

PLAN POZYSKANIA
NIERUCHOMOŚCI I PRZESIEDLEŃ

FINAL REPORT on the
implementation of
the activities
indicated in LARAP
WORKS CONTRACT
3A.6

ODRA-VISTULA
FLOOD MANAGEMENT
PROJECT



Projekt Ochrony
Przeciwpowodziowej
w Dorzeczu Odry i Wisły



Państwowe
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FINAL REPORT ON THE IMPLEMENTATION OF THE ACTIVITIES INDICATED IN THE LAND ACQUISITION AND RESETTLEMENT ACTION PLAN

DRAFT DOCUMENT -----

ODRA-VISTULA FLOOD MANAGEMENT PROJECT

FINAL REPORT ON IMPLEMENTATION OF THE LAND ACQUISITION AND RESETTLEMENT PLAN FOR
WORKS CONTRACT IMPLEMENTED BY THE STATE WATER HOLDING POLISH WATERS - REGIONAL
WATER MANAGEMENT AUTHORITY IN CRACOW

COMPONENT 3:
FLOOD PROTECTION OF THE UPPER VISTULA

SUBCOMPONENT 3A:
Flood Protection of Cracow and Wieliczka

WORKS CONTRACT 3A.6

Construction of a pumping station for mobile pumps to drain the Lesisko complex

ISSUE	DATE	AUTHORS	REVIEWED BY	CLIENT'S APPROVAL	DESCRIPTION
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Regional Water Management Authority in Cracow
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THE DOCUMENT PREPARED BY:

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ODRA-VISTULA FLOOD

MANAGEMENT PROJECT CO-FINANCED BY:

World Bank, Loan Agreement no. 8524 PL
Council of Europe Development Bank (CEB), Framework Loan Agreement no. LD 1866
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SUMMARY

Subject of the Contract:	Under the Works Contract 3A.6, the construction of a pumping station for 6 mobile pumps (purchased under this Contract) was implemented along with accompanying infrastructure and reconstruction of a section of the channel with desludging the bowl of the existing water reservoir in order to secure the Lesisko complex located within the area of the City of Cracow, Poviatic of Cracow, Małopolskie Province.
Completion date of Investment implementation (of completion of works)	January 31, 2023
Date of awarding "NO" for the LARAP:	December 21, 2020
Number and category of PAPs:	71 (natural persons, legal persons, Municipality of Cracow)
Sum of compensations disbursed to PAPs:	PLN 1,550,965.04 – monetary compensations in the amount of the replacement value of assets lost by PAPs
Number of properties and ownership class:	Permanent occupation: 69 properties: 50 private properties, 7 municipal properties, 11 State Treasury properties, 1 property with undetermined legal status Permanent restriction in property use: 9 properties: 5 municipal properties, 4 State Treasury properties
Key issues:	<ul style="list-style-type: none">— in connection with expropriations, payments of compensations for land and constituent components in the amount of the replacement value,— in connection with the permanent restriction in the use of properties, payment of compensation in the amount of loss in the value of land due to the restriction,— in connection with temporary occupation of properties acquired by the Contractor, settling the issue of using such properties, monitoring of the manner of use and time of occupation and clarifying the status after finishing the use
Key achievements:	<ul style="list-style-type: none">— compensations were paid to the former owners/co-owners for the land and for all components and plantings, and if the legal status was unsettled, compensation was placed to the court deposit (<i>for a detailed description – see chapter 3.5.1 Permanent occupation</i>),

- compensations relating to a permanent restriction in the use of the property were paid (*for a detailed description – see chapter 3.5.2 Permanent restrictions*),
- The Contractor has finished to use the temporarily occupied properties, this use has taken place in accordance with the provisions of the signed agreements. There were no objections as to the condition of the properties after the end of temporary occupation and all obligations were fulfilled (*for a detailed description – see chapter 3.5.5*),
- a grievance redress mechanism operated efficiently and correctly, all complaints and applications received were examined, and PAPs were satisfied with the feedback received or the outcome of the actions take

Unresolved issues and negative impacts of Task implementation:

- in 4 cases, compensations - in the absence of an entitled person (owner or co-owner) - were directed to a court deposit – the PIO's strategy for payment of compensation from the deposit is described in chapter 3.5.3

1. LIST OF ABBREVIATIONS USED IN THE DOCUMENT

AP	Affected Population
World Bank (WB)	International Bank for Reconstruction and Development (IBRD)
PCU	Project Coordination Unit operating within the structures of the National Water Management Authority of the State Water Holding Polish Waters
CEB	Council of Europe Development Bank (CEB)
DEC	Decision on environmental conditions
RLB	Register of land and buildings – a register containing data, which e.g. remain a basis for business planning, spatial planning, assessment of tax and benefits, marking of properties in a mortgage register, register of farms
Investor/Employer/PIU (until 12/31/2017)	Marshal, on behalf of whom the Małopolskie Board of Amelioration and Water Structures in Cracow acted - Odra-Vistula Flood Management Project Implementation Unit (OVFMP)
Investor/Employer/PIU (from 01/01/2018)	SWH Polish Waters – Regional Water Management Authority in Cracow - Odra-Vistula Flood Management Project Implementation Unit (OVFMP)
Engineer	See <i>Consultant</i>
PIO	Project Implementation Office formed within the PIU; a separate organisational unit responsible for implementation of the Contract/Investment
Consultant/Engineer/Contract Engineer	Company or legal person providing services for the Investor Technical Assistance Consultant for the OVFM Project – AECOM Polska Sp. z o.o.
MZMiUW	Małopolskie Board of Amelioration and Water Structures in Cracow
Project/Contract/Works Contract/Investment	WORKS CONTRACT 3A.6 Construction of a pumping station for mobile pumps to drain the Lesisko complex
C.C.	Act of April 23, 1964 – Civil Code,
CAP	Act of June 14, 1960 – Code of Administrative Procedure,
LARPF or RPF	Resettlement Policy Framework
LARAP	Land Acquisition & Resettlement Action Plan
OP 4.12	Designation of the document which contains the principles for involuntary resettlements required for World Bank financing for Task with the World Bank's loan: Operational Policy 4.12 - Involuntary Resettlements.

EIA	Environmental Impact Assessment
PAP	Project Affected Person(s)
SWH PW RZGW in Cracow	State Water Holding Polish Waters - Regional Water Management Authority in Cracow
IPIP	Investment Project Implementation Permit in the scope of flood protection facilities
POM	Project Operations Manual
Project / OVFMP	Odra-Vistula Flood Management Project
Construction Law	Act of July 7, 1994, Construction Law
Water Law	Act of July 20, 2017 – Water Law,
EMP	Environmental Management Plan
Valuer / expert	Natural person with state professional qualifications within the scope of property valuations
RDOŚ	Regional Director for Environmental Protection
Special Flood Act	Act of July 8, 2010 on specific terms of preparing for implementation of projects in the scope of flood protection facilities
Special Decision	Decision on the Investment Project Implementation Permit (IPIP) issued based upon the Special Flood Act
PR	Permanent restriction to the manner of property use
EU	European Union
RPM	Act of August 21, 1997 on the real property management
PAC	Provincial Administrative Court
Contractor	Entity executing Works Contract, for Contract 3A.6: Przedsiębiorstwo Budownictwa Wodno-Inżynieryjnego w Krakowie Sp. z o.o.

2. INTRODUCTION

The implementation of Contract 3A.6 was completed on January 31, 2023. All civil works planned for execution were finished. The Land Acquisition and Resettlement Plan (LARAP) for *Works Contract 3A.6 Construction of a pumping station for mobile pumps to drain the Lesisko complex* has been implemented. The aim of the Final Report on Implementation of the Land Acquisition and Resettlement Plan (FR LARAP), prepared in accordance with the requirements of the *Project Operations Manual* and the *Land Acquisition and Resettlement Policy Framework*¹, is to document the process of obtaining land and to assess if it meets the requirements under OP 4.12, or whether there are any corrective actions that still need to be taken. For the Contract 3A.6, as outlined in the next chapters of this Report, this aim has been achieved and corrective measures are no longer required. The ex-post evaluation of the LARAP was conducted after the LARAP was fully implemented and its objectives were achieved.

In line with the assumptions made in the Land Acquisition and Resettlement Action Plan, an ex-post evaluation was made after full implementation of the LARAP and confirms that the mitigation measures have been implemented and properly documented. **It is concluded that all the measures described in the LARAP have been implemented and that each entity affected by the project (family, individuals, legal entities) have obtained compensation and their standard of living has improved or at least been restored. In 4 cases compensations were paid to a court deposit. The PIO has established a strategy that will be applied to facilitate eligible persons to withdraw the deposited compensations.**

This Report presents an account of the implementation of the measures planned in the LARAP for *Works Contract 3A.6 Construction of a pumping station for mobile pumps to drain the Lesisko complex* implemented as part of the Odra-Vistula Flood Protection Project (OVFMP) co-financed by the International Bank for Reconstruction and Development (World Bank or WB), Council of Europe Development Bank (CEB), and the State Budget.

The task was executed on the area of the City of Cracow in the district of Nowa Huta, at working km 0+000 – 1+337 of the Lesisko channel. The scope of Works under Contract 3A.6 has not changed in respect to the information provided in chapter 4.2 of LARAP. However, changes to the technical solutions were introduced in relation to the basic design when the Task was incorporated into the OVFMP (for detailed information, see chapter 5.3).

Location of the Task is presented on an attached general drawing (**Appendix no. 1** to this document).

Key Contract performance dates:

Date of signing the Contract:	01/28/2022
Date of handing over the Construction Site:	03/02/2022
Commencement date of Works:	03/11/2022
Completion date of Works:	01/31/2023
End date of the Quality Guarantee and Warranty Period:	07/28/2028

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

Implementation of the Works Contract has improved the flood safety for the area located along the Lesisko channel, ensuring the protection of developed land and limitation of flood losses in the City of Cracow in the district of Nowa Huta. This task, implemented comprehensively with Contract 3A.1 *Construction of Vistula embankments in Cracow* has improved the safety of population, as well as of assets on the area of approx. **29.1 km²** located in the districts of Podgórze and Nowa Huta of the City of Cracow and in the town of Brzegi in the municipality of Wieliczka, inhabited by approx. **51,000 citizens**.

Properties had to be acquired to implement the Task consisting in the construction of a pumping station with accompanying infrastructure and reconstruction of a section of the channel with desludging the bowl of existing water reservoir, but did not result in the physical or economic resettlement of households.

Table 1. Area and number of properties acquired and impacts of Contract 3A.6.

	Total number of hectares	Original impacts under IPIP	Total number of plots	State Treasury plots	%	Private plots (natural persons)	%	Municipal plots	%	Legal status unresolved	%	Number of PAPs	5% bonus	Late payment and payment of interest	Compensation for plantings	Compensation for assets	Physical resettlement	Economic resettlement
Permanent occupation*	4.2825	69	69	11	15.9	50	72.6	7	10.1	1	1.4	71	26 cases	25 cases	20 cases	8 cases	0	0
Permanent restrictions to manner of property use **	0.1027	17	9	4	44.4	0	0	5	55.6	0	0	1	0	0	0	0	0	0
Temporary occupation***	0.5234	-	3	0	0	3	100	0	0	0	0	3	0	0	0	0	-	-

* data consistent with the data presented in the "RAP Social Tracking Table", LARAP presents 49 plots belonging to natural persons and 1 plot in the "Other" category, i.e. a plot belonging to the Municipality of Cracow in perpetual usufruct of 5 natural persons; in reporting and in the Final Report the classification was unified and this plot was classified as a private plot due to the perpetual users being natural persons.

** the Final Report on LARAP implementation indicates only the plots and areas that were actually subject to permanent restrictions, these data differ from those presented in the LARAP. The data presented in the LARAP included all plots that were originally envisaged for permanent restrictions but, due to a change in design solutions, nothing was ultimately done on them and they are not subject to permanent restrictions. Detailed information about the permanent restrictions on individual plots is included in Appendix no. 4, column AA.

*** temporary occupation of plots rented by the Contractor, on the basis of voluntary leasing of the plot by the land owner, the occupation process was monitored by the Contract Engineer.

This task was originally outside the scope of the OVFMP financed from the funds of the WB's and CEB's loan and, at the request of SWH PW RZGW in Cracow, was included in the OVFMP under the name of: *3A.6 Construction of a pumping station for mobile pumps to drain the Lesisko complex* in the Procurement Plan published on 03/20/2019 on the World Bank's website (accepted by the WB on 03/29/2019).

Before the Task was included in the OVFM Project, most of the compensations for permanent occupation had already been disbursed, mainly by the Małopolskie Board of Amelioration and Water Structures in Cracow. The amounts of compensations were determined by the Province Governor of Małopolskie; compensation decisions were issued in 2017-2021 on the basis of the Special Flood Act. At the stage of developing the LARAP, the compliance of the activities undertaken with the requirements of the WB's OP 4.12 operational policy was analysed, and all compensations were paid prior to the start of the works. There were no gaps identified between OP 4.12 and what was done.

Under the IPIP decision obtained for Works Contract 3A.6, **69 properties or their parts with the total area of 4,2825 ha** were covered by permanent occupation and the use of 17 properties with the area of 0.1999 ha was permanently restricted. Such consequences originated from the decision no. 02/2015 of the Province Governor of Małopolskie for an investment project implementation permit of September 17, 2015, amended in the part concerning the divisions of two real estates under the Decision of the Minister of Infrastructure and Construction of 08/12/2016, ref. DLI.II.6621.184.2015.MZ.7 (final since August 12, 2016).

Design solutions were changed and the scope of the permanent restriction in use was reduced due to additional economic and technical analyses. In the end, **9 properties** with a total area of **0.1027 ha** were permanently restricted in use. However, the area of permanent restriction in relation to the 5 properties that had already been indicated in the IPIP decision of 2015 was reduced. The new design solutions and permanent restrictions were approved/amended in relation to the basic IPIP decision of 2015 under the decision no. 10/2021 of the Province Governor of Małopolskie amending the decision on the investment project implementation permit of December 28, 2021, ref. WI-VI.7840.1.11.2021.DS.

Detailed information on the properties subject to permanent occupation and permanent restriction are included in **Appendix no. 4**.

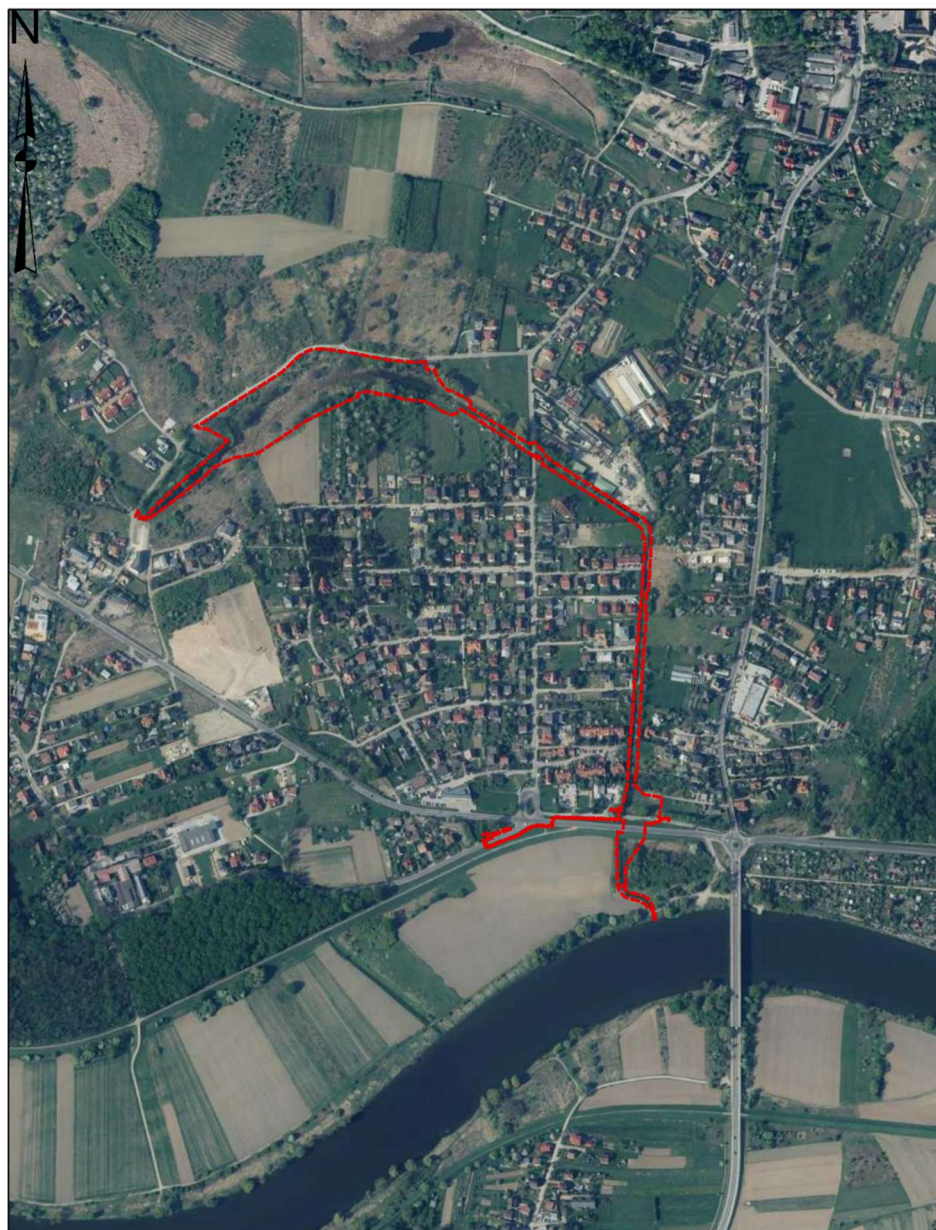
Small parts of properties of natural persons ranging from 1 m² to 1,541 m² were taken over for the benefit of the State Treasury. No farming activity was pursued on any of the properties according to the findings of the site visit conducted at the stage of preparing a socio-economic study (the investment was implemented in a city, in an urban area, where the main source of income is work in various departments of services, commerce and administration, and despite the fact that some plots according to the Register of Land and Buildings are indicated as arable land, in fact no one cultivated them, they were fallow land). The areas subject to expropriation cannot be considered as generating any income that is an opportunity to ensure the existence of a household. The situation regarding the uses of the expropriated plots according to the Register of Land and Buildings and the actual occupation of these properties is well illustrated in table 2 and in an orthophotomap (Figure 1) on which the dividing lines and permanent occupation of properties are marked.

Table 2. Land use – as per LBR, as at the date of issuing the IPIP decision of 2015 (plot area after division of properties)

Use	Use Symbol	Area [ha]	Percentage of total area [%]
<i>Permanent meadows</i>	<i>Ł</i>	<i>1.1165ha</i>	<i>26.07%</i>
<i>Arable land</i>	<i>R</i>	<i>1.1591ha</i>	<i>27.07%</i>
<i>Land under ditches</i>	<i>W</i>	<i>0.5201ha</i>	<i>12.14%</i>

Use	Use Symbol	Area [ha]	Percentage of total area [%]
Industrial areas	Ba	0.0098ha	0.23%
Orchards	S	0.0596ha	1.39%
Roads	dr	0.1552ha	3.62%
Wastelands	N	1.1005ha	25.70%
Housing areas	B	0.0098ha	0.23%
Permanent pastures	Ps	0.1398ha	3.26%
Developed arable land	Br	0.0121ha	0.28%
SUMMARY		4.2825ha	100%

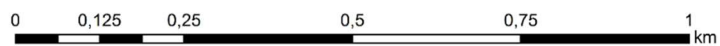
Figure 1 Location of the Project on the orthophotomap



Legend

--- Investment boundaries

3A.6 – Construction of a pumping station for mobile pumps to drain the Lesisko complex



Reference: Own study

As the properties had been taken over for the benefit of the State Treasury on August 12, 2016 (the IPIP decision had been issued on September 17, 2015), and compensations were mostly paid in 2017, 2018 and 2019, no survey studies were conducted, and the socio-economic studies conducted in April 2020 were based on the analysis of available CSO data, site visit, archive information (including archival orthophotomaps, correspondence with PAPs during the proceeding on the issuance of the IPIP decision before the Province Governor, information from the files provided by the original Task investor, i.e. MZMiUW, conversations with the Councillor – actively working for this investment and with the residents of the Lesisko housing estate).

The acquired properties of natural persons were not large and were not used for farming, hence their acquisition had minor impact on revenue of the analysed households. Compensations were paid in cash and their amount corresponded to the replacement value.

This investment has been desired and expected for many years by the local community, as confirmed by the petition and statements of both the residents of the Lesisko estate and the Nowa Huta district councillor (the estate's houses and gardens were flooded several times, with particularly heavy losses occurring in 2010).

In summary, all impacts were minor, with no impacts identified for, inter alia, loss of sources of income, jobs, accessibility to infrastructure, loss of farming opportunities, loss of enjoyment of natural assets/access to parks, reserves, access to educational institutions, cultural facilities, etc.

The local community had a very positive attitude towards the implemented project during the execution of works, because the executed investment protected this area against flooding which has regularly occurred in recent years during periods of heavy rainfall and high water levels in the river.

Applications and complaints concerning the Contract were filed during the implementation of works, and they were investigated and resolved positively.

Listed below are addresses of websites where information on the implementation of this Task is published. All the implemented Tasks (implemented under OVFMP with the World Bank's co-financing) have a huge positive social impact by providing flood protection for this area:

- <https://www.kierunekwodkan.pl/artykul,89604,wody-polskie-w-krakowie-inwestuja-34-mln-zl-w-system-zabezpieczenia-przeciwpowodziowego.html>

- <https://dzielnica18.krakow.pl/index.php/konsultacje-spoleczne/1245-spotkanie-informacyjne-dla-mieszkancow-lesiska-w-sprawie-inwestycji-3a-6-budowa-stanowiska-pompowego-dla-pomp-mobilnych-dla-odwodnienia-kompleksu-lesisko>

-

https://www.krakow.pl/aktualnosci/241729,29,komunikat,porozumienie_z_wodami_polskimi_w_sprawie_pompowni_dla_lesiska.html

- <https://krakow.wyborcza.pl/krakow/7,44425,29502069,ochrona-przeciwpowodziowa-w-krakowie-lesisko-bezpieczne-kolejne.html>

- https://www.rmf24.pl/regiony/krakow/news-w-krakowie-dobiegly-konca-inwestycje-przeciwpowodziowe,nId,6621577#crp_state=1

- <https://gazetakrakowska.pl/krakow-poslizg-przy-budowie-walow-przeciwpowodziowych-we-wschodniej-czesci-miasta-jednym-z-powodow-jest-wojna-na-ukrainie/ar/c1-16528209>
- <https://wody.gov.pl/aktualnosci/3330-stop-powodzi-kolejny-krok-na-drodze-do-kompleksowego-zabezpieczenia-krakowa-przed-powodzi>
- <https://www.wnp.pl/finanse/krakow-wody-polskie-zakonczyly-inwestycje-dot-ochrony-przeciwpowodziowej-za-ponad-112-mln-zl,681682.html>
- <https://www.kierunekwodkan.pl/arttykul,96591,przeciwpowodziowe-inwestycje-w-krakowie.html>
- <https://krknews.pl/trwa-modernizacja-walow-przeciwpowodziowych-ochronia-40-tys-mieszkanow-krakowa/>
- <https://gazetakrakowska.pl/malopolska-i-krakow-zabezpieczaja-sie-przed-podtopieniami-czy-to-wystarczy-kiedy-przyjda-wiosenne-ulewy/ar/c1-17319339>
- <https://lubie.krakow.pl/krakow-coraz-lepiej-zabezpieczony-przed-powodzi/>
- <https://www.dziennikprawny.pl/pl/a/krakow-zabezpieczony-przed-powodzi>

Information about Contract 3A.6 was also posted on the social networking site Facebook, where registered users can create networks and groups, share news and photos. Screenshots of websites are included in **Appendix no. 2**.

3. SUMMARY OF MAIN ACTIVITIES EXECUTED UNDER THE CONTRACT

3.1. DESCRIPTION OF THE OPERATION OF PROPERTY ACQUISITION

PROCEDURES

Properties were acquired under the provisions of the special flood protection act and the act on real estate management. Retrospectively, at the stage of developing the LARAP, it was evaluated and confirmed that the Project Implementation Unit, when implementing this Task, also applied all the principles resulting from the World Bank's Operational Policy OP 4.12, as well as the procedures of conduct indicated in the *Resettlement Policy Framework*² and *Land Acquired and Resettlement Action Plan*³.

The rules arising from Polish legislation, World Bank's policy OP 4.12 and the LARAP were complied with during the execution of works. The guiding principle of the activities was to achieve the effect of improving or at least restoring PAPs' living conditions, and assuring long-time balanced use of environmental resources within that area. **This effect has been achieved, as described below.**

The procedures for the acquisition of properties were described in detail in the LARAP for Works Contract 3A.6, which was awarded a "No objection" clause from the WB on 12/21/2020. There were no gaps/inconsistencies in the implementation of the LARAP that would require corrective measures.

3.2. PUBLIC CONSULTATION

Public consultation was held at every stage of the Contract's preparation and implementation. Engagement of the local community is treated as one continuous process spread out in time, the correct implementation of which should facilitate a minimisation of risks associated with the potential social conflict for the Contract. Public consultation was held at the stage of:

1. Obtaining an environmental decision,
2. Obtaining a water permit,
3. Obtaining an investment project implementation permit (IPIP),
4. Amending the above-mentioned decisions.
5. Establishing the compensation and preparation for performance of construction works.

Additionally, public consultation was also conducted in connection with the preparation and public release of documents resulting from the World Bank's operational policies, i.e. the Environmental

² <https://odrapcu.pl/en/dokumenty/resettlement-policy-framework/> - the basic document adopted and approved by the WB in April 2015, its update no. 1 approved in June 2022 and update no. 2 approved in November 2023

³ <https://odrapcu.pl/en/project-ovfmp/documents-ovfmp/> - LARAP for Contract 3A.6 adopted and approved by the WB on August 6, 2019.

Management Plan and the Land Acquisition and Resettlement Action Plan. The public consultation conducted as part of the public release of the Draft Land Acquisition and Resettlement Action Plan is described in detail below. For more information on public consultation, see chapter 11 of the LARAP.

After the completion of works on the draft IPIP and after obtaining on its basis the World Bank's acceptance for the commencement of the public disclosure procedure, the document was subject to public consultations conducted in accordance with the requirements of the World Bank's operational policy (OP 4.12), the purpose of which was to enable individuals, institutions and all interested parties to become familiar with the content of the document and to ensure the possibility to submit any comments, questions and conclusions to its content.

In accordance with Operational Policy OP 4.12, the public disclosure of the draft Land Acquisition and Resettlement Action Plan commenced on **October 26, 2020**, when an announcement was published in Dziennik Polski and in the internet version of Gazeta Krakowska (local magazines). The announcement invited individuals, authorities and interested institutions to inspect the draft LARAP for the Works Contract 3A.6.

Due to the COVID-19 pandemic and for the safety of the PAPs and the Employer's and Consultant's employees, a consultation meeting in the form of a public debate was conducted by correspondence using available (secure) communication channels.

Each interested party could familiarise oneself with the draft LARAP (in electronic version) between **October 26, 2020 and November 16, 2020** (inclusive), displayed for viewing at the websites of:

- State Water Holding Polish Waters, Regional Water Management Authority in Cracow (SWH PW RZGW in Cracow) – <https://krakow.wody.gov.pl/aktualnosci/>,
- City Office of Cracow at – <https://www.bip.krakow.pl/>,
- Odra-Vistula Flood Management Project Coordination Unit at – <http://odrapcu2019.odrapcu.pl/ogloszenia/>,
- XVIII Nowa Huta District Council at: www.dzielnica18.krakow.pl/index.php/konsultacje-spoleczne.

Each interested party could submit comments and applications concerning the Draft LARAP:

- in writing (i.e. by post) to the address of the PIO in Cracow: The State Water Holding Polish Waters Regional Water Management Authority in Cracow 22. Marszałka J. Piłsudskiego St., 31-109 Cracow
- in electronic form by mail to: jrp.krakow@wody.gov.pl
- and by phone at numbers: 505 028 137, 601 824 298 (on working days from 9:00 a.m. to 5:00 p.m.).

Except for publishing the announcement in press as informed above (Dziennik Polski and internet version of Gazeta Krakowska – local magazines), it has also been:

- placed on information boards at SWH PW RZGW in Cracow (on the entrance door), City Office of Cracow (on the information board - unfortunately, the Office was closed to the applicants during this period),
- published on the websites of the institutions indicated above,
- and placed at performance sites. Moreover, posters informing about the Works Contracts 3A.6 were additionally placed – except for the announcement – at performance sites.

At the same time, every owner of properties subject to acquisitions was provided – to the address of the place of residence / correspondence address given in the land and buildings register – by the Polish Post, with priority registered mail with electronic confirmation of receipt, with an information packet concerning the Draft LARAP, which comprised the following:

1. Cover letter;
2. Announcement on the consultations;
3. Questionnaire for provision of opinions and enquiries;
4. Information brochure;
5. Presentation on the Project and on the Draft LARAP.

After 10 days from providing the documents, a process of direct telephone discussions with PAPs was commenced, aimed at presenting effects of the investment on their situation and at providing information on the properties acquired for the purpose of Task implementation, as well as at clarifying potential doubts related to contents of the LARAP.

None of the PAPs requested to send the LARAP by mail, and such a possibility was proposed to persons without access to the Internet. One PAP requested that the LARAP be sent by e-mail to the indicated e-mail address (a set of documents was sent).

Publication of the Draft LARAP commenced officially on **October 26, 2020**, and was completed after 21 days on **November 16, 2020**.

Due to the great interest in the investment and the necessity to present detailed information to the residents of the Lesisko estate about the planned technical solutions related to the pumping station being prepared, the Investor - SWH PW RZGW in Cracow - decided to prepare and organise an additional on-line information meeting for the local community. For this purpose, a webinar was held on **10/30/2020** to which residents of the Lesisko estate were invited (in person), as well as the local authorities of the Nowa Huta district and the City of Cracow. The meeting was organised in MS Teams interactive application and was aimed at discussing the technical solutions. During the meeting, the provisions were discussed of the agreement between the Investor and the Municipality of Cracow on the provision of priority protection of Lesisko thanks to the infrastructure planned to be built by SWH PW and 6 pump sets purchased under this Contract. Lesisko residents were informed about the meeting by the Consultant by delivering invitations directly into the mailboxes of each household located in the Lesisko estate.

The meeting was also a fulfilment of the Investor's promise made to the residents of Lesisko, who in a letter of 04/06/2020, signed by 196 residents of Lesisko, raised concerns about the safety of the estate in connection with the planned change of the technical solution from a permanent pumping station to a mobile pumping station. The Investor replied to this letter on 05/12/2020. In this letter, the residents were informed about the technical parameters of the pumping station project equipped with 6 pump

sets and the Investor made a declaration that he would take action to provide Lesisko residents with priority protection, and for this purpose he would sign a relevant agreement with the Municipality of Cracow. Hence, this meeting was also a fulfilment of the declarations made. The meeting with the residents was preceded by meetings with representatives of the Municipality of Cracow and the Nowa Huta district councillor.

A webinar was held on **November 18, 2020 from 5.00 p.m. to 7.00 p.m.**, during which the Consultant gave a multimedia presentation:

1. The objective and funding for the OVFMP was briefly discussed.
2. It was explained why the draft LARAP was developed and what the procedure for making it public was.
3. The issue of changing the investor was discussed, i.e. liquidation as of 12/31/2017, the Małopolskie Board of Amelioration and Water Structures in Cracow and appointing a new entity on 01/01/2018 - State Water Holding Polish Waters, which entered into the rights and obligations of the liquidated entity.
4. Information on Works Contract 3A.6 (technical scope related to permanent acquisition of properties and activities that will not require acquisition of the land) was presented.
5. Information was conveyed on the number of properties subject to permanent acquisition and restrictions in use by property category.
6. Legal basis for implementation of the LARAP was indicated.
7. Minimising measures were discussed, with particular emphasis on the issue of purchasing the remnants.
8. Most attention was paid to legal regulations concerning the procedure of issuing the IPIP decision, payment of compensations, compensation agreement procedures, submission of appeals and conc. redress and grievance mechanism.
9. The meeting participants were informed about the possibility of filing an application for payment of an indisputable part of compensation.
10. Information on temporary occupation was presented.

After the end of the presentation, the webinar host answered the questions that were received during the publication period of the draft LARAP, and then the questions submitted during telephone discussions with PAPs.

The webinar was attended by 6 people (some of them participated anonymously).

During the publication process for the Draft Land Acquisition and Resettlement Action Plan:

- 22 telephone discussions were held;
- 2 questions/applications were received via e-mail;
- interest in the draft LARAP document was also noted; it was observed that files were downloaded from websites given in the announcement.

All the questions asked were answered in accordance with the means of contact indicated by PAPs (by phone, e-mail or traditional written correspondence). Considering the nature of comments, applications, and questions asked during the consultations by the public in the publication period for the Draft LARAP to Contract 3A.6, the authors of the document concluded that its contents require minor modifications/corrections resulting from the publication procedure, but which do not change

the substance of the document in question. Changes concerning, inter alia, the clarification of the scope/elements of the investment and the update of the compensation payments, were made to the final version of the LARAP.

A report, sent to the World Bank, was drawn up from the meeting.

The final LARAP document, after obtaining the WB's no-objection on 12/21/2020, was made available to interested parties, i.e. posted on the website and remained there until the completion of Contract execution.

Activities in the area of public consultation were carried out in accordance with the provisions of the LARAP. There were no gaps/inconsistencies in the implementation of the LARAP that would require corrective measures.

3.3. ADMINISTRATIVE DECISIONS OBTAINED

For the Task in question, the Investor has obtained the following decisions in the area of environmental protection, water management and construction law:

- Decisions on environmental conditions:
 - Decision of the Regional Director for Environmental Protection in Cracow of 12/04/2008 on environmental conditions for the project, ref.: WS-04.AK.7627-267/08. Decision issued on behalf of the Marshal of the Małopolskie Province acting on behalf of and to the benefit of the State Treasury and performing tasks as part of government administration.
 - Decision of the Regional Director for Environmental Protection in Cracow of 07/27/2020, ref.: OO.420.4.4.2019.BM (issued due to the expiry of the decision of 2008 and a change in the conditions defined in the environmental decision of 12/04/2008 resulting from a change in the technical scope of the project).
 - Decision no. OO.4220.5.31.2020.BM of 08/06/2020 correcting an obvious clerical mistake in the decision on environmental conditions no. OO.420.4.4.2019.BM of 07/27/2020.
 - Decision of the Regional Director for Environmental Protection in Cracow, ref.: OP I.6401.15.2021.GZ of 01/27/2021 for permit for derogations from certain activities prohibited for protected species of animals
- Water permits:
 - Decision of the Marshal of the Opolskie Province of 09/24/2013, ref. DOŚ-III.7322.62.2013.AK for awarding a water permit for the construction of water facilities to the Marshal of the Małopolskie Province, on behalf of whom the Małopolskie Board of Amelioration and Water Structures in Cracow is acting.
 - Decision of the Marshal of the Małopolskie Province on water permit no. GM-DKO-3.7700.14.2021.AZ of 09/09/2021.
- Decisions on investment project implementation permit (IPIP):
 - Decision of the Province Governor of Małopolskie no. 02/2015 of 09/17/2015, ref.: WI-IX.7840.1.10.2014 issued on behalf of the Marshal of the Małopolskie Province, acting on

behalf of and to the benefit of the State Treasury and performing tasks as part of government administration.

- Decision of the Minister of Infrastructure and Construction of 08/12/2016, ref. DLI.II.6621.184.2015.MZ.7 amending, partially, the investment project implementation permit decision no. 02/2015 of the Province Governor of Małopolskie of 09/17/2015.
- Decision of the Province Governor of Małopolskie no. 10/2021 amending the investment project implementation permit decision of December 28, 2021, ref. WI-VI.7840.1.11.2021.DS.
- Decision on the building structure occupancy permit:
 - Decision of the Małopolskie Province Construction Supervision Inspector in Cracow no. 234/2023 of June 16, 2023, ref.: WIB.771.1.9.2023.RGLO issued in favour of SWH Polish Waters on the building structure occupancy permit;
 - Certificate issued by the Małopolskie Province Construction Supervision Inspector in Cracow, ref.: WIB.770.89.2023.RGLO of July 20, 2023 stating the validity and finality of the decision ref.: WIB.771.1.9.2023.RGLO.

The decisions issued until December 31, 2017 were issued to the Investor, who was the Marshal of the Małopolskie Province on behalf of whom the Małopolskie Board of Amelioration and Water Structures in Cracow acted. From January 1, 2018, based upon the Act of July 20, 2017 Water Law, the State Water Holding Polish Waters Regional Water Management Authority in Cracow overtook rights and liabilities associated with implementation of the Project.

The administrative decisions were awarded in accordance with Polish law in compliance with the operational policy OP 4.12 and in accordance with the rules laid down in the LARPF and LARAP. There were no deviations in the implementation of the LARAP.

3.4. REGISTER OF EXPROPRIATIONS (ACQUISITION OF PROPERTIES) – DATA ANALYSIS

The IPIP Decision of the Province Governor of Małopolskie no. 02/2015 of 17/09/2015, ref.: WI-IX.7840.1.10.2014, amended in the part concerning divisions of 2 real estates by the decision of the Minister of Infrastructure and Construction of 08/12/2016 ref. DLI.II.6621.184.2015.MZ.7 (final since August 12, 2016) has identified the properties subject to permanent occupation and necessary for investment implementation, and the following number of properties was indicated altogether:

- **69** plots with the area of **4.2825 hectares** (subject to permanent occupation, i.e. acquisition for the benefit of the State Treasury),
- **17** plots with the area of **0.1999 ha** (subject to permanent restriction in use of the property).

Design solutions were changed and the scope of the permanent restriction in use was reduced due to additional economic and technical analyses once the task was incorporated into OVFMP. In the end, **9 plots** with the total area of **0.1027 ha** were permanently restricted in use. However, the area of permanent restriction in relation to the 5 properties that had already been indicated in the IPIP decision of 2015 was reduced. New design solutions and permanent restrictions were

approved/amended in relation to the basic IPIP decision of 2015 by the decision of the Province Governor of Małopolskie no. 10/2021 amending the decision on the investment project implementation permit of December 28, 2021, ref. WI-VI.7840.1.11.2021.DS. A tabular list of the properties is included in **Appendix no. 4**.

A site visit, conducted at the stage of preparing the LARAP, and the examination of registration documents revealed that the areas taken over for the purpose of investment implementation from the existing owners include areas where no farming activity was held (urbanised area).

The final ownership structure of the plots subject to permanent occupation after completing the process of establishing the ownership by the Province was verified in the course of administrative proceedings aimed at issuing the compensation decisions.

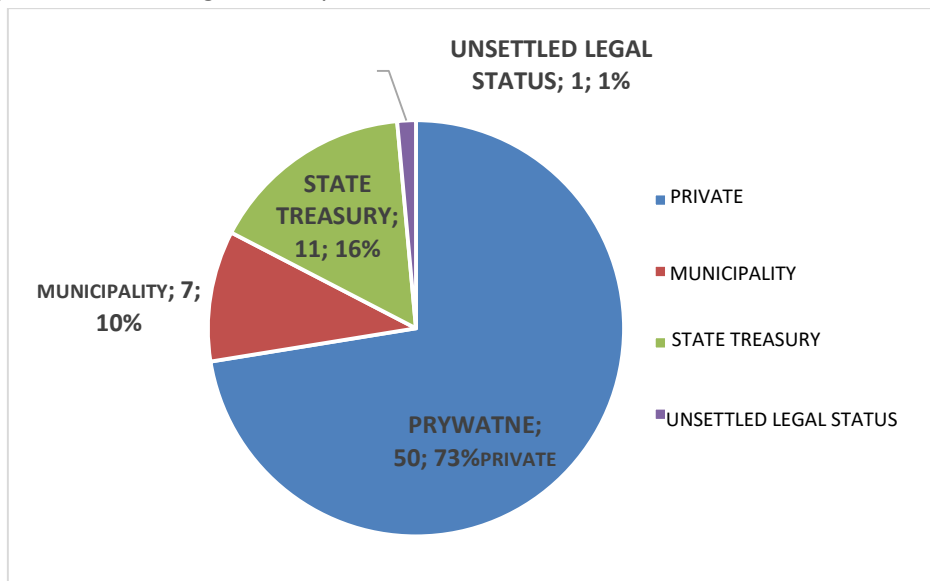


Fig.2. Ownership structure by number of plots and percentage share (%)

An analogous analysis was also made for the plots acquired for investment implementation, but for the permanently occupied land area by ownership.

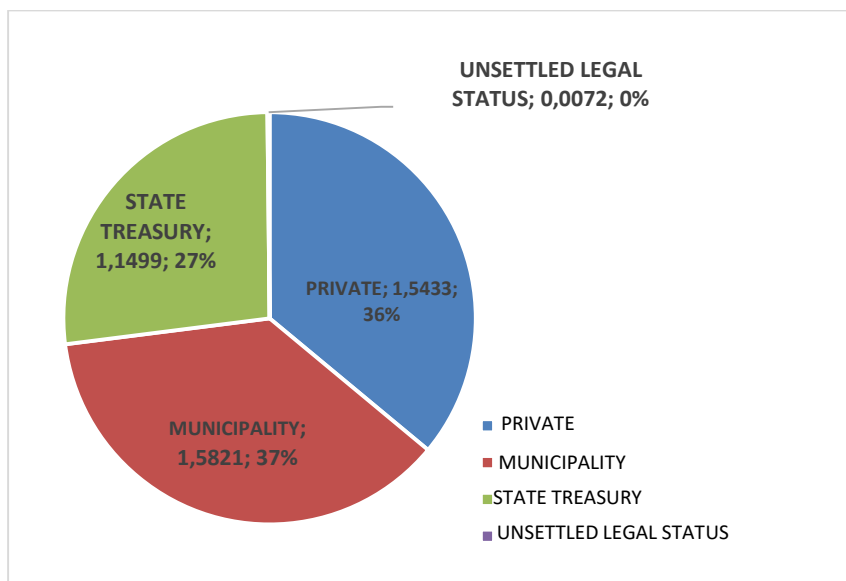


Fig.3. Ownership structure by area of plots (ha) and percentage share (%)

50 properties of private persons with a total area of 1.5433 ha were covered by permanent occupation. In all cases these are small areas ranging from 0.0001 to 0.1541 ha. These plots were not used for agricultural purposes, in fact they were mostly meadows and pastures overgrown with self-sown trees and bushes (ecological succession). No farming activity, being the main source of livelihood, was conducted on any of the properties according to the findings of the site visit conducted at the stage of preparing the LARAP. It was established, based on socio-economic studies, that the land intended for investment execution was not the subject of a long-term investment, either.

The areas subject to expropriation cannot be considered as generating any income that is an opportunity to ensure the existence of a household.

Detailed information on the number of plots, their area and ownership is included in the summary table attached as **Appendix no. 4**.

3.5 COMPENSATION AND MITIGATION MEASURES, IMPACTS OF THE CONTRACT

3.5.1. Permanent occupation

The then the investor, the Małopolskie Board of Amelioration and Water Structures (hereinafter MZMiUW) paid compensations for 35 properties (ca. 50% of all plots subject to permanent occupation). For the other 34 properties, compensations were paid by the State Water Holding Polish Waters, RZGW in Cracow based on compensation decisions issued by the Province Governor of Małopolskie. The total amount of PLN 1,502,771.04 was paid for 69 properties subject to permanent occupation.

The process of agreeing upon the compensation with PAPs - as per the provisions of the Special Act - lasted 2 months from the date on which the investment project implementation permit became final. Over this period, MZMiUW was unable to agree any compensation. At the second stage, compensations for taking over the properties by the State Treasury were established by the Province Governor of Małopolskie by way of an administrative decision.

Applications for determining the amount of compensation were thus submitted by MZMiUW to the Province Governor of Małopolskie for all properties. The amounts of compensations were determined by the Province Governor of Małopolskie in administrative proceedings in accordance with the regulations introduced with the Special Flood Act. Compensation decisions were issued in 2017-2022. In accordance with the requirements of the World Bank's operational policy OP 4.12, specified in the LARAP for the Contract, **all compensations were paid prior to the commencement of works** (in 4 cases the compensation or part of it was paid into the court deposit)⁴.

⁴ according to Resettlement Policy Framework: "(...) *Placement of the compensation amount into a court escrow account has the same effects as the performance of the payment obligation. (...)*" and allows to take over the property and carry out construction works on it.

It was confirmed at the stage of preparing the IPIP for Contract 3A.6 that MZMiUW's actions undertaken to pay the compensations due to property owners were conducted in congruence with Polish law and OP 4.12 operational policy, the details of which, in the form of procedures to be applied to Contract 3A.6, were included in the LARAP.

The compensations paid to the former owners of properties consisted of the following amounts:

- for land in all 69 cases (total amount of PLN 1,267,307.17);
- for plantings – 20 cases (total amount of PLN 58,620.65);
- for construction components – 8 cases (amount of PLN 106,122.00 – part of the fence and outbuildings (woodsheds and tool sheds)).

The compensation in 26 cases was increased by a bonus, i.e. an additional 5%, for the total amount of PLN 35,630.00. This concerned the cases where the owners released the property within 30 days counting from the date of receiving the notice of awarding the IPIP decision. The basis and regulation for the right to increase the remuneration in connection with the release of a property is regulated by the provisions of the *Special Flood Act*. The 5% payment concerned 21 properties of natural persons (amounting to PLN 13,853.00) and 5 municipal properties (amounting to PLN 21,777.00).

During the payments still being made by MZMiUW, there were 25 cases of untimely payments due to the delay in obtaining funding for payment of compensation. This resulted in statutory default interest for late payment in accordance with legal regulations, which compensated PAPs for the inconvenience in paying the compensation. This situation concerned 18 properties of natural persons (amounting to PLN 25,982.07), 1 property of State Treasure with perpetual usufructuary - 5 natural persons (amounting to 12,54) and 6 municipal properties (amounting to PLN 9,278.78). The inclusion of the task into the OVFMP guaranteed the funding of this Contract and timely disbursements to PAPs.

Payments were made by transfers to designated bank accounts.

In 4 cases, compensations (in 1 case - 100% of compensation or part of it in 3 cases, details see in Appendix no. 8) for permanent occupation (expropriated properties) amounting to PLN 26,290.89 were directed to a court deposit. Payment into the deposit was made due to unresolved ownership issues.

Compensations collected in the deposit are available all the time to those who settle ownership issues and submit an appropriate application to the court.

The process of land acquisition and compensation payments was completed long before the works began. Compensation activities were completed in January 2022 and works started in March 2022.

The land acquisition process, with a particular focus on the payment of compensations, was monitored from the moment the IPIP decision was issued until the completion of works and when the temporarily occupied properties were returned. Below, the table lists the range of indicators monitored and the values achieved.

Table 3. Summary of monitoring indicators used in the implementation of Contract 3A.6 implemented by SWH PW RZGW in Cracow

Indicator	Information source	Frequency of monitoring	Progress indicator	Value
Assumed parameters				
People exposed to flood ⁵	Data from model tests	Once at the investment preparation stage	Number	Approx. 51 thousand
Number of hectares of land at risk of flooding ⁴	Data from model tests	Once at the investment preparation stage	Quantity [ha]	Approx. 2,910
Number of properties subject to permanent occupation (see Table 1)	IPIP decisions	Once after decision is issued	Quantity (pcs.)	69
Number of properties subject to permanent restriction in use (see Table 1)	IPIP decisions	Once after decision is issued	Quantity (pcs.)	9
Number of project affected persons (PAP)	Land and mortgage registers, extracts from land registers, IPIP decision	Once after decision is issued, ongoing updates during the process of negotiating and disbursing compensations	Number	71*
Quantity of all acquired private properties	Consultant's registers	Monthly/Quarterly	Quantity (pcs.)	69
Quantity of acquired private properties	Consultant's registers	Monthly/Quarterly	Quantity (pcs.)	50
Achieved parameters				
Number of people protected against flood ⁴	RZGW/ Consultant's registers	One time after Contract execution	Number	Approx. 51 thousand
Number of hectares protected from flood ⁴	RZGW/ Consultant's registers	One time after Contract execution	Quantity [ha]	Approx. 2,910
Amount of all expenses for compensations (actual)	Investor's financial registers	Monthly/Quarterly	PLN	1,550,965.04
Quantity of acquired properties	RZGW/ Consultant's registers	Monthly/Quarterly	Quantity (pcs.)	69
Performance indicators				
Number of complaints	RZGW/ Consultant's registers	Monthly/Quarterly	Quantity (pcs.)	5

⁵ Contract 3A.6 was implemented complementarily to Contract 3A.1 – the number of people and area protected from flooding relate to the cumulative impact of these two Contracts

Indicator	Information source	Frequency of monitoring	Progress indicator	Value
Number of complaints handled	RZGW/ Consultant's registers	Monthly/Quarterly	Quantity (pcs.)	5
Disbursed compensations, miscellaneous	Financial registers of RZGW	Monthly/Quarterly	%	100**
Compensations directed to court deposit	Financial registers of RZGW	Monthly/Quarterly	PLN	26,290.89

* all PAPs and Municipality are included in the value of 71, however, if a person or persons owned more than one property that was subject to occupation, they were counted only once, hence there are more persons in the anonymised list in Appendix 4 (column C).

** 1.75% of the total amount of compensations for permanent occupation was placed to the court deposit due to unresolved legal status, which according to Polish regulations and the RPF is equivalent to the execution of the payment obligation. The compensation has not actually been disbursed to the PAPs but is available at any moment to be paid to PAP for a period of 10 years from the date of submitting the compensation to the court deposit.

3.5.2 Summary of socio-economic studies and status of PAPs after payment of compensation

A socio-economic study was prepared by the Consultant's team between January to April 2020. As the properties had been taken over for the benefit of the State Treasury on August 12, 2016 (the IPIP decision had been issued on September 17, 2015), and compensations were mostly paid in 2017, 2018 and 2019, no survey studies were conducted, and the socio-economic studies conducted in 2020 were based on the analysis of available CSO data, site visit, archive information (including archival orthophotomaps, correspondence with PAPs during the proceeding on the issuance of the IPIP decision conducted before the Province Governor, information from the files provided by the original Task investor, i.e. MZMiUW, conversations with the Councillor – actively working for Contract 3A.6. implementation and with the residents of the Lesisko housing estate).

The source of information concerning the development and use of the occupied properties, apart from the information indicated above, was also the analysis of extracts and copies from the Register of Land and Buildings, property division maps, mortgage register data, information obtained from Geoportal, as well as by verification on the Contract implementation site.

In case of social impacts, the basic source of the data was the data obtained from available registers (e.g. business register, National Court Register) and data obtained from visits on the Contract implementation site.

Among the households covered by the expropriation procedure, no such were identified requiring physical and economic resettlement in connection with the conducted investment and which would be significantly affected by the investment.

Built-up land properties are located in the adjacency of the area where works were conducted related to the execution of Contract 3A.6, which to a certain degree experienced the nuisance of construction works, noise, and other related factors, but currently they are the biggest beneficiaries of improved

flood safety. At the implementation stage, by applying the mitigation and minimisation measures for impacts (as described in the EMP for Contract 3A.6 *Construction of a pumping station for mobile pumps to drain the Lesisko complex*), the implementation of the Investment did not cause disturbances in the daily functioning of these households.

Results of survey studies after the completion of Contract 3A.6

Survey studies were conducted after the completion of Contract 3A.6 (in November 2023 to February 2024) among PAPs and representatives of local authorities - local government units (i.e. representatives of the City of Cracow).

A sample questionnaire addressed to the PAPs is included in **Appendix no. 7**.

Despite the minor impacts of the said Contract, given that no surveys were carried out when preparing the socio-economic study, survey studies were conducted with a significant sample of people affected – representatives of 20 households out of 71 PAPs (i.e. approx. 30%). The studies were conducted through face-to-face questionnaire interviews, which ensured that the PAPs' views were obtained more effectively than surveys conducted by correspondence. The direct contact between the researcher and the respondent also allowed, in many cases, to assist the PAPs to complete the questionnaire by providing explanations on the wording used or on such a seemingly trivial issue as reading the questions and noting down the answers - especially with regard to elderly citizens.

The set of completed questionnaires obtained was archived by the PIO. This can be made available for review by those interested, as the questionnaires were completed anonymously.

Most of the respondents pointed out that the executed investment had a *positive/definitely positive impact* on PAPs and their relatives (60%), 40% answered *neither positive nor negative*. These included people from a group of 196 residents who had signed a petition submitted to RZGW in Cracow regarding the need for this investment to protect their households/properties. This distribution of responses was particularly surprising for the District Councillor (also a resident of Lesisko), who was heavily involved throughout the implementation of Contract 3A.6. The Councillor commented on the result obtained, "human memory is remarkably short, the implementation of the Contract has made it possible to eliminate flooding, which was occurring with increasing frequency and was devastating the gardens and homes of a significant number of residents". She also provided archive photos of the flooding of her property in 2010, among others (photos are included below).



Phot. 1 and 2 Photographs of a property in Lesisko estate during flooding in 2010.

When it came to the answer about the impact on the community in which the PAP resides, approx. 70% answered that the impact was *definitely positive/positive*, a 30% that it was *neither positive nor negative*. There was no response in which any PAP would state that the investment had affected him or her and his or her relatives negatively.

75% of the respondents indicated that they had no concerns about the investment implementation, 25% indicated that they had such concerns, while during implementation their concerns were not confirmed and now that the Contract is implemented, they view the investment in a definitely very positive light. The positive impact of the investment on the household and the local community as a whole was indicated by 100% of respondents.

When asked: “As a result of the implementation of the flood protection investment, has your household's socio-economic situation been maintained at pre-project levels?” 20% respondents answered *definitely yes*, 65% *rather yes*, 15% *neither yes nor no*.

Much more varied responses were received to the question: Has the construction of the flood protection project affected the livelihoods of your household? The responses are illustrated in the diagram below.

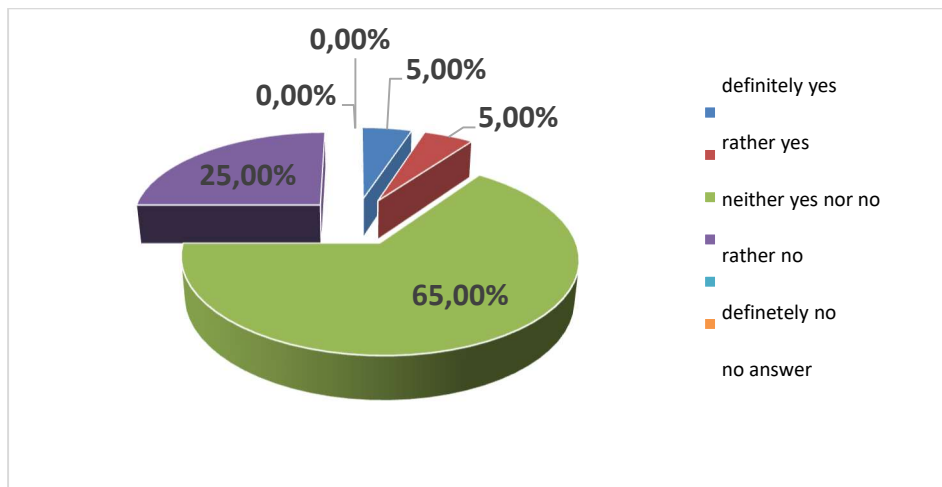


Fig. 4 Answers received to the question on the impact of investment implementation on the household's livelihoods (que. 8).

5% of the surveyed PAPs answered *definitely yes*, 5% of the surveyed PAPs answered *rather yes*, the remaining 90% answered *neither yes nor no* and *definitely no*, when asked about the impact of the investment implementation on their livelihoods. Those who responded that the Contract had impacted their livelihoods justified this by the fact that they run businesses and do work from their homes, which are not currently damaged in heavy rainfall. At the same time, in response to a further question linked to this topic, conc. the impact of the investment on the improvement of their living conditions and/or livelihoods – 5% answered *definitely yes*, 35%, *rather yes*, 40% *neither yes nor no*, 20% *rather no*.

Answers to the question: "Was the compensation you received sufficient to compensate/restore the impact/assets lost caused by the flood protection investment" are illustrated in the diagram below.

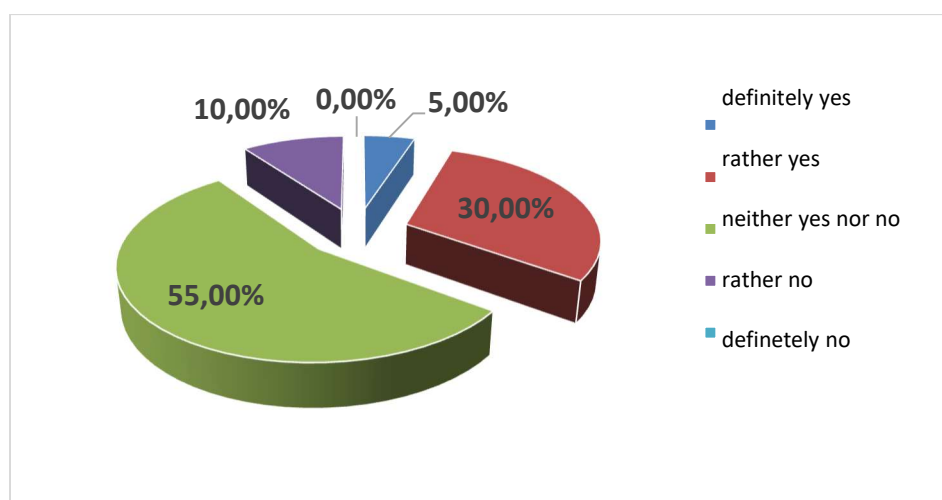


Fig. 5. Answers given to the question "was the compensation you received sufficient to compensate/restore the impact/assets lost caused by the flood protection investment" (question 10).

No one indicated that the compensation was insufficient, while 10% of respondents answered that the amount of compensation was *rather not* sufficient to restore the assets; these people did not justify their answer. It should be pointed out that appraisal reports prepared by an independent valuer were based on actual market prices obtained for land in the area as well as for assets (i.e. the fences and outbuildings), so these answers cannot be regarded as objective. Other respondents indicated that the compensation was sufficient to restore the lost assets.

In general, the surveyed persons confirmed that they had received compensation in a timely manner (90%) and according to the rules indicated in the Land Acquisition and Resettlement Action Plan (90%). There was an equally positive response to the question of whether the expropriation took place in accordance with Polish law and World Bank policies (5% - *definitely yes*, 70% - *rather yes*, 25% - *neither yes nor no*).

Question no. 14: was the expropriation deadline indicated in the LARAP clear and was the process conducted as announced and expected - was answered: 25% - *rather yes*, 75% - *neither yes nor no*.

Most of the persons (80%) answered “difficult to say” to the question no. 15 related to the temporary occupation of properties. And only one person answered to question 16 linked to question 15 also by ticking the answer “difficult to say”.

To the question "was the information you received as part of the process about the impacts caused and the planned compensation/mitigation measures sufficient for you", the respondents answered: *rather yes* - 55%, *neither yes nor no* – 45%.

The respondents had no opinion on the grievance redress mechanism applied under the Contract, with 15% rating it positively but 85% responding “neither positively nor negatively”.

The respondents were very positive about the method of stakeholder engagement used as part of the process, including those affected by the flood protection project (35% indicated a *definitely positive* response, 65% - a *positive* response).

In response to question 20 regarding difficulties in receiving the compensation, apart from one person, other respondents answered that there *were no difficulties* in this regard. One of the respondents, on the other hand, indicated that it is a very complicated process, causing him/her to tick answer b stating difficulties.

Very positive responses were received from those representing local authorities. These people indicated that project implementation has had a positive impact on both their relatives and the entire community they lead.

Under Contract 3A.6, compensations were paid for land and for components (e.g. fences or farm buildings). A 5% bonus was also paid for the timely release of the property. In the absence of economic and physical resettlement as well as no vulnerable groups or individuals, there was no need to pay additional amounts of compensation related to resettlement or loss of sources of income for PAPs.

Details for payment of compensation are presented in **Appendix no. 4** of the Final Report.

Table 4. Summary of LARAP implementing costs.

Item	Quantity	Amount
Compensation for permanent occupation, including plantings and infrastructure elements	4.2825 ha	PLN 1,502,771.04
Compensation for permanent restriction in property use	0.1027ha	PLN 48,194.00
Purchase of remnants	0	PLN 0.00
Court costs*	N/A	PLN 454.24
Other implementation costs of LARAP**	N/A	PLN 12.84
TOTAL	-	PLN 1,551,432.12

* fees for applications submitted, notices in the press and curator's fees

** cost of postage

The source of funding for the costs indicated above were the World Bank loan (IBRD, BRE, accompanying measures) and others.

Compensation was paid by the Investor, i.e. MZMiUW, until 12/31/2017 and by SWH PW RZGW, as from 01/01/2018, by transfer from the account to the PAP's indicated bank account or to the court's deposit account.

As per the WB's Operational Policy OP 4.12, compensations were made prior to the commencement of construction works, in all cases where payments could be made to existing owners. In the absence of a person entitled to be paid the compensation (deceased owners, owners not found or no documents clearly showing who the owner is) the amounts due were deposited with the court. These funds are available and will be paid immediately to eligible persons.

The measures required under the LARAP have been implemented (it was shown in the document that in the event of an unresolved legal status, compensations will be paid into a court deposit, which according to the RPF and the LARAP which were awarded WB's no objection, constitutes the fulfilment of the obligation, hence no further steps are planned). There were no deviations in the implementation of the LARAP.

3.5.3 Issues remaining after the implementation of the LARAP and after preparing the Final Report on LARAP implementation

In line with the *Land Acquisition and Resettlement Framework*, payment of compensation to the court deposit according to an administrative decision of the Province Governor is equivalent to fulfilling the obligation. However, in order to facilitate the collection of funds (compensation) from the court deposit by the entitled persons, additional measures to minimise / support PAPs were introduced during the development of the Final Report on the implementation of the LARAP.

Polish law stipulates that it is the responsibility of the court to inform potential beneficiaries of the deposit submitted.

If the person entitled to receive the deposit is unknown or his or her place of residence is unknown, the court orders to post a notice on the permission for placing the subject of the performance in the court deposit at the court's website and the notice board in the court building, as well as on the notice boards and websites of the municipal and poviast offices of the last place of residence of such person, if known. If the value of the subject of the performance deposited with the court exceeds five thousand zlotys, the court also orders that an announcement be placed in the press.

In addition, if the person entitled to receive the deposit is unknown or his or her place of residence is unknown, the court shall appoint a curator. A trial curator is appointed to undertake procedural actions for a designated civil case within the limits of the powers granted to him or her. The role of the curator is to safeguard the procedural interests of a party who cannot take care of this himself or herself.

3.5.3.1 PIU's strategy for court deposits

Compensations were deposited with the court in 4 cases (this issue is described in detail in chapter 3.5.1). In order to publicise the information on the deposits and to assist the entitled persons in taking up the compensation paid from the deposit, the PIU has taken the following actions:

1. A detailed list of all properties was prepared with a description of their legal situation and the reasons known to the PIU as a result of which compensation was directed to the deposit (**Appendix no. 8**).
2. Full information was obtained from the Governor conc. the administrative proceedings he or she has carried out which have resulted in compensation being directed into the deposit. This allowed to complete the PIU's knowledge of the legal situation of the given property.
3. All cases were divided into categories according to the most likely owner (a division into 3 categories was adopted: private individual (cat. P), municipality (cat. G), State Treasury (cat. SP)) and, in the group of properties most likely to belong to private individuals, cases were grouped into categories according to the reason that resulted in compensation being sent to the deposit (groups: (I) complete lack of any information about the owner (no address, no personal details, etc.), (II) unregulated legal status, but the circle of entitled persons who will be entitled to payment after the settlement of the inheritance is known, (III) unregulated legal status, but the search is pending for information about the owner, information was revealed about the extended family, persons who have information about potential heirs).
4. The following procedure was applied for each category:

(I) a list of properties was prepared for which no owner information is available and the department of the Municipality responsible for the assessment of property taxes was contacted; the background to the case was presented and it was agreed that the Municipality would inform any person who makes contact with the Municipality about a property on the list about a court deposit with the contact being

forwarded to the PIU (to the person who will be able to provide full information about the deposit and assist the PAP in taking the funds from the deposit);

(II) letters were sent out/contact by telephone or face-to-face contact was made (depending on the data available to the PIU) with entitled persons and they were reminded of the deposit; it was proposed, where appropriate, to assist the PAPs in taking funds from the deposit once ownership issues are settled;

(III) letters were sent out to persons having potential information about the owner(s) – asking them: to provide contact/assistance in making contact with the rightful owner, to locate the rightful owner and provide information about the deposit and about the proposed support of the PAP in taking over the funds from the deposit once the ownership issues are settled; in this case it will also be advisable to follow the procedure from point (I).

3.5. 4 Permanent restriction to the manner of property use

Permanent restrictions to the manner of property use (PR) were changing along with the changing design solutions for Contract 3A.6. **17 properties with the area of 0.1999 ha** were covered by permanent restrictions under the basic (first) decision no. 02/2015 of the Province Governor of Małopolskie for an investment project implementation permit of September 17, 2015, amended by the decision of the Minister of Infrastructure and Construction of 08/12/2016 ref. DLI.II.6621.184.2015.MZ.7 (final since August 12, 2016).

Design solutions were changed and the scope of the permanent restriction in use was reduced due to additional economic and technical analyses. In the end, **9 properties with a total area of 0.1027 ha** were covered by permanent restrictions in use. New design solutions and permanent restrictions were approved/amended in relation to the basic IPIP decision of 2015 by the decision of the Province Governor of Małopolskie no. 10/2021 amending the decision on the investment project implementation permit of December 28, 2021, ref. WI-VI.7840.1.11.2021.DS.

It should be pointed out that minimising the area of permanent restriction (scale of impacts) is in line with the guidelines of Operational Policy OP 4.12.

Out of 9 properties subject to permanent restrictions in the manner of use (the type of restriction for a given property is described in detail in Appendix No. 4, column AA), 5 properties are in the resources of the Municipality of Cracow, and 4 properties are in the resources of the State Treasury. Detailed information of these properties with indicating which elements of Contract 3A.6 result in the imposition of PR, are given in the table (**Appendix no. 4**). This table lists all plots that were covered by the PR on the basis of the basic (first) decision of the decision of the Province Governor of Małopolskie of 2015 and the amending decision of 2021 - for properties that were not occupied, this fact is shown in the table.

It was agreed with the authorities of the City of Cracow before the start of the project that compensation would be paid upon completion of the project. In line with the adopted course of action, after completion of the works, appraisals were drawn up by an independent valuer and on this basis the amount of compensation due to the municipality was agreed. Such compensation was paid.

The measures required under the LARAP for permanent restriction in use have been implemented.

3.5.5 Contractor's temporary occupation

The Contractor acquired 3 properties owned by natural persons by its own efforts and at its own cost. Detailed data for temporary occupation is shown in **Appendix no. 5**. This process was implemented based upon the rule of voluntariness and the rules of occupation were negotiated between the property owner and the Works Contractor. This process was monitored by the Contract Engineer and the Investor, starting from the time of acquisition of such properties to their return.

The Contractor was obliged to notify the Engineer of the planned occupation and, after giving a positive opinion on the possibility of occupying such a plot, to sign an agreement with the property owner according to a sample agreement for temporary occupation, which was attached to the Bidding Documentation. During the use of the property, the issue of occupation and the regulation of contractual obligations was discussed at the Site Meetings every month, and upon completion of the occupation, the Contractor was obliged to provide the Engineer with a statement from the owner that he had cleaned up the plot and has settled all contractual obligations.

Properties temporarily occupied by the Contractor were restored to their original state after the completion of works to enable their owners or users to use them in the same manner as before Contract implementation or to the state agreed with the property owner according to the property acquisition contract.

The measures required in the LARAP concerning the temporary occupation of properties have been implemented. There were no deviations in the implementation of the LARAP.

3.5.6 Purchase of "remnants"

As part of the information campaign described in line with the LARAP, people affected by the consequences of Project implementation were informed about the possibility of applying for the purchase of the remaining part of the property (so-called "remnants"), if after the division of the property and occupying part of it for the investment, the remaining part will not be suitable for further use for the existing purposes (as per Article 23(2) of the Special Flood Act).

No applications were submitted to purchase the so-called "remnants" under Contract 3A.6.

The measures required under the LARAP concerning the purchase of "remnants" have been implemented. There were no deviations in the implementation of the LARAP.

4. FUNCTIONING OF THE GRIEVANCE REDRESS MECHANISM (GRM)

A principle was assumed in this LARAP that the PIO will take all measures to amicably resolve complaints concerning the Contract (including those submitted during the execution of works). The grievance redress mechanism is diverse in order to integrate it into the administrative procedures of the various stages of Contract preparation.

4.1 GENERAL GRIEVANCE REDRESS MECHANISM

The mechanism for submitting complaints and applications pertaining to any matters connected with the implementation of Contract 3A.6 was implemented at the beginning of the whole process and was binding throughout the entire period of implementation, functioning and closure of the Contract.

Any interested party was entitled to lodge a complaint or application at one of three locations:

1. Directly in the Project's main office, which operated as a consultation point:
AECOM Polska Sp. z o.o., Odra-Vistula Flood Management Project Office, 1. Pokoju Alley, K1 Building, Cracow 31-548,
Ms Marta Rak, tel. +48 601 824 298 (Senior Support Expert for Properties and Technical Assistance for the Client, AECOM Polska Sp. z o.o.),
Mr Tomasz Jankowski, tel. +48 505 028 137 (Property Specialist, AECOM Polska Sp. z o.o.).
2. Directly at the Employer's office:
SWH PW RZGW in Cracow
22. Marsz. Józefa Piłsudskiego St.
31-109 Cracow
+48 (12) 62-84-209 (Ms Aleksandra Macek SWH PW RZGW in Cracow, Senior Specialist, Mr Rafał Sionko SWH PW RZGW in Cracow, Specialist).
3. Directly in the office on the construction site (the address of this office was given on the Investor's website within month before the start of works).

Additionally, complaints and applications could be submitted:

- Via conventional post to the above address or

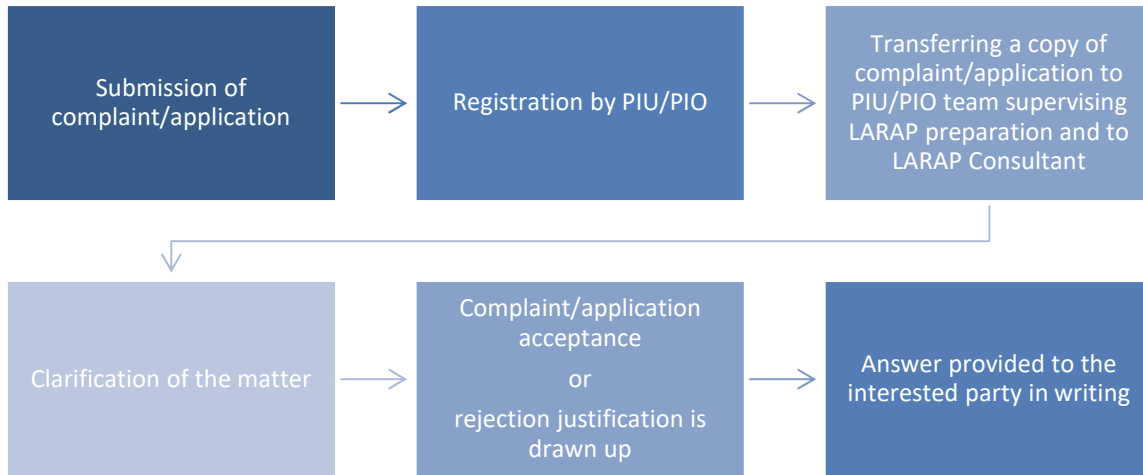
- Via the Internet:

website <http://www.wody.gov.pl>;

e-mail: jrp.krakow@wody.gov.pl

A diagram of the general grievance redress mechanism is shown below:

Figure 6 - Diagram of general grievance redress mechanism



The grievance redress mechanism was detailed in the LARAP and its objectives have been met. There were no deviations or gaps in the implementation of the GRM throughout the preparation and implementation period of Contract 3A.6.

4.2 SUMMARY OF COMPLAINTS AND APPLICATIONS

List of complaints

No.	Date of complaint	Complainant	Subject/issue of the complaint	Method of resolving
1	05/27/2020	PAP	Appeal against the decision of the Province Governor of Małopolskie for determination of the compensation amount for plots 45/20 and 45/26	The Minister revoked the Province Governor's decision in entirety and referred the decision back to be re-examined. A new decision was issued and compensation was paid.
2	04/03/2020	PAP	Appeal against the decision of the Province Governor of Małopolskie for determination of the compensation amount for plot 39/2	The Minister revoked the Province Governor's decision in entirety and referred the decision back to be re-examined. A new decision was issued and compensation was paid.
3	11/29/2018	PAP	Appeal against the decision of the Province Governor of Małopolskie for determination of the	The Minister revoked the Province Governor's decision in entirety and referred the decision back to be re-examined.

No.	Date of complaint	Complainant	Subject/issue of the complaint	Method of resolving
			compensation amount for plot 228/19	A new decision was issued and compensation was paid.
4	05/25/2022	Residents of District XVIII	Complaint conc. the alarm installed at the operating backyard and the machinery parking yard - the alarm goes off at night.	The Contractor checked and silenced the alarm after the Engineer's intervention.
5	06/02/2022	Residents of District XVIII	Complaint for maintaining the road clean - Odmętowa Street - by the Works Contractor. Residents complained that construction equipment leaving on Odmętowa Street is applying mud to the carriageway, which is drying up and the resulting dust is being blown onto surrounding properties.	The Engineer, in the presence of the Employer, inspected the Contractor's operations and instructed the Contractor to keep a constant check on the cleanliness of roads used by construction equipment. The Contractor stepped up control of regular cleaning and water spraying to minimise the effect of dust floating especially during the warm season. The situation has not been repeated. NOTE: the complaint was investigated as part of EMP implementation

List of applications

No.	Date of application	Entity submitting the application	Subject/issue of the application	Method of resolving
1	04/06/2020	Residents of Lesisko and Mogiła estates	Residents' question to SWH PW for information that has reached residents "who has withdrawn the 2015 IPIP Decision of the Province Governor of Małopolskie and on what basis?" or "A decision not to build the pumping station was made?". Concerns about mobile pumps were put forward.	Consultant prepared a draft response in April 2020 to the letter from the residents of the Lesisko and Mogiła housing estates informing them of the actual status of implementation of this Works Contract (the Governor's decision was not withdrawn, an amendment to the IPIP decision is planned due to a change in the technical scope of the investment). This answer did not exhaust the scope of the PAPs' questions, as the questions also touched on the issue of the subsequent management of the infrastructure that will be built, and in particular who will manage the pumps that will be purchased as part of this investment, and on what terms. These issues were settled in the agreement between SWH PW RZGW in Cracow and the Mayor of the City of Cracow.

No.	Date of application	Entity submitting the application	Subject/issue of the application	Method of resolving
				<p>The agreement was signed on 07/30/2020. In the agreement, the Parties declared their willingness to cooperate, SWH PW will provide a pumping station and will equip it with 6 pumping sets, and the City of Cracow will be responsible for its operation and for securing flood protection.</p> <p>The agreement includes a provision on the need to guarantee the inhabitants of the estate the priority of using pumps for the purposes of flood protection in Lesisko and on a 24-hour monitoring of the water level in the Lesisko stream, as well as on ensuring the transmission of information on the water level to the Crisis Response Team of the City of Cracow.</p> <p>A videoconference was held with PAPs and representatives of the Lesisko and Mogiła Estate Council on 10/30/2020 to clarify all design and administrative issues of Contract implementation. The matter was concluded, the PAPs are satisfied with this solution.</p>
2	09/06/2022	PAP (owners of plots 46/4 and 46/17)	Request for providing information about works at the ditch 2A from the culvert towards the storage reservoir being deepened	<p>A field meeting was organised. At the meeting, representatives from AECOM and the Employer provided explanations about the works that will be conducted in the area and answered questions about the whole project in relation to the flood protection works being carried out in the area. The plot owners drew attention to the fact that the land on the register plot 52/2 located on the opposite side of the repaired ditch was raised significantly and raised concerns about the potential for flooding of plots in this area. In response, it was explained that the works related to the construction of the mobile pumping station and the reconstruction of the ditch bed, as well as the enlargement of the area and capacity of the reservoir in the upper part of the catchment area, are intended to protect the adjacent areas from the occurrence of water from the banks of the ditch for certain flood probabilities.</p>

4.3 CONCLUSIONS – SUMMARY OF GRM’S EFFECTIVENESS

5 complaints and 2 applications concerning the Contract being executed were received under the scope of the LARAP during Contract 3A.6 implementation. All complaints and applications were investigated and responses were addressed to PAPs in congruence with the established grievance redress mechanism. Additionally, a meeting was held with the PAPs who submitted the application and all those interested in the issue of changing the technical scope of Works Contract 3A.6 (this matter is described in more detail in chapter 5.3).

It should be highlighted that the planned grievance redress mechanism was effective in relation to PAPs, i.e. the main objective of setting up the system was fulfilled. The actions required in the LARAP have been implemented.

5. MONITORING of LARAP IMPLEMENTATION

5.1 DESCRIPTION OF METHODOLOGY

The monitoring and evaluation of LARAP implementation is described in chapter 14 of the LARAP. In line with the assumptions made, monitoring was conducted for the entire implementation period of Contract 3A.6, and the methodology was based on a standardised approach to properties acquisition to address emerging issues. Tools were used for monitoring the implementation of the Contract for the purpose of monitoring of LARAP implementation, i.e.:

- roadmap updated on a monthly basis;
- monthly and quarterly reports from the Works Contractors and the Engineer – Consultant;
- Consultant’s action plan and schedules;
- Special and ad hoc reports;
- Project meetings;
- Procedures, records and continuous reporting on acquisition of properties and payments of compensations.

It was crucial for LARAP implementation monitoring that the Consultant and the PIU registered events and facts, in particular via a correspondence register, a register of progress in obtaining titles to use properties for construction purposes and a compensation payment progress register. The data contained in those registers were used for preparing a set of data on the number of acquired properties and the amount and type of compensations disbursed.

All changes were recorded in the registers. The following parameters were monitored based on the aforementioned registers:

- a) number of properties for expropriation and expropriated,
- b) number of people requiring resettlement and already resettled (there were no such cases for Works Contract 3A.6),
- c) quantity of properties for temporary occupation (planned and actual),
- d) amount of all expenses for the implementation of LARAP process (planned and actual),
- e) compensations disbursed for loss of legal title to properties,
- f) compensations disbursed for loss of income sources,
- g) acquired and awarded replacement properties,
- h) implementation degree and status of protective actions,
- i) number of complaints,

j) number of considered complaints.

The so created monitoring system of LARAP implementation allows for quick reactions in case of problems and for efficient reporting within the existing Contract management systems to funding agencies and to provide regular information on the problems, fortuitous events and irregularities.

The data collected continuously during implementation was also the basis for preparing the Final Report on the implementation of the LARAP.

5.2 IMPACT OF THE PROJECT ON PAPs AND LOCAL COMMUNITY

The land acquired from private persons accounts for 1.5433 ha of the 4.2825 ha covered by permanent occupation in connection with the implementation of Works Contract 3A.6 (i.e. only 36% of the total area occupied for the investment). The land was mostly not used by PAPs (no one was engaged in agricultural production in the area as a source of household income) and functioned as wasteland. The Contract implementation area is an urban area, partly developed with single-family housing. Partial acquisition of small areas of plots for investment purposes, given the area and layout, did not affect the ability to use the remaining part of properties, nor did it change the households' sources of income.

The lost of pieces of land, plantings and assets - building elements - were compensated by disbursing monetary compensations (8 cases were identified where sections of fences and outbuildings were dismantled) (woodsheds and tool sheds – details in app. 4 column P)). Anyone interested in buying back the lost piece of land was able to do so through the payment of compensation at the replacement value, which were traded in the area. Compensations were paid before properties were occupied, allowing PAPs to complete farming on these parts of plots taken over for the investment, or to remove building elements, if PAP would interested in it, etc.

The social aspect of investment implementation should be emphasised, consisting in ensuring the sense of security for the local community living in the area covered by the investment, as well as the socio-economic expectations of the local population. The plots located in areas exposed to flooding are less attractive, which determines their low value on the property market. This situation also represents a serious barrier and an unfavourable environment for the development of local entrepreneurship and potential investors, which translates directly into a limitation of business development. All these public concerns and barriers to development were eliminated following the implementation of Works Contract 3A.6. Positive social impacts, i.e. benefits for the local community, which are directly related to the investment objectives, should also be highlighted. The long-term benefits encompass:

- reducing/eliminating the hazard of flood;
- protection of land and private and public assets, including residential buildings and home gardens;
- psychological comfort of the local community during prolonged heavy rainfall or during the spring melt season;
- as a result of tidying up, the landscape has gained new qualities – new recreational areas have appeared (possibility to walk or cycle around the water reservoir);

- enhanced attractiveness of the flood-protected area for new economic/investment projects in the region.

The above conclusions were also confirmed by local leaders (i.e. a representative of the estate Council and Municipality) who participated in survey studies after the end of Contract implementation.

5.3 CASE STUDY - SPECIFIC EXPERIENCES RELATED TO THE CONTRACT IMPLEMENTATION

In the case of Works Contract 3A.6, an event occurred that triggered special procedures and mitigation measures. This included measures launched when SWH PW RZGW in Cracow received a petition/application from the residents of the Lesisko and Mogiła estates on 04/06/2020. This application was signed by 95 people residing in the area covered by Contract 3A.6, and a copy was also sent by the applicants to the Mayor of the City of Cracow, the Province Governor of Małopolskie, the Chairperson of the City Council of Cracow and the Chairperson of the Council of District XVIII Nowa Huta.

Residents have written a letter to SWH PW RZGW in Cracow after finding out that a procedure to amend the Małopolskie Governor's 2015 IPIP decision is underway at the Provincial Office. They were concerned that the Investor may abandon the task. The installation of mobile pumps as part of the design changes, instead of the originally planned construction of a permanent pumping station, raised also major concerns.

The PIO/Consultant prepared a draft response in April 2020 to the letter from the residents of the Lesisko and Mogiła estates informing them of the actual status of implementation of this Works Contract (the Governor's decision was not withdrawn, an amendment to the IPIP decision was planned due to a change in the technical scope of the investment). This answer did not exhaust the scope of the PAPs' questions, as the questions also touched on the issue of the subsequent management of the infrastructure that will be built, and in particular who will manage the pumps that will be purchased as part of this investment, and on what terms. A letter was sent to the residents along with a declaration that the remaining issues concerning the operation of the pumps would be regulated in an agreement between SWH PW RZGW in Cracow and the Mayor of the City of Cracow.

Arrangements between the parties were pending from April to July. The agreement was signed on 07/30/2020. In the agreement, the Parties declared their willingness to cooperate, SWH PW will provide a pumping station and will equip it with 6 pumping sets, and the City of Cracow will be responsible for its operation and for securing flood protection.

The agreement included a provision on the need to guarantee the residents of the estate the priority of using pumps for the purposes of flood protection in Lesisko and on a 24-hour monitoring of the water level in the Lesisko stream, as well as on ensuring the transmission of information on the water level to the Crisis Response Team of the City of Cracow.

In order to present the details of the agreement to those concerned and to clarify any doubts, a meeting was organised in the form of a teleconference to which all residents of the Lesisko and Mogiła estates were invited. Invitations to this meeting with instructions on how to attend were dropped into the mailboxes of all homes in the area by the Consultant.

A videoconference was held with PAPs and representatives of the Lesisko and Mogiła Estate Council on 10/30/2020 to clarify all design and administrative issues of Contract implementation. The matter was concluded, the PAPs are satisfied with this solution (the information is included in the appendix to the LARAP entitled the Report on public consultation).

5.4 EVALUATION OF ACTIONS TAKEN AND ACHIEVEMENT OF THE OBJECTIVE DEFINED IN THE LARAP – RECOMMENDATIONS

The assumptions of the Land Acquisition and Resettlement Action Plan were put into life in line with the planned activities and procedures adopted for the Contract. The key aim of the Land Acquisition and Resettlement Action Plan was achieved, the properties necessary to implement the Contract were acquired in accordance with the Polish law and with the World Bank's policy OP 4.12 in a way which minimised adverse impact on project affected persons, and did not result in the physical or economic resettlement of households.

There were no significant impacts on PAPs during the execution of the Works. By introducing the actions indicated in the LARAP, life conditions of PAPs have improved and the long-term and sustainable use of natural resources within this area was ensured. No vulnerable groups were identified in the Contract 3A.6 area, and the impact of the Contract itself did not adversely affect the enterprises or the operation of agricultural activities. No impacts occurred in any case, inter alia, loss of sources of income, jobs, accessibility to infrastructure, loss of farming opportunities, loss of enjoyment of natural assets/access to parks, reserves, access to educational institutions, cultural facilities, etc.

It is recommended that the principle of paying compensation as early as possible, in advance of the physical occupation of properties and the commencement of works, be adopted for subsequent Contracts carried out in the future.

6. CONCLUSIONS AND SUMMARY

The main, measurable effect of implementing the Works Contract 3A.6 *Construction of a pumping station for mobile pumps to drain the Lesisko complex* is providing flood protection of areas covering approx. 2,910 ha and inhabited by approx. 51 thousand people (the presented values refer to the cumulative effect of implementing the Contract 3A.6 and 3A.1). This has eliminated the need for incurring high financial outlays for removal of flood losses caused by flooding. Given the climate change currently taking place, the frequency and intensity of flood events is expected to increase. A one-off investment for the implementation of the said project has therefore enabled to avoid the need to secure financial outlays in the coming years to remove the losses.

In addition to the economic aspect, the immeasurable social aspect of implementing the investment is equally important, consisting of ensuring the sense of security for the local community living in the area covered by the investment, as well as the socio-economic expectations of the local population. Hygienic and sanitary conditions in the flooded area deteriorate drastically every time as a result of flooding. The plots located in areas exposed to flood are less attractive, which determines their low value on the property market. This situation also represents a serious barrier and an unfavourable environment for the development of local entrepreneurship and potential investors, which translates directly into a limitation of business development. All these public concerns and barriers to development were eliminated following the implementation of Works Contract 3A.6. Positive social impacts, i.e. benefits for the local community, which are directly related to the investment objectives, should also be highlighted. The long-term benefits encompass:

- reducing/eliminating the hazard of flood;
- protection of private and public land and assets, including properties built up with houses;
- psychological comfort of the local community during prolonged heavy rainfall or during the spring melt season;
- as a result of tidying up, the landscape has gained new qualities – new recreational areas have appeared (possibility to walk or cycle around the reservoir);
- protection of jobs both in manufacturing plants and service establishments that have been secured from flooding;
- enhanced attractiveness of the flood-protected area for new economic/investment projects in the area.

It should be pointed out for the direct impact of the Project that:

- 69 properties were subject to permanent occupation, of which 50 properties belonged to private individuals and 7 were in the public (municipal) resources, and 11 were already owned by the State Treasury, 1 property is a plot with unregulated legal status. As per the assumptions of the LARAP, the properties were not occupied and no works started on them until all compensation activities were completed (in 4 cases the compensation or part of it was paid into the court deposit)⁶.

⁶ according to Resettlement Policy Framework: “(...) *Placement of the compensation amount into a court escrow account has the same effects as the performance of the payment obligation. (...)*” and allows to take over the property and carry out construction works on it.

Works Contract 3A.6 has not resulted in any physical or economic resettlement. No vulnerable groups were identified in the implementation area of Contract 3A.6, and the impact of the Contract itself did not adversely affect the enterprises. **No impacts occurred** in scope of, inter alia, loss of sources of income, jobs, accessibility to infrastructure, loss of farming opportunities, loss of enjoyment of natural assets/access to parks, reserves, access to educational institutions, cultural facilities, etc.

To summarise the issues discussed in this Final Report on LARAP implementation:

- Compensations were paid to all landowners who demonstrated their right to the properties acquired for the benefit of the State Treasury.
- In the absence of eligible persons (the owner has died and the heirs have not yet carried out inheritance proceedings, documents are missing clearly showing who the plot owner is), the amount was paid to the court deposit. This situation applies to 4 cases. The PIO's strategy for assistance in payment of compensation from the deposit to those eligible is described in chapter 3.5.3.

Detailed information on the payment of compensations is provided in chapter 3.5 and in **Appendix 4** to this report.

- Initially, 17 properties were subject to permanent restrictions, while design changes made it possible to minimize the impacts and avoid permanent restrictions for some of them. Finally, 9 properties were covered by permanent restrictions in use, including municipal 5 properties and 4 State Treasury properties. Compensation for PR was paid. Details of PR are provided in chapter 3.5.4 and in **Appendix 4** of this report.

- 3 properties were temporary occupied. These properties were acquired by the Contractor. The occupation of these plots was based on a voluntary plot rental by the land owner, and the occupation process was monitored by the Contract Engineer. The plots were cleared and returned to their owners, and compensation was paid.

- 3 information points operated for the entire implementation period of Works Contract 3A.6 where complaints and applications could be filed concerning Contract implementation.

Detailed information is described in chapter 4.

- When the Contract was being prepared for implementation (when individual decisions were applied for), and after preparing the Draft LARAP, public consultations were conducted – this process was held in accordance with World Bank standards and Polish legislation.

Detailed information on public consultation is described in chapter 3.2.

The rules arising from Polish legislation, World Bank's policy OP 4.12, LARFP and the LARAP were complied with during the execution of works. This applied to the acquisition of properties necessary to implement the Contract and to the manner of executing the works, which minimised adverse impacts on project affected persons. The guiding principle of the activities was to achieve the effect of improving or at least restoring PAPs' living conditions, and assuring long-time balanced use of environmental resources within that area.

This objective has been achieved and, in the case of Works Contract 3A.6, there are no longer any elements/cases that have not been completed and would be envisaged under LARAP.

After the implementation of Works Contract 3A.6, PAPs' standard of living has been restored or improved, because appropriate compensation was paid (compensating for the expropriation and enabling to acquire another property) and residents of Lesisko and Mogiła estates were protected from flooding that regularly devastated their houses and gardens in recent years (see Appendix no. 6 for photographic documentation of the state before, during and after the end of investment execution).

The key aim of the Land Acquisition and Resettlement Action Plan has also been achieved; the properties necessary to implement the Contract were acquired in accordance with the Polish law and with the World Bank's policy OP 4.12 in a way which minimised adverse impacts on project affected persons, and did not result in the physical or economic resettlement of households. There were no significant impacts on PAPs during the execution of the Works. By introducing the actions indicated in the LARAP, life conditions of PAPs have improved and the long-term and sustainable use of natural resources within this area was ensured.

7. APPENDICES

Appendix no. 1 – Contract Location (2 map sheets).

Appendix no. 2 – Screenshots of websites.

Appendix no. 3 – Documentation of public consultations.

Appendix no. 4 – List of properties – permanent occupation and temporary restriction⁷.

Appendix no. 5 – List of properties – temporary occupation.

Appendix no. 6 – Photographic documentation – pre-contract and pending contract status.

Appendix no. 7 – Sample survey addressed to the PAPs after completion of Contract 3A.6.

Appendix no. 8 – List of cases where compensation was paid to the court deposit.

Appendix no. 9 – Sample application for releasing the court deposit.

⁷ The financial data presented in the document was prepared on the basis of accounting and other financial documents made available to the authors of the Final Report