpetual usufructuaries were legal entities whose successors could not be identified.

The compensation was deposited in escrow for a period of 10 years, after this period, this time can be extended. A person who is interested in the case of a given plot may, by analyzing the entries in the Land and Mortgage Register, contact the Investor (PIU) and the Investor will then provide information on how to recover compensation from the deposit.

In case of 35 commune properties the compensation was paid – based upon an agreement with the Investor – for 21 properties, and in case of other 14 properties the compensation was paid in to the escrow due to the lack of documents that unequivocally determined the right to properties.

All due compensations for 1328 properties and all types of loss (land parcels and assets) expropriated under the Project were paid.

1328 properties also include a case of 381⁹ properties, where it was not necessary to pay the compensation, as those properties have already been owned by the State Treasury prior to the commencement of Contract 3B.2 implementation. Those cases are marked with symbol “N/A”, i.e. not applicable, in columns referring to payment of compensation in Appendix no. 2.

Under Contract 3B.2 compensation has been paid for land and components (e.g. plantings and crop as well as disassembled ruin (photo no. 1)) only, as due to the absence of economic and physical resettlements it was not necessary to pay additional compensation associated with resettlements or the loss of income sources by the PAPs.

⁹ This amount includes 388 properties of the ST minus 7 properties of the ST under perpetual usufruct.



Photo no. 1. Ruin of a building (plot 975, Wrzawa precinct) - the ruin, the condition of which posed a threat to the safety of people, was demolished - km 1 + 730 Section II.

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	95.8264 ha	2 680 158.09 PLN
Cost of developing estimate studies	-	98 818.20 PLN
Purchase of remnants *	0 properties	0 PLN
Court fees**	Not applicable	170 805.13 PLN
Other LA&RAP implementation costs***	Not applicable	623.06 PLN
TOTAL	-	2 851 586.28 PLN

* 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, or to an escrow account or by postal transfer, the costs of which are the costs of LA&RAP.

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.

4 persons applied for the purchase of “remnants”; however, after analyzing the motions no legal rationale were found for the purchase of those plots (none of the addressed cases met requirements under Article 23 (2) of the Act on particular conditions for preparing flood management projects for implementation within the scope of flood facilities dated July 8, 2010). Detailed information in that scope were presented in the table presented in Section 3.3.

According to the WB's operational policy OP 4.12, in all the cases, where payment was feasible to the previous owners/perpetual users, the compensation was paid prior to the commencement of construction works, i.e. until 03/25/2019. 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, formal conditions

The task comprised development/extension of the following:

- right Vistula embankment over **a length of 13.959 km** (at Vistula chainage km 271+806 – 286+816) divided into 3 sections,
- right San embankment over **a length of 2.193 km** (at San chainage km 0+239 – 2+276), and
- left Łęg embankment over **a length of 0.112 km** (at Łęg chainage km 0+770 – 0+900).

The Works were executed within planned scope.

According to the opinion of the Provincial Heritage Conservator dated 11/16/2016, ref. no.: UOZ-T-1.5183.69.2016, no archaeological stations have been registered within the redevelopment area. The only historic object located in vicinity of the performance site is a hillock with a monument founded in 1879 by Kalist Horoch – placed within register plot no. 1714/3 in the Town of Wrzawy, Commune of Gorzyce. A former military cemetery is also located in vicinity of the hillock.

During the works the Contractor secured archaeological supervision over the entire construction site, with special consideration of the work site in vicinity of the monument and the cemetery.

Archaeological sites or other traces of historic items were not discovered during implementation of Contract 3B.2.

The implementation site for Contract 3B.2 was also subject to sapper supervision. Prior to the commencement of works a site prospection was done to identify unexploded shells and misfires. Parts of ammunition were found during the works – it was excavated and safely removed to the area beyond the construction site. All works were carried out by an expert sapper company.

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



Photo no. 2. Completed embankment redevelopment (Section I km 1+310, embankment crossing)
(source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 3. Completed embankment culvert redevelopment (Section I km 2+520 inlet to the lock) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 4. Part of the crest and of the landside embankment slope, with an inlet to the embankment lock (Section I km 4+093 inlet to the lock) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 5. Part of the crest and of the landside embankment slope, with an inlet to the embankment lock (Section I km 6+200) (source: own materials of AECOM Polska Sp. z o.o.).

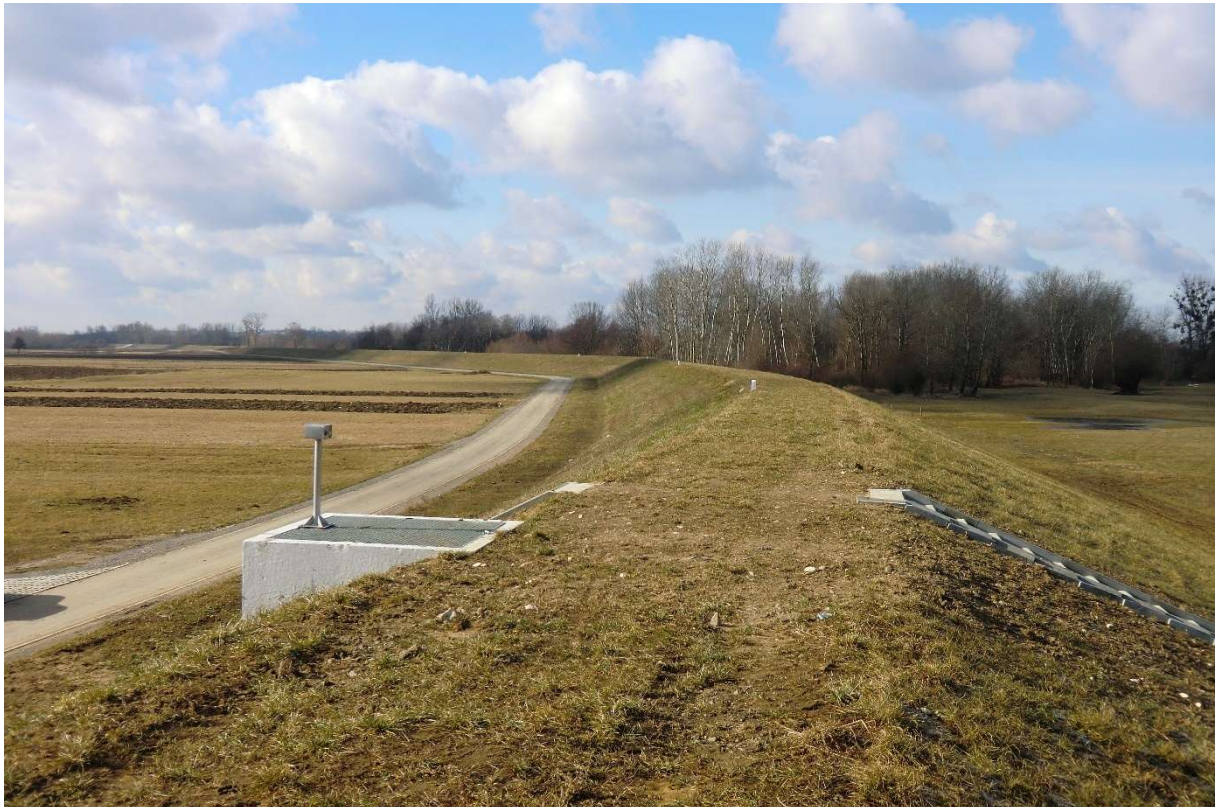


Photo no. 6. Part of the embankment with a lock (Section II km 0+050) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 7. Part of the embankment (Section II km 2+149) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 8. Extended embankment (Section II km 2+425) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 9. Extended embankment – connection with the Łęg embankment (Section II km 4+900) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 10. Extended embankment (Section III km 0+112) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 11. Maneuvering yard (Section III km 0+300) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 12. Extended embankment (Section III general view) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 13. Extended embankment and embankment crossing (Section III 0+887) (source: own materials of AECOM Polska Sp. z o.o.).



Photo no. 14. Extended San embankment (Section San 1+000) (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]
Communal road 100106R	Embankment km 3+700 – 4+150 in Wrzawy	about 450 m
Communal road "Ceglanka" with repairs to culverts	Wrzawy	Section with bituminous course over a length of 200 m, section with aggregate course over a length of 2 km
Communal road 100109R	Zalesie Gorzyckie	2 km
Communal road "Cypel"	Zalesie Gorzyckie	150 m
Provincial road no. 854 Annopol – Gorzyce	from km 15+900 to km 20+810	about 4910 m
Communal road DG 100301R	Chwałowice – Grudza	660 m
Communal road DG100300R	Chwałowice – Popowice	1.35 km
Internal road	Witowice	2 km
Communal road to reserve DG 101304R	Chwałowice	200 m
Internal road "NIWA"	Pniów	560 m
District road no. 1005R Antoniów - Chwałowice	from km 6+576 to km 9+387	about 2.8 km

Repair cost for road sections, as given above, that have been applied by the Contractor during the performance was PLN 5 384 093.17 gross.

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

Due to implementation of the *Works Contract 3B.2 Flood Protection Tarnobrzeg* the flood protection covers about 18 500 residents living within the area of about 9 750 ha. The flood protection was also assured for about 7 132 residential buildings and outbuildings, 11 office buildings, 3 sacral buildings, 10 commercial-service buildings, 3 medical health units, 6 educational-cultural-sports buildings, 19 industrial facilities, 4 technical-connection objects, 2 churches with parishes, monuments, cemeteries. Implementation of the project has also contributed to the protection against flooding for the entire technical and communal infrastructure located within the area, i.e.: power lines, telephone network, gas pipings, water-supply network, sewerage. Furthermore, within the area of communes covered by the project, numerous historic objects entered into the heritage register or to communal heritage records were protected against floods. Among the most valuable objects in the area of the Commune of Radomyśl nad Sanem are the following: Church of St Sigismund in Pniów, Church of St John the Baptist in Radomyśl nad Sanem built in 1852, parish cemetery "Na Zjawieniu", Church of Holy Mary Visitation built between the end of 19th century and the 1st quarter of 20th century in Wola Rzeczycka. South of the San mouth to Vistula the Commune of Gorzyce is located, where such historic objects are located as: parish church of St Andrew Bobola, or neogothic cemetery chapel built in the 2nd half of 19th century in Gorzyce, neoromanesque parish church of Saint Family in Trześnia built in 19th century, as well as a manor granary built in the 2nd half of 19th century, as well as a wooden manor house in Trześnia built in that period. In Wrzawy, which is the north-most part of the commune, a classicistic parish built about 1870s is located.

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 3B.2 Flood Protection Tarnobrzeg" (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 3B.2 Flood Protection Tarnobrzeg" 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 (Section II) under redevelopment (this issues was described further in section 2.6) – were included.

It shall be underlined that among the PAPs directly affected by implementation of the Works Contract 3B.2 100% 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 3B.2 resulted in improving the sense of security among the local society, protection of habitats, properties/assets against floods directly.

The activities required in the LA&RAP were implemented. There haven't been any deviation in LA&RAP implementation.

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/en/project-ovfmp/documents/>

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;
- in a reach at km 3+017 ÷ 3+311, i.e. along the embankment section bordering upon the nature reserve "Wisła pod Zawichostem" [Vistula at Zawichost], a service lane has not been designed on the embanked area's side due to protection of that area.

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 3B.2 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 center 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. The brochure has also contained a brief description of the works and aims to be achieved due to redevelopment of the embankments (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 temporary 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. Acquisition of land outside the Investment area "project footprint"

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 Investor received for application on the purchase of remaining parts of properties. As a consequence, Decision no. 1/2018 of the Director of Regional Water Management Authority in Rzeszów dated 07/31/2018 appointed a Committee for assessment of the applications. The Committee

included the following members: employees of the PIO and of the Consultant. Simultaneously, a procedure for assessment of the application and Statute of Committee Operations were prepared, and those were also subject to approval by the Director of RZGW in Rzeszów.

The Committee appointed in PGW WP RZGW in Rzeszów analyzed the applications in terms of meeting the rationale under Article 23 (2) of the Special Flood Act that 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. (...)

Details on the application filed and establishments made by the Committee, as well as conclusions drawn from works of the Committee are given in the table below.

Due to the fact that the rationale under Article 23 (2) of the Special Flood Act was not met (i.e. a part of the property is taken over and the remaining part is not suit for the proper use for previous purposes), the properties have not been purchased by the State Treasury.

The PAPs have been informed in writing about the Investor's decision and about a possibility of applying for legal proceedings, if they do not agree with the decision. None of the PAPs applied to the court.

Table 10. Summary of motions referring to the additional purchase of properties under Contract 3B.2.

No.	Property owner	Plot no.	Plot area, m ²	Location of the property	Motion submission date	Case/justification in the motion	Description of the plot situation	Answer of RZGW	Committee's decision/justification for the decision	Have there been any further complaints	Whether an application has been made to the court
1	PAP 1	108/3	1083	Zalesie Gorzyckie, Commune of Gorzyce	01/08/2018 (motion resubmitted on 04/19/2018)	Motion for purchase of the property by the State Treasury based upon the Special Flood Act – the PAP indicated the lack of access as a basis for purchase	The plot 108/2 had originally 0.1556 ha, and a plot of 0.0473 ha (30.4% of its original area) was divided and acquired for the State Treasury - a narrow strip adjacent to the embankment, which did not change its regular shape (now 12 m x 108 m) and access to the public road (via the embankment passage or the "green" road along the foot of the embankment). The plot was used as a meadow and can still be used in this way.	09/13/2018	Refusal due to not meeting the rationale for purchase – may be used for previous purposes	No	No
2	PAP 2	21/3	2900	Gorzyce, Commune of Gorzyce	11/30/2017	Motion for purchase of the property by the State Treasury based upon the Special Flood Act – the PAP indicated that the plot is used as an access road during the works and it is temporarily flooded	The plot 21/2 had originally 0.42 ha, a plot of 0.1267 ha (30% of its original area) was divided from it and acquired for the State Treasury - a narrow strip adjacent to the embankment, which did not change its regular shape. The plot has access to a public road, it is located in an embankment area, wasteland.	09/13/2018	Refusal due to not meeting the rationale for purchase – may be used for previous purposes	No	No

LAND ACQUISITION AND RESETTLEMENT ACTION PLAN

FOR CONTRACT 3B.2 Flood Protection Tarnobrzeg

No.	Property owner	Plot no.	Plot area, m ²	Location of the property	Motion submission date	Case/justification in the motion	Description of the plot situation	Answer of RZGW	Committee's decision/justification for the decision	Have there been any further complaints	Whether an application has been made to the court
3	PAP 3	1119/4	929	Wrzawy, Commune of Gorzyce	03/26/2018	Motion for purchase of the property by the State Treasury based upon the Special Flood Act – the PAP did not justify the motion	The plot 1119/2 had originally 0.1229 ha, and a plot of 0.0300 ha (25% of its original area) was divided and acquired for the State Treasury - a narrow strip adjacent to the embankment. A plot in the shape of a triangle with access to a public road (a bituminous road). The plot was used as a meadow and can still be used in this way.	09/13/2018	Refusal due to not meeting the rationale for purchase – may be used for previous purposes	No	No
4	PAP 4	341/4	639	Gorzyce, Commune of Gorzyce	12/14/2017	Motion for purchase of the property by the State Treasury based upon the Special Flood Act – the PAP indicated that the plot is used as an access road during the works, and the remaining land at the River Łęg is shrubbed and becomes temporarily flooded	The plot 341/2 had originally 0.1045 ha, and a plot of 0.0406 ha (approx. 20% of its original area) was divided and acquired for the State Treasury - a narrow strip adjacent to the embankment, which did not change its regular shape (now 19 m x 33 m) and access to the public road (through the "green" road along the foot of the embankment). Plot 341/4 was used as a meadow in about 80% and can still be used in this way.	09/13/2018	Refusal due to not meeting the rationale for purchase – may be used for previous purposes	No	No

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. **Such measures were planned in the LA&RAP and implemented in accordance with this plan.** The following activities were carried out::

- 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

Minimizing the impact through formal and legal activities was planned in the LA&RAP and implemented in accordance with this plan. 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).

The compensation was agreed through negotiations between the Investor and PAP.

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.

Any person dissatisfied with the amount of the Investor-proposed compensation or dissatisfied with the amount of the compensation determined by the Podkarpacki Governor in the form of an administrative decision was entitled to access a free of charge and easy to apply appeal procedures.

In the case of Contract 3B.2, 3 PAPs appealed against the Governor's decision to such superior authorities as the Minister. The procedures have been completed and the compensation paid.

The activities required in the LA&RAP were implemented. There haven't been any deviation in LA&RAP implementation.

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 04/08/2013 to 09/07/2016),
- the water law permit (from 11/04/2016 to 01/26/2017),
- the Investment Project Implementation Permit for Section I (from 07/07/2017 to 11/10/2017),
- the Investment Project Implementation Permit for Section II (from 04/21/2017 to 09/05/2017),
- the Investment Project Implementation Permit for Section III (from 05/31/2017 to 09/25/2017);

through announcements posted at websites of the authorities conducting the proceedings (the Regional Director for Environmental Protection in Rzeszow, the Director of Water Management Authority in Cracow, 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.

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 August 17, 2017, when an announcement was published in a local addition to "Gazeta Wyborcza" (a national daily newspaper). The announcement about public consultations was also placed on noticeboards in the PZMiUW in Rzeszów, its site inspectorate in Tarnobrzeg, the Commune Office in Gorzyce, the Commune Office in Radomyśl nad Sanem, and at performance sites.

The announcement invited natural persons, the authorities, and interested institutions to review the Draft LA&RAP for the Works Contract 3B.2. 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 August 17, 2017 to September 7, 2017 (i.e. for 21 working days) at the following websites:

- PZMiUW at - www.pzmiuw.pl,
- City Office in Tarnobrzeg at – www.tarnobrzeg.pl,
- Commune Office of Zaleszany at – www.zaleszany.pl,
- Commune Office of Gorzyce at – www.gorzyce.pl,
- Commune Office of Radomyśl nad Sanem at – www.radomysl.pl,
- Project Coordination Unit at – www.odrapcu.pl.

The hard copy was available for review to all the interested parties from August 17, 2017 to September 7, 2017 in offices of the following:

- Podkarpackie Board of Amelioration and Hydraulic Structures in Rzeszów, 9. Hetmańska Street, 35-959 Rzeszów, on working days from 8:30 am to 2:30 pm,
- Podkarpackie Board of Amelioration and Hydraulic Structures in Rzeszów, Branch in Tarnobrzeg, 86. Sienkiewicza Street, 39-400 Tarnobrzeg, on working days from 8:30 am to 2:30 pm;

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

- Podkarpacki Governor,

- Director of the RZGW in Cracow,
- Marshal of Podkarpackie Province,
- Alderman of the District of Tarnobrzeg,
- Alderman of the District of Stalowa Wola,
- Mayor of Tarnobrzeg,
- Head of the Commune of Gorzyce,
- Head of the Commune of Radomyśl nad Sanem,
- Head of the Commune of Zaleszany.

Within the period of 21 days allowing for asking questions referring to the disclosed Draft Land Acquisition and Resettlement Action Plan the PZMiUW did not receive any enquiries or motions. However, interest in that document was noted. Single persons arrived personally to the PZMiUW Branch in Tarnobrzeg, and reviewed a hard copy of LA&RAP made available for review. Downloads of files from websites indicated in the announcement were also recorded. No questions were asked by mail to the aforementioned addresses, by e-mail, or personally in the Office.

After 21 days of making the document available for review, on September 8, 2017 at 4:30 pm there was an open meeting in the Communal Culture Center in Zaleszany, 4. Kościuszki Square, 37-415 Zaleszany, for the public, where the Draft Land Acquisition and Resettlement Action Plan for Contract 3B.2 Flood Protection Tarnobrzeg implemented under the Odra-Vistula Flood Management Project was consulted. At the meeting (open for any person interested in implementation of the Project) each attendee was able to provide oral or written comments/remarks on the Draft LA&RAP to memo/report during a public discussion.

One Project Affected Person attended the meeting, and the remaining attendees were representatives of units directly engaged in implementation of the OVFMP only: Project Implementation Office at PZMiUW in Rzeszów and its site office in Tarnobrzeg, Project Coordination Unit in Cracow, and the Consultant Engineer's Team (AECOM Polska Sp. z o.o.).

Additional questions – that would require time – were not asked and remarks not raised during the meeting. Two questions asked during the meeting referred to issues described in details in the LA&RAP – they were discussed and clarified during the meeting and did not require updating the LA&RAP.

A meeting memo was developed and submitted to the World Bank. 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 website and left there until the completion of the Contract implementation. After obtaining the WB's "No Objection" clause, the final LA&RAP was made available to the interested parties through websites of the Investor and the OVFM PCU.

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. None of the issues informed was left without reaction of the Investor and the Consultant.

To sum up, it should be noted that the assumptions and measures/actions planned in the LA&RAP have been implemented. No deviations or non-compliance with LA&RAP were found. The grievance redress mechanism also worked flawlessly (see Chapter 5).

5. GRIEVANCE REDRESS MECHANISM

The grievance redress mechanism regarding all the issues associated with implementation of Contract 3B.2 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 Investor's Office, i.e.:

Until 12/31/2017

Headquarters of the Investor

Podkarpacki Board of Amelioration and Hydraulic Structures in Rzeszów

9. Hetmańska Street, 35-959 Rzeszów

and

Site Office in Tarnobrzeg

Podkarpacki Board of Amelioration and Hydraulic Structures in Rzeszów, Branch in Tarnobrzeg,

86. Sienkiewicza Street, 39-400 Tarnobrzeg

From 01/01/2018

State Water Holding Polish Waters

Regional Water Management Authority in Rzeszów

17B. Hanasiewicza Street, 35-103 Rzeszów

Additionally claims and motions might have been submitted:

- Via mail to addresses stated above, or
- via Internet:

website www.pzmiuw.pl;

e-mail: piu@pzmiuw.pl or – after 01/01/2018 – at e-mail: rzyszow@wody.gov.pl

- Information line has been activated (InfoPoint):

tel. +48 17 853 74 00

fax: +48 17 853 74 41

2. Directly in the main Project Office that remained a consultation point (from July 26, 2017), i.e.:

Consultant Engineer's Office,

AECOM 18. Warszawska Street, 35-205 Rzeszów, Poland

tel. +48 17 852 12 07

3. Directly in the Engineer's Office AECOM Polska Sp. z o.o. and through contacting the Resident Engineer/Supervision Inspector

Economic Zone of Stalowa Wola

9. Kwiatkowskiego Street, 37-450 Stalowa Wola

tel. +48 608 605 078

Summary of claims

1. In three cases, PAPs appealed against the decision of the Podkarpackie Province Governor establishing the amount of compensation to a higher level authority. The Minister, as a higher-level authority, examined these cases and upheld the Governor's decisions. These proceedings have been completed and compensations have been paid.
2. Case of a complaint from PGW WP RZGW in Rzeszów to the Minister of Investment and Development against the decision of the Podkarpackie Governor regarding the expiry of part of the investment permit decision No. 3/2017 of September 25, 2017. The case was resolved positively - part of the IPIP decision was terminated and again 2 plots became the property of the original owners (natural persons).
3. After completing the investment titled: "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 Voivodship" the PAP submitted a motion dated 01/26/2021 on securing an access road to properties no. 342/3, 343/3, 344/9, Town of Gorzyce. Answer to the motion dated 02/19/2021 informed the PAP that the access

to properties no. 342/4, 343/4, and 344/12 has been secured and developed under Contract 3B.2 titled "Vistula Stage 2", including indication on the present course of the access road.

Summary of motions

1. Motion of residents on redevelopment of descent roads to fields. A group of residents applied to the Investor for allowing for communication with farm areas through local reduction of slope inclination for a service road at Section II km: 0+497, 0+814, 1+272, 2+813, 3+005, including 4.0 m wide course.

The motion was addressed positively, and – in accordance with the residents' application – the following was done:

- reduction of slope inclination – mitigation measure implemented without additional costs;
- construction of additional descent roads – mitigation measure implemented through additional designing and development of descent roads;

2. Motion of the Alderman of the Commune of Gorzyce on reinforcement of four existing descent roads from the embankment's service road using open-work slabs with kerb backing. The motion was addressed positively, and - in accordance with the Alderman's application – 4 indicated descent roads were reinforced. Mitigation measures were implemented through development of reinforcement according to solutions accepted by the author's supervision.

Due to positively addressed motions 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. 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.

During implementation of Contract 3B.2 5 motions and grievances related to the LA&RAP 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.

The activities required in the LA&RAP were implemented. There haven't been any deviation in LA&RAP implementation.

6. SUMMARY

The main, measurable effect of the implementation of Contract 3B.2 "Flood Protection Tarnobrzeg", comprising 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, is provision of flood protection to the area of about 9 750 ha inhabited by about 18 850 people. 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 PLN 26.8 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 3B.2 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 it shall be noted that:

- 1328 properties were permanently occupied, including 905 properties owned by private persons, and 35 public (communal) properties. Two properties of two natural persons were returned to the PAPs after the technical analysis (through termination of a relevant part of the Podkarpacki Governor's decision) – those properties were not acquired, no works were commenced or carried out there; thus, it was not necessary to pay the compensation.

The Works Contract 3B.2 did neither cause physical nor economic resettlements. Within the implementation area of Contract 3B.2 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 2.5 and in Appendix no. 2 to this Report.

- The Investor received 4 motions on the purchase of remnants – the applications were addressed by a specially appointed Committee, and the PAPs received information about the Investor’s decision, including a justification and information about a possibility of filing a suit to a civil court, if they would not agree with the Investor’s decision.

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 3B.2.

Detailed information 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 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 3B.2 there are no elements/issues that have not been completed yet.

After implementation of the Works Contract 3B.2 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 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.

Appendix no. 4a – Announcements.

Appendix no. 4b – Invitations for consultation.

Appendix no. 5 – Print screens of webpages with information about Contract and OVFMP.