

LAND ACQUISITION AND
RESETTLEMENT ACTION PLAN

FINAL REPORT ON THE
IMPLEMENTATION OF MEASURES
SPECIFIED IN THE LA&RAP

CONTRACT FOR WORKS 1A.2

“Flood protection of Gryfino, Ognica,
and Piasek village on Odra River.
Modernization of Marwicki Polder
Stage III - pump station Krajnik”

ODRA-VISTULA FLOOD
MANAGEMENT PROJECT



LAND ACQUISITION AND RESETTLEMENT ACTION PLAN-----

FOR CONTRACT FOR WORKS 1A.2

IMPLEMENTATION COMPLETION REPORT ON THE MEASURES SPECIFIED IN LAND ACQUISITION AND RESETTLEMENT ACTION PLAN

ODRA-VISTULA FLOOD MANAGEMENT PROJECT

FINAL REPORT ON LAND ACQUISITION AND RESETTLEMENT ACTION PLAN IS PREPARED FOR THE CONTRACT OF CONSTRUCTION WORKS BY STATE WATER HOLDING POLISH WATERS , REGIONAL WATER MANAGEMENT BOARD (RZGW) IN SZCZECIN.

SUB-COMPONENT 1A:

Flood protection of areas in Zachodniopomorskie Voivodeship

CONTRACT 1A.2:

"Flood protection of Gryfino, Ognica, and Piasek village on Odra River. Modernization of Marwicki Polder Stage III - pump station Krajnik"

REVISION	DATA	PREPARED BY	REVIEWED BY	CLIENT'S APPROVAL	DESCRIPTION
1.	08 October 2023	Grzegorz Chajnowski	Tomasz Radomski		
2	30 May 2024	Grzegorz Chajnowski	Tomasz Radomski		

PROJECT IMPLEMENTATION UNIT:

State Water Holding Polish Waters represented by
Director of State Water Holding Polish Waters
Regional Water Management Board (RZGW) in Szczecin
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DOCUMENT PREPARED BY:

State Water Holding Polish Waters
Regional Water Management Board (RZGW) Szczecin
Project Implementation Unit for ODRA-VISTULA FLOOD MANAGEMENT PROJECT
Technical Support Consultant, SWECO Polska Sp. z o.o.

ODRA-VISTULA FLOOD MANAGEMENT PROJECT CO-FINANCED BY:

The World Bank, Loan Agreement No. 8524 PL
The Council of Europe Development Bank, Framework Loan Agreement No. LD 1866
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ABBREVIATIONS AND ACRONYMS USED IN THE DOCUMENT

1A.2	Designator of the Contract for Works 1A.2 Flood protection of Gryfino, Ognica, and Piasek village on Odra River. Modernization of Marwicki Polder, Stage III - pump station Krajnik.
World Bank (WB)	International Bank for Reconstruction and Development
PCU	Odra-Vistula Flood Management Project Coordination Unit
CEB	Council of Europe Development Bank Council of Europe Development Bank (CEB)
Investment Project / Undertaking	Flood protection of Gryfino, Ognica, and Piasek village on Odra River. Modernization of Marwicki Polder, Stage III - pump station Krajnik.
PIU	Project Implementation Unit - an organizational unit established in the Project Implementation Office in charge of implementing the Project
Project Implementation Office / Employer / Investor	Project Implementation Office State Water Holding Polish Waters, Regional Water Management Board (RZGW) in Szczecin ul. Tama Pomorzańska 13 A 70-030 Szczecin
Consultant Engineer	SWECO Polska sp. z o. o., company hired by the Employer to perform the services (specified herein, among others)
Contract / Task	Contract for Works 1A.2
Object	Functionally separate material scope which is part of Contract 1A.2
OP 4.12	Designation of a document specifying the principles of involuntary resettlement required when financing the Task with the World Bank's loan - Operational Policy 4.12 on- Involuntary Resettlement.
PAP	Project Affected Person(s)
LA&RAP	Land Acquisition and Resettlement Action Plan
Project / OVFMP	Odra-Vistula Flood Management Project
PGW WP	State Water Holding Polish Waters
PR	Permanent restriction of the manner of land use
Contractor	Keller Polska sp. z o. o., company delivering the Contract for Works 1A.2

1. ABSTRACT

Subject of the task:	As part of Task 1A.2, the construction of two sections of the flood embankment in Piasek was carried out, the icebreaker wharf in Gryfino was rebuilt, the Krajnik Pump Station was rebuilt, and underground cable lines were built in Krajnik to replace the previously existing overhead line
Date of completion of the Investment (completion of works):	06 August 2023
Date of NO for LA&RAP	18 December 2020
Number and category of PAP:	3 PAP – property owners (two natural persons and one municipality)
Total compensation paid to PAP	PLN 126,745.50 – monetary compensation on loss of legal title to the property increased by 5% for immediate release
Number of investment properties:	<p>Piasek - 21 properties¹, including 3 owned by natural persons, 7 owned by the municipality and 11 owned by the State Treasury. Ognica - not implemented. Gryfino – state owned land no involuntary land acquisition from private persons required. Krajnik:</p> <ul style="list-style-type: none"> – building a MV power supply line: 13 properties, 10 owned by the State Treasury, 3 owned by the municipality, – remove the existing poles: 23 properties, 13 owned by the State Treasury, 7 properties were owned by natural persons, and 3 property owned by the municipality.
Key issues:	<ul style="list-style-type: none"> – compensation on loss of legal title to the property increased by 5% for immediate release; – negotiations regarding the voluntary sale of real estate; – arrangements for voluntary provision of real estate;
Key outcomes:	<ul style="list-style-type: none"> – the implementation of this section was abandoned, so that there was no acquisition of properties/expropriation or any other impacts in this respect, and thus there was no need to apply OP 4.12. Obtaining title to investment properties has proved unsuccessful through voluntary agreements. Some of the property owners whose consent was necessary withdrew from earlier agreements. Moreover, the acquisition of real estate in an administrative mode, without the possibility of using the provisions of the Special Act on Flood Management, was associated with a high risk of not completing the task in the time provided for the realisation of the project. Anticipating

¹ In the LA&RAP, 20 plots were indicated. The number of plots that were planned to be acquired did not change, however, one of the plots that was indicated as a plot to be acquired was divided (plot number 1/16 which was already owned by the State Treasury before the implementation of the Investment and was then under the management of PGL LP Chojna Forest District)) into two plots (1/17 with an area of 0.7061 ha and 1/18 with an area of 0.0006 ha) on the basis of the IPIP issued for this Task. The rights to both of these newly created plots were acquired. In fact, there has been no change in the number of property planned to be acquired or the area necessary for the implementation of the investment.

the possible schedule for acquiring the properties, the necessary time for properties division, issuance of decisions and probable appeals had to be considered. The analysis of all circumstances justified the abandonment of this part of the task. (for a detailed description see Chapter 3.3.4. Ognica Section),

- the expropriations under the Investment went smoothly – the Investor concluded agreements with each of the PAPs on the amount of compensation and the terms of its payment, and paid 100% of the compensation within the agreed timeframe. The compensation was increased by 5% of the value of the compensation due to the immediate release of the property by PAP (detailed description see section 3.3.1. Piasek Section, 3.5. Indemnification and Compensation),
- The property owners have voluntarily agreed to temporarily occupy the property free of charge for the purpose of dismantling the poles. The parties agreed that the fact of their removal constitutes a significant benefit for the property owners and an equivalent of remuneration. The occupation of the property itself was only temporary and did not affect in any way the possibility of using the land by the owners (detailed description see Chapter 3.5. Indemnification and Compensation).

Unresolved issues and negative outcomes of the Task::	none
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2. INTRODUCTION

This document was prepared according to the requirements specified in Project Operations Manual and Land Acquisition and Resettlement Policy Framework to document the process of land acquisition and assess if it meets the requirements of World Bank's OP 4.12. or if there are areas requiring addressing or the Investor's intervention to achieve compliance. In the case of Contract 1A.2, as presented in the following chapters of this Report, this objective has been achieved and there is no longer any need to take corrective action.

In accordance with adopted the Land Acquisition and Resettlement Action Plan, the ex-post assessment was carried out after the completion of the works under the Task and confirms that its objectives have been met and adequately documented.

It is stated that not all the measures described in the RAP have been implemented, i.e. the implementation of the Ognica section has been abandoned, as described in this document. Therefore, there were no impacts that were originally identified in connection with the implementation of this section. However, each entity affected by the project in connection with the implementation of the remaining sections (family, individuals, public entities) has been compensated (compensation) and their standard of living has improved or at least been restored.

The Final Report presents implementation of measures planned under LA&RAP for Contract for Works 1A.2 - Flood protection of Gryfino, Ognica, and Piasek village on Odra River. Modernization of Marwicki Polder, Stage III - pump station Krajnik.

The Task covered four sections (parts):

1. Sub-Task Flood Protection of Piasek (hereinafter: Piasek section) covered construction of two sections of flood protection embankment. The total length of the designed flood protection structures was 1478.90 m, 536.10 of which making up the southern embankment, 736.00 - flood protection wall, and 206.8 - northern embankment.
2. Sub-Task Flood Protection of Ognica (hereinafter: Ognica section) covered conversion of an existing culvert made of concrete pipe into a steel metal sheet pipe-arch culvert.
3. Sub-Task Flood Protection of Gryfino (hereinafter: Gryfino section) covered reconstruction of icebreaker wharf in Gryfino as a permanent mooring base for year-round operation, especially for availability from December to March, including availability of electric power supply, and works related to proper navigation marking and reconstruction of an access road.
4. Sub Task Modernisation of the Marwicki polder stage III – modernisation of the Krajnik pumping station (hereinafter: Krajnik section), it was planned to reconstruct the Krajnik Pumping Station in order to maintain flood protection conditions for the areas located in the area of the collapse and to ensure the possibility of ongoing water drainage and the removal of existing poles being part of the power line and the construction of underground cable lines in place of the existing power line.

Key dates of the Contract:

- | | |
|---|----------------------------|
| 1. Agreement conclusion date: | 07 Sep 2021; |
| 2. Construction site handover date: | 30 Sep 2021; |
| 3. Date of starting the works: | 7 Oct 2021; |
| 4. Works completion date: | 06 Sep 2023; |
| 5. Expiry of quality guarantee and warranty period: | 06 Sep 2028 ² . |

The material scope of the investment described in the Land Acquisition and Resettlement Action Plan was changed, so the original impact of the measures specified in LA&RAP changed. Works under Flood protection of Ognica village (Ognica section) were given up. The reasons and consequences are presented herein. The Piasek, Gryfino and Krajnik sections have been completed in accordance with the assumptions and description contained in the LA&RAP.

For better clarity, this document will report every section of the Investment separately.

The Piasek section was constructed on the area of 210 properties³, 7 of which were owned by the Cedynia Municipality and 3 by natural persons, with 2 out of 3 properties owned by the same person. The remaining 11 of properties were owned by the State Treasury, so there was no need to acquire rights to them. In addition, in relation to 3 properties (which do not fall within the scope of the 21 properties indicated above), including 2 property owned by the Cedynia Commune, there has been a permanent restriction in use. The permanent restriction is the possibility of exiting from a public road to the constructed square.

The Ognica section was to be constructed on the area of 15 properties, 9 of which are owned by natural persons and 4 by the Widuchowa Commune. The remaining 2 of properties were owned by the State Treasury, so there was no need to acquire rights to them. Due to the abandonment of the construction of the Ognica section, the acquisition of these properties was also abandoned, and thus there were no negative impacts requiring compensatory and/or mitigating measures.

The Gryfino section was constructed on a plot of land owned by the State Treasury – SWH PW. Therefore, there were no impacts requiring the planning and implementation of compensatory and/or mitigating actions.

The Krajnik section was constructed on a total of 27⁴ properties. On the area of 13 properties, a cable line was built to supply the pumping station. On the area of 14 plots, poles constituting part of the old power line were removed. In the case of the Krajnik section, there was no need to make any expropriations of real estate.

² 60 months following the implementation completion report signing date.

³ In the LA&RAP, 20 plots were indicated. The number of plots that were planned to be acquired did not change, however, one of the plots that was indicated as a plot to be acquired was divided (plot number 1/16 which was already owned by the State Treasury before the implementation of the Investment and was then under the management of PGL LP Chojna Forest District) into two plots (1/17 with an area of 0.7061 ha and 1/18 with an area of 0.0006 ha) on the basis of the IPIP issued for this Task. The rights to both of these newly created plots were acquired. In fact, there has been no change in the number of property planned to be acquired or the area necessary for the implementation of the investment.

⁴ In the LA&RAP, the prepared table contained data based on the number of poles (23) – some of the properties in the table are repeated because there was more than one pole on some plots).

Due to the nature of the above parts of the Investment and giving up works on Ognica section, execution of the whole Task actually required acquisition of rights to only 10 real properties for Piasek section (7 municipality-owned and 3 individual-owned). For the remaining sections there was no need to acquire rights to the lots or expropriate property. As part of the Krajnik section, there were temporary restriction in connection with the dismantling/liquidation of the overhead power line, i.e. an action beneficial to the owners of these properties.

Table 1. Breakdown of expropriated real property for Piasek section .

Item	Plot No.	Municipality / cadastral district	Designation of the owner	Description of the land use class (EGiB)	Restriction area
1.	145	Cedynia, District 0002 Piasek	Cedynia Municipality	rd - roads	0,52 ha
2.	675	Cedynia, District 0002 Piasek	Cedynia Municipality	W – land covered by ditches	0,0180 ha
3.	153	Cedynia, District 0002 Piasek	Natural person (A)	RIVb, RV, RV – arable land (the property was not actually used for agricultural purposes)	0,0747 ha
4.	676	Cedynia, District 0002 Piasek	Cedynia Municipality	rd - roads	0,55 ha
5.	680	Cedynia, District 0002 Piasek	Cedynia Municipality	rd - roads	0,0438 ha
6.	410	Cedynia, District 0002 Piasek	Cedynia Municipality	B – residential land (the land was not actually used for residential purposes) rd - roads	0,31 ha
7.	412	Cedynia, District 0002 Piasek	Natural person (B)	ŁIV – grassland RV – arable land Br-RV – built-up agricultural land – arable land (the property was not actually used for agricultural purposes)	0,1320 ha
8.	413	Cedynia, District 0002 Piasek	Cedynia Municipality	W – land covered by ditches	0,0117 ha
9.	414	Cedynia, District 0002 Piasek	Natural person (B)	ŁIV, ŁV, ŁVI – grassland	0,2866 ha
10.	426	Cedynia, District 0002 Piasek	Cedynia Municipality	RV – arable land ŁV, ŁVI, WŁVI – grassland PsIV – pastures	0,3618 ha
					2,3086 ha

Table 2. Summary of the number of properties subject to permanent or temporary restriction and structures subject to demolition for Piasek and Krajnik sections

	Total number Hectares	Total number plots	Public Plot (Treasury)	%	Private Plot	%	Public plots (Municipal)	%	Physical Resettlement	Economic Resettlement
Permanent restriction ⁵	3,7226 ha	21 ⁶	11	52,38	3	14,29	7	33,33	0	0
Temporary restriction ⁷	-*	14	7	50,00	5	35,71	2	14,29	0	0
Construction facilities	As part of Piasek section, two sheds were demolished on the property, which was included in the PIPI decision. Since some of the sheds were located on the property covered by the PIPI decision, the proportional value of these sheds was included in the compensation that was paid to PAP. When determining the value of the sheds, the replacement value was adopted.									
Other	As part of the Krajnik section, 23 poles were demolished (dismantled).									

* It is not possible to precisely indicate which area of the property has been temporarily occupied. The average strip of land occupation ranged from 3 meters to 4 meters – the area necessary to remove the poles of the decommissioned overhead power line was occupied. However, due to the fact that there was no need to pay compensation (which was explained in this document), the Investor did not measure the occupied area in detail, as it did not affect the situation of the owners.

The acquisition of the property was carried out in accordance with the operational policy of OP 4.12 and in accordance with the rules set out in the LARPF and LA&RAP. There were no deviations in the implementation of the LA&RAP, except for the exclusion of the Ognica section, which resulted in the resignation from the impacts originally planned.

The following websites provided information about the Investment and preparation of LA&RAP:

- www.odrapcu.pl (the then address: www.odrapcu2019.odrapcu.pl);
- www.szczecin.wody.gov.pl (the then address: www.bs.rzgw.szczecin.pl);
- www.cedynia.pl
- www.widuchowa.pl
- www.gryfino.pl

Furthermore, the information was printed in a local newspaper (Kurier Szczeciński).

A hard copy of LA&RAP, due to COVID-19 restrictions in force then and no possibility of Stakeholders visiting the offices, was not displayed for their review in relevant institutions' offices, which were not available at the time (or only to a very limited extent) to stakeholders. The above did not cause any problems with access to the information contained in the LA&RAP. As part of the implementation of the Investment, the existence of a small amount of PAP was revealed, which allowed the Investor to approach each of them individually. The Investor and the Consultant Engineer were in constant contact

⁵ Permanent restriction apply only to Piasek section

⁶ In the LA&RAP, 20 plots were indicated. This number has not changed, however, one of the plots that was indicated as a plot to be acquired was divided (plot number 1/16) into two plots (1/17 with an area of 0.7061 ha and 1/18 with an area of 0.0006 ha) on the basis of the IPIP issued for this Task. The rights to both of these newly created plots were acquired. In fact, there was no change in the number of properties planned to be acquired or the area necessary for the implementation of the investment

⁷ Temporary restrictions apply only to the Krajnik section

with each of the PAPs. Each PAP was provided with an excerpt from the LA&RAP, a form for submitting applications, comments and questions, as well as a cover letter containing detailed information on the Project and the Investment, as well as contact details. In addition, everyone had the opportunity to familiarize themselves with the LA&RAP posted on the websites referred to above.

3. SUMMARY OF MAIN ACTIVITIES PERFORMED UNDER THE PROJECT

3.1. Review of the Project's objective

The main objective of OVFMP was to protect residents of floodplains in specified parts of Vistula and Odra basins, two biggest rivers in Poland, against serious floods. Another objective was to strengthen the institutional capacity of public administration for more effective mitigation of flood impact. In result of the project three distinct areas of Poland will be provided with distinct infrastructure for flood management, including technical resources. The areas will be the Middle and Lower Odra basin, the Nysa Kłodzka basin, the Upper Vistula basin.

This Task was executed under one of the sub-components of the Project (Sub-Component 1A). Its objective was flood protection of land in Zachodniopomorskie Voivodeship.

3.2. Preparation and approval for execution of the Land Acquisition and Resettlement Action Plan

To execute the Task, the Investor prepared the Land Acquisition and Resettlement Action Plan (LA&RAP) for Contract 1A.2 - Flood protection of Gryfino, Ognica, and Piasek village upon Odra River. Modernization of Marwicki Polder, Stage III - pump station Krajnik, implemented under Odra - Vistula Flood Management Project (OVFMP), co-financed by the International Bank for Reconstruction and Development (World Bank) (loan agreement dated 10 September 2015), the Council of Europe Development Bank (CEB) (loan agreement dated 24 May 2016) and the State Budget.

After completion of works on LA&RAP and obtaining World Bank's NO for starting the public announcement procedure, the document was subjected to the public consultations discussed more broadly under 2.4. Public consultations. LA&RAP was subjected to public consultations from 7 February 2020 to 21 February 2020. LA&RAP document was not revised during execution of the activities. The final version of the RAP, i.e. after public consultations, received the No Objection clause on 18 December 2020.

3.3. Adopted procedures of land acquisition

The procedures adopted and described in the Land Acquisition and Resettlement Action Plan related to land acquisition and compensating PAP were observed.

3.3.1. Piasek section

On 19 Jul 2021 Zachodniopomorskie Voivode issued Decision No. 15/2020 permitting construction of flood protection structures, named: "Flood protection of Gryfino, Ognica, and Piasek village upon Odra River. Modernization of Marwicki Polder, Stage III pump station Krajnik; Flood Protection of Piasek".

IPIP decision specified real properties or their parts covered by the investment project and required for its execution that became the State Treasury's property, including the properties listed in Table 1. Furthermore, the decision listed the real properties with permanent restriction of the manner of use. The permanent restriction of the manner of use related to the same lots as the ones specified in LA&RAP. However, none of the properties in respect of which there has been a permanent restriction are owned by natural persons.

As part of the implementation of the Task, no limited property rights, groundless use of property or other liabilities were identified and thus there was no need to take action in this regard. Execution of the Task had no impact requiring physical relocation of households or farms, nor economic resettlement.

The Investor concluded agreements regarding compensation amounts and terms and conditions with all concerned PAP, i.e. two natural persons and Cedyňa Municipality. The amounts were agreed according to provisions of the special flood protection act and procedure stipulated in LA&RAP (Chapter 6.2.1. Acquisition of property under the Special Act on Flood Management) by the Investor and the then owners.

In result of the above, implementation of the Investment Project, Piasek section, did not require relevant voivode's procedure to issue a decision on determining the amount of compensation for transferring ownership of real property to the State Treasury.

LA&RAP specified that one PAP filed a request for settlement of compensation in land-for-land procedure and identified a lot meeting the PAP's expectations. PAP was interested in receiving more attractive property due to the location. It was determined then that the real property was owned by Cedyňa Municipality and was subject matter of a contract of leasehold between Cedyňa Municipality and the PAP filing the request. The Investor held talks with Cedyňa Municipality but the municipality refused to exchange the real property owned for the one owned by PAP. PAP accepted the Municipality's decision. In view of the above, the Investor concluded an agreement with PAP on the payment of monetary compensation. The agreement was concluded after the Investor's talks with the Municipality were completed and the final decision of the Municipality was obtained.

3.3.2. Gryfino section

Execution of Gryfino section required no acquisition of rights to real property. However, due to the type of works, it was necessary to restore existing fences (four) and entry gates (two). The fences and gates that existed before the investment had to be dismantled for the duration of the construction work. The fences interfered with the scope of work involving the reconstruction of the network and the road. Without the demolition of the fences and gates, the construction work could not be carried out to the extent covered by the project documentation. Upon completion of the works, the fences and gates were restored. The work was done and the property owners and others did not make any comments. In addition, the investor, in accordance with the adopted rules, restored the properties to the condition from before the commencement of works.

Due to no need to acquire rights to real property and no impact of the undertaking on third parties under Gryfino sub-task, nobody was identified as a person affected by outcomes of the Project's execution.

3.3.3. Krajnik section

Works on Krajnik section required no property expropriation.

The pump station was modernized using only real property owned by the State Treasury. The LV connection section subject to the works was already owned by the Investor. As specified for the stage of the Task, due to the then technical status of the power line, the overhead power line was replaced with an underground cable line. Necessary works included construction of a new underground line,

removal of physically worn poles of the existing power line (leaning due to insufficiently secure installation in the ground).

None of the properties on which the cable route was built were owned by a natural person. The new line also had a new route, i.e. excluding private properties. This allowed to achieve an additional benefit in the form of removal of the old line from private plots. On the other hand, in the case of properties from which the poles have been removed – 4 of them remain in the possession of natural persons and one in the lease of a natural person. The poles that were dismantled were damaged and threatened to fall over due to their unstable fixation in the ground. These poles, regardless of the implementation of the project, required immediate renovation or reconstruction. Furthermore, laying cables underground instead of having overhead lines, favorably impacted the aesthetics and urban characteristics of the residential areas and reduced the environmental burden. No damage was found during the removal of the poles. The area has been restored to its condition before the work began. The cable line has negligible electromagnetic impact because of its structure and it has no negative impact on land surface. At the same time, it is characterized by reduced exposure to weather conditions, which minimizes the risk of failure.

The owners of the real estate, in accordance with the assumptions described in the LA&RAP, submitted to the Investor declarations of the right to use of the real estate, on the basis of which it was possible to enter the property and perform appropriate works, i.e. remove the existing poles. The Contractor has entered into separate agreements with the entities using the property, in which the timing of the work was agreed. Upon completion of the work, the property site was restored to its previous condition. In addition, the investor has concluded an agreement with the National Support Centre for Agriculture, Regional Branch in Szczecin, which specifies the conditions for the establishment of an easement on the area of real estate owned by the State Treasury and under the management of NSCA in Szczecin, and through which the new cable line will run. This agreement was concluded between public entities (the Investor and the entity representing the State Treasury with respect to these properties) and has no impact on private entities.

3.3.4. Ognica section

Initially, it was assumed that the implementation of the task would be possible under the Special Act on Flood Management which allows for a shortened procedure for acquiring legal title to investment properties. The scope of the task was limited in order to adapt to the needs of residents and reduce the impact. As a result of the final determination of the subject of the investment, it turned out that it was impossible to apply the Special Act on Flood Management to implement the task.

As a result of the above, an attempt was made to acquire real estate on the basis of voluntary sales agreements. Works under Ognica section involved voluntary conclusion of contracts between the Investor and owners of specific properties for the Investor's acquisition of rights to the properties. At the stage of task preparation, meetings were held with owners of investment properties. They declared cooperation in the implementation of the investment and readiness to conclude voluntary agreements for the sale of real estate necessary for implementation.

The Investor took a host of actions aimed at concluding the contracts with property owners. For example, informational meetings were held and individual meetings were held with property owners, and property appraisals were prepared to provide detailed offers specifying the terms of the voluntary agreements. Owners of the real properties, despite their initial declaration of commitment and

cooperation in case of negotiations as well as support for the investment and willingness to conclude agreements, ultimately refused to sign the contracts.

The Investor, according to the procedure specified in LA&RAP, considered acquiring rights to the real properties by expropriation by depriving of, by way of a decision, the ownership title. Therefore, the procedure of involuntary acquisition of rights to real property was started. Relevant starosty was notified of the necessity to instigate proceedings for real property expropriation for the benefit of the State Treasury and issuing an expropriation decision. As a result, an agreement was concluded by the Investor and State Treasury, represented by the Staroste, and determining the terms and conditions of cooperation between the parties and actions necessary for expropriation of a part of the real property and payment of compensation. Then the Staroste, acting on behalf of the State Treasury, instigated the procedure of acquiring parts of the real property necessary for implementation of the Investment Project. Pursuant to Art. 114(1) of the real property administration act, instigation of the expropriation procedure has to be preceded with negotiations for acquisition of rights to the real property by way of an agreement. The negotiations should be held between the staroste and the owner or perpetual usufructuary and should last for two months. The Investor communicated the above to the Staroste and guaranteed willingness to provide the Staroste with all the support necessary for expropriating the real property as specified in the agreement.

It should be reiterated that the implementation of the task could not be carried out in accordance with the provisions of the Special Act on Flood Management. The acquisition of the property involved an extended procedure involving property divisions, renegotiations and the issuance of administrative decisions. It was considered highly probable that appeals would be filed against administrative decisions, resulting in the impossibility of completing the realisation of the task within the time accepted for the project. In addition, the implementation of the investment against the final position of the property owners was considered unreasonable.

In the course of planning further actions to be taken, the implementation of this section was abandoned, so there was no acquisition of real estate/expropriation or any other impacts in this respect, and thus there was no need to apply OP 4.12.

The property owners were informed about the above, explaining the reasons for the decision. The investor asked the persons recognized as PAP to present a written position and possible requests, requests or demands related to the resignation from the Ognica section. However, none of the owners contacted the Investor. In addition to the owners, the Starost was informed about the decision, with whom the Investor then terminated the agreement referred to above.

3.4 Public consultations

The process of public consultation and participation in implementation of LA&RAP was treated as a continuous single process spread over time. The proper execution helped the process of actual minimization of negative impact of the Project on the affected persons and of the risk related to potential social conflicts, the risk of blocking the Task by a PAP being the most important of those.

The local community was informed of the planned investment project by notifications, in the standard manner, at publicly available bulletin boards in the locations where the Task would be executed, and by letters sent directly to PAP.

The minimizing measures, including public consultations, individual meetings, and other meetings were targeted mostly at PAP but also at broadly perceived local communities. Throughout the whole period communication with PAP was maintained, meetings were organized, contacts were kept by mail and phone. Each PAP was provided with contact data of the Consultant's representatives to facilitate clarification of concerns or resolving complaints, if any.

A list of meetings with PAP and local communities held under execution of the Task is presented below.

1. 21 October 2019 – meeting with the local community for Piasek section; it covered presentation of the planned investment project;
2. 14 November 2019 – meeting with the local community for Ognica section; it covered presentation of the planned investment project;
3. 21 January 2020 – meetings with PAP in Piasek and Ognica; covered presentation of options for compensation and manners of evaluating real property;
4. 9 September 2020 – meetings with property owners of the real properties to be covered by works under Ognica and Krajnik sections to obtain representations of granting access rights to the properties for construction purposes (which are voluntary declarations made by the owners) and concluding agreements with PAP;
5. February 2021 – individual meetings with PAP to present draft agreements and obtain representations to grant access rights to real property for construction purposes;
6. March 2021 – an individual meeting with one PAP (Ognica section), the person previously refused to conclude an agreement; the meeting was held to give PAP an opportunity to present the position and expectations;
7. May 2021 – meetings with PAP (Piasek section), held to agree and sign memoranda of understanding regarding the Investor's rights to access the real properties and pay the PAP compensation for the access;
8. June 2021 – a repeated meeting with one PAP (Ognica section); the person previously refused to conclude an agreement; the meeting was organized to discuss the appraisal report for the real property owned by the PAP and ordered by the Investor, which was not accepted by PAP
9. 14 October 2021 – a meeting with local community under an informative campaign on starting the construction works (Piasek section).

The Consultant and the Investor remained in regular contact with PAP. The persons responsible for execution of the Project and preparation and implementation of LA&RAP were introduced during the meetings, so PAP were able to easily get in touch with them and request clarifications or voice their concerns. Furthermore, regular contacts were maintained with institutional stakeholders (mayors, village heads) to collect current information on possible concerns of local communities.

Public consultations regarding publication of LA&RAP:

After completion of works on LA&RAP and obtaining World Bank's NO for starting the publication procedure, the document was subjected to public consultations held according to World Bank's OP 4.12. and procedures specified in LA&RAP. Software version of LA&RAP, including information about the public debate over draft LA&RAP, and its date, were posted on publicly available websites:

- SWH PW RWMB Szczecin: <https://szczecin.wody.gov.pl/>,
- Project Coordination Unit: [www.odrapcu.pl](http://odrapcu.pl) (then at: <http://odrapcu2019.odrapcu.pl/>).

Furthermore, information about the consultations:

1. was posted on the websites of the following institutions:
 - Cedynia Municipality - www.cedynia.pl,
 - Widuchowa Municipality - www.widuchowa.pl,
 - Gryfino Municipality - www.gryfino.pl;
2. was printed in local press (Kurier Szczeciński),
3. was individually sent by registered mail to every PAP and all the municipalities (Cedynia, Widuchowa, Gryfino).

The notification about the consultations included information about the possibility to review LA&RAP and submit motions and comments, including detailed contact particulars (e-mail address, address of the place where the draft document could be reviewed, office hours, telephone numbers and names of the contact persons).

Due to the COVID-19 restrictions in place at the time and the lack of access to offices for Stakeholders, the paper version of the LA&RAP was not made available for inspection by interested parties at the offices and other Institutions, which at that time were inaccessible (or available only to a very limited extent) to stakeholders. The above did not cause any problems with access to the information contained in the LA&RAP. As part of the implementation of the Investment, the existence of a small amount of PAP was revealed, which allowed the Investor to approach each of them individually. The Investor and the Consultant were in constant contact with each of the PAPs. Each PAP was provided with an excerpt from the LA&RAP, a form for submitting applications, comments and questions, as well as a cover letter containing detailed information on the Project and the Investment, as well as contact details.

Due to the then limitations regarding social life in Poland after appearance of SARS-CoV-2 virus causing COVID-19, having considered World Bank's recommendations and need to ensure safety, there was no consultation meeting in the form of a stationary public debate. To meet the obligation to hold public consultations and provide PAP with the opportunity to review LA&RAP and submit motions and comments, it was decided to hold postal consultations and finalize them with a virtual consultation meeting (webinar) open to all the stakeholders presenting information about LA&RAP and giving the opportunity to ask questions and make proposals. The webinar was organized using common, free, and safe communication channels.

Due to the above all PAP were provided an excerpt from LA&RAP and a form PAP could use for requests, comments, and questions. PAP were also sent a cover letter containing such information as:

- a. presentation on and an informative brochure about the Project and Contract for Task 1A.2; those were to concisely present the planned project's information considered most important to PAP;

- b. name of the person handling the case, including contact particulars, telephone number, e-mail address, mailing address; it was to ensure free and easy contact between PAP and the Investor's representative for complaints or request, if any;
- c. notification that the draft familiarization period (7 days) was to be followed by a procedure of individual talks with interested PAP; it was appended with a telephone contact number to the Consultant, and a request for a call.

The webinar was held on November 13 2020, from 3:00 p.m. to 4:30 p.m. It replaced the usually organized public debate. A link enabling access to the webinar was posted on the Project's website. The meeting was attended by 7 persons.

During the public consultations no PAP submitted any request, question, or other comment. There was no need to update LA&RAP after the process.

3.5. Compensation and Redress

It should be noted at this point that no remuneration has been paid for the temporary restriction of real estate under the Krajnik section. The property owners have voluntarily agreed to temporarily occupy the property free of charge for the purpose of dismantling the poles. Property owners were informed about the deadlines for the works and the method of carrying them out. They also received information about their rights to remuneration for temporary occupation of the property and compensation for any damage. The parties agreed that the mere fact of their removal constitutes a significant benefit for the property owners and constitutes, as it were, the equivalent of remuneration. The poles that were dismantled were damaged and threatened to fall over due to their permanent fixation in the ground, which had a negative impact on the appearance and value of the property. What is more, the restriction of the property itself was only temporary and did not affect the owners' ability to use the land in any way.

Compensations were paid only for performance of works at Piasek section because it was the only part of the investment project that involved expropriation of real property.

The process of acquiring land, and payment of compensation in particular, was monitored from the time of issuing BP to completion of the works and return of temporarily acquired property. Execution of the Task had no impact requiring physical relocation of households or farms. There were no economic resettlements, either.

The amounts of the compensation for lost property were determined on the basis of appraisal studies prepared by licensed real property appraisers. The Investor concluded an agreement with every PAP. Those stipulated the amounts and payment terms. The real properties were handed-over by PAP immediately, so every compensation amount was increased by 5%. Compensation was paid within the timeframes specified in the agreements.

Table 3. List of PAP receiving compensation

PAP	Compensation means	Compensation amount	Date of agreement	Date of compensation payment	Payment executed within agreed time	Plot number with the area of acquisition	Description, class of use
PAP 1	Cash compensation for lost rights	PLN 1,333.50 (compensation amounting to the value of the real property increased by 5%)	26.06.2021	21.07.2021	Yes	153 – 0,747 ha	RIVb, RV, RV – arable land (the property was not actually used for agricultural purposes, which results from the data obtained as part of the socioeconomic study, it was a wasteland)
PAP 2	Cash compensation for lost rights	PLN 16,926.00 (compensation amounting to the value of the real property increased by 5%)	26.05.2021	21.07.2021	Yes	412 – 0,1320 ha	ŁIV – grassland RV – arable land Br-RV – Built-up agricultural land – arable land (the property was not actually used for agricultural purposes and did not bring any economic benefits to PAP, which results from the data obtained as part of the socio-economic study, it was a wasteland) ŁIV, ŁV, ŁVI – grassland (the property was not used for agricultural purposes, did not bring any economic benefits to PAP, which results from the data obtained as part of the socio-economic study, it was a wasteland)
PAP 3	Cash compensation for lost rights	PLN 108,486.00 (compensation amounting to the value of the real property increased by 5%)	15.07.2021	10.08.2021	Yes	414 – 0,2866 ha	
						145 – 0,52 ha	rd – roads
						675 – 0,0180 ha	W – land covered by ditches
						676 – 0,55 ha	rd – roads
						680 – 0,0438 ha	rd – roads
410 – 0,31 ha	B – residential land (the land was not						

						actually used for residential purposes)
						rd – roads
					413 – 0,0117 ha	W – land covered by ditches
					426 – 0,3618 ha	RV – arable land ŁV, ŁVI, WŁVI – grassland PsIV – pastures (the property was not used for agricultural purposes, it did not bring any economic benefits to PAP, which results from the data obtained as part of the socio-economic study, it was a wasteland)

According to the data from the table above, compensation was paid to 3 entities, amounting to PLN 126,745.50 in total. The amounts were set on the basis of valuation reports by an independent real property appraiser. Every amount was accepted by PAP and it was reflected in a memorandum of understanding signed by both parties.

Furthermore, in the case of Gryfino section the Investor reconstructed four fences and two entry gates that existed before and restored the real property's condition from before the works. The existing gates and fences made it impossible to carry out construction works. Consequently, there was no negative impact of the Investment Project on residents of the area near the works.

Similarly, no real property had to be expropriated for works under Krajnik section. The new cable line does not cross any real property in private hands. When it comes to removal of the poles, it should be stated that it was to the benefit of the owners of the real property.

The removed poles were worn down and posed a risk of collapsing. They required immediate repair or re-installation regardless of the Task. Furthermore, removal of the poles from private property and laying cables underground (on lots not owned by individuals) undoubtedly improved aesthetics and urban characteristics of the residential areas and reduced the environmental burden. The cable line has negligible electromagnetic impact because of its structure and it has no negative impact on land surface. At the same time, it is characterized by reduced exposure to weather conditions, which minimizes the risk of failure. What is important is that use of underground cable instead of an overhead line also favorably impacts bird habitat. Overhead lines negatively impact bird species and pose risks that are not present in the case of underground cable use, which was described in sub-section 3.3.3. Krajnik section.

Methods of PAP identification, their assignment to a relevant group, and determination if they require additional actions are described in detail in LA&RAP. The manner of setting compensation amounts, list of persons qualified as PAP, and implemented minimizing measures were not changed. The procedures specified in LA&RAP were observed.

The only change with respect to the LA&RAP is the withdrawal from the execution of works as part of the Ognica section. The abandonment of the project was related to the lack of expropriation and compensation payments. As a result of the withdrawal from these works, there were no impacts on these persons, and thus there was no need to apply the rules and guidelines resulting from the operational policy of the World Bank OP 4.12. It also meant that there was no need to take over the land and pay compensation. In view of the above, persons considered at that time to be entities affected by the effects of the Project were excluded from the PAP catalogue. The project did not affect them in any way.

3.6. Assessment of the Investment Project by PAP

Implementation of the Investment Project and social and economic research included surveys determining and assessing impact of the Project on individuals and local communities.

After completion of the Investment Projects each of PAP and local community was sent a letter with a survey to be completed. To allow the broadest possible circles to present their position, three different ways to return the survey were stipulated: by mail to the Consultant's office, by e-mail to the Consultant's representative, and by phone with minutes taking. Sample of the survey is presented below.

ANKIETA

1. Jak Pana/Pani zdaniem realizacja inwestycji przeciwpowodziowej wpłynęła na Pana/Panią i Pana/Pani najbliższych?
- zdecydowanie pozytywnie
 - pozytywnie
 - ani pozytywnie, ani negatywnie
 - negatywnie
 - zdecydowanie negatywnie

Zwracamy się z prośbą o uzasadnienie wyboru:

2. Jak Pana/Pani zdaniem realizacja inwestycji przeciwpowodziowej wpłynęła na społeczność w jakiej Pan/Pani mieszka?
- zdecydowanie pozytywnie
 - pozytywnie
 - ani pozytywnie, ani negatywnie
 - negatywnie
 - zdecydowanie negatywnie

Zwracamy się z prośbą o uzasadnienie wyboru:

3. Czy przed realizacją inwestycji przeciwpowodziowej miał Pan/Pani obawy związane z realizacją inwestycji?
- tak (jeśli tak to pytanie 4)
 - nie
 - trudno powiedzieć

4. Czy Pana/Pani zdaniem to czego się Pan/Pani wcześniej obawiał/a potwierdziło się na etapie realizacji inwestycji?
- zdecydowanie tak
 - raczej tak
 - ani tak, ani nie
 - raczej nie
 - zdecydowanie nie

Zwracamy się z prośbą o uzasadnienie wyboru w pytaniach 3-4:

5. [Pytanie do sołtysów i gmin] Czy Pana/Pani zdaniem inwestor podjął wystarczające działania by złagodzić skutki realizacji inwestycji przeciwpowodziowej?

- zdecydowanie tak
- raczej tak
- ani tak, ani nie
- raczej nie
- zdecydowanie nie

Jeżeli tak, to jakie:

6. Czy może Pan/Pani ocenić w skali od 1 do 10 czy realizacja inwestycji przeciwpowodziowej wpłynęła na Pana/Pani i Pana/Pani najbliższych?

Zdecydowanie negatywnie	1	2	3	4	5	6	7	8	9	10	Zdecydowanie pozytywnie
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7. Czy może Pan/Pani ocenić w skali od 1 do 10 czy realizacja inwestycji przeciwpowodziowej wpłynęła na społeczność w jakiej Pan/Pani zamieszkuje?

Zdecydowanie negatywnie	1	2	3	4	5	6	7	8	9	10	Zdecydowanie pozytywnie
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8. Czy w związku z realizacją inwestycji przeciwpowodziowej udało się utrzymać sytuację społeczno-ekonomiczną Pana/Pani gospodarstwa domowego na poziomie sprzed projektu?

- zdecydowanie tak
- raczej tak
- ani tak, ani nie
- raczej nie
- zdecydowanie nie

9. Czy budowa zbiornika/realizacja inwestycji przeciwpowodziowej wpłynęła lub zakłóciła źródła utrzymania Pana/Pani gospodarstwa domowego?

- zdecydowanie tak
- raczej tak
- ani tak, ani nie
- raczej nie
- zdecydowanie nie

10. Czy realizacja inwestycji przeciwpowodziowej przyczyniła się do poprawy warunków życia i/lub źródeł utrzymania Pana/Pani gospodarstwa domowego?
- zdecydowanie tak

- b) raczej tak
- c) ani tak, ani nie
- d) raczej nie
- e) zdecydowanie nie

Zwracamy się z prośbą o uzasadnienie wyboru w pytaniach 8-10:

11. Czy otrzymane przez Pana/Panią odszkodowanie było wystarczające, aby zrekompenzować/odtworzyć spowodowane inwestycją przeciwpowodziową oddziaływanie?

- a) zdecydowanie tak
- b) raczej tak
- c) ani tak, ani nie
- d) raczej nie
- e) zdecydowanie nie

12. Czy otrzymał Pan/Pani odszkodowanie w terminie wskazanym w RAP?

- a) zdecydowanie tak
- b) raczej tak
- c) ani tak, ani nie
- d) raczej nie
- e) zdecydowanie nie

13. Czy otrzymał Pan/Pani odszkodowanie zgodnie z zasadami określonymi w RAP?

- a) zdecydowanie tak
- b) raczej tak
- c) ani tak, ani nie
- d) raczej nie
- e) zdecydowanie nie

14. Czy Pana/Pani zdaniem wywłaszczenie odbyło się zgodnie z polskim prawem i politykami Banku Światowego?

- a) zdecydowanie tak
- b) raczej tak
- c) ani tak, ani nie
- d) raczej nie
- e) zdecydowanie nie

15. Czy wskazany w RAP termin wywłaszczenia był jasny i czy proces był prowadzony zgodnie z zapowiedziami i oczekiwaniami?

- a) zdecydowanie tak
- b) raczej tak
- c) ani tak, ani nie
- d) raczej nie
- e) zdecydowanie nie

16. Czy otrzymał Pan/Pani jasne informacje na temat czasu oddziaływania i/lub zajmowania nieruchomości oraz czy planowany czas oddziaływania różniły się od rzeczywistego?

- a) tak (jeśli tak to pytanie 17)
- b) nie
- c) trudno powiedzieć

17. Jeśli odpowiedź na pytanie 16 była twierdząca, to jaki wpływ na Pana/Pani gospodarstwo domowe miała ta różnica?

- a) nie miała wpływu
- b) znaczący wpływ
- c) nieznaczny wpływ
- d) trudno powiedzieć

Zwracamy się z prośbą o uzasadnienie wyboru w pytaniach 14-17

18. Czy otrzymywane w ramach procesu informacje o powodowanych oddziałyvaniach oraz o zaplanowanych działaniach kompensacyjnych/lagodzących były dla Pana/Pani wystarczające?

- a) zdecydowanie tak
- b) raczej tak
- c) ani tak, ani nie
- d) raczej nie
- e) zdecydowanie nie

Zwracamy się z prośbą o uzasadnienie wyboru:

19. Jak Pan/Pani ocenia zastosowany w ramach procesu mechanizm skargowy?

- a) zdecydowanie pozytywnie
- b) pozytywnie
- c) ani pozytywnie, ani negatywnie
- d) negatywnie
- e) zdecydowanie negatywnie

21. Jakie były główne trudności w otrzymaniu odszkodowania?

- a) trudności nie wystąpiły
- b) głównymi trudnościami były:

The Investor sent the survey on 1 September 2023 to all PAP and heads of villages, communities, mayors of municipalities covered by the investment and near it. The surveys were distributed to 17 entities in total, including the 3 PAP specified in Table 2 (PAP with compensation paid). It was reasonable to learn opinions of the institutional entities the Investor worked with which played an important role in the implementation of the Investment Project. The entities were closer to PAP and local communities who put great trust in them.

As of the date of the report, one survey had been received, from one PAP specified in Table 2, in which both the investment and its impact on the local community were assessed favorably. PAP emphasized that the compensation was paid both within the timeframe and on the conditions specified in LA&RAP. In PAP's opinion the expropriation of the property was carried out according to Polish law and World Bank policy.

Due to receiving only one survey, the Consultant decided to call those PAP whose phone numbers the Consultant had. Despite numerous attempts, the Consultant failed to make contact, as the phone calls were not answered. Importantly, the only received survey was completed by one of the three PAP that were paid compensation. It provided information on how the investment project was assessed by one of the stakeholders directly affected by the project, for it involved deprivation of rights to real property. The assessment was favorable.

As of the date of this document, the Investor had not received any more replies, although the letters and surveys were collected by the entities indicated above.

The failure to complete the surveys may result from the fact that each PAP identified in the course of the Task received compensation in the agreed amount and in mutually agreed time. Therefore, the compensation procedure was executed as agreed with PAP and assured by the Investor and the principles and guidelines specified in World Bank's operational policy. There were no conflicts or issues between the Investor and PAP. The compensation agreements were concluded almost 2.5 years before sending the surveys, while the amounts were paid immediately after the conclusion. The above, and completion of the works near the real properties owned by PAP before the start of the Investment Project, may have led to loss of interest in the project and no willingness to complete the surveys.

4. FUNCTIONING of GRM SYSTEM

4.1. Description of the system

The mechanism of filing complaints and requests regarding execution of Contract 1A.2 was implemented as required in LA&RAP at the beginning of the entire process and remained in force throughout the execution period, until completion of the Contracts.

According to LA&RAP, the Project Implementation Unit would take all possible actions to amicably resolve any complaints connected with or related to the Task. However, the complaint management mechanism had to be differentiated to enable its integration with the administrative procedures in effect at different phases of the Task preparation.

Every stakeholder was entitled to file a complaint or request in one of the three places:

1. Directly in the Project's head office that served as a consultation helpdesk: Office of the Consultant Engineer:

SWECO Polska Sp. z o. o.⁸
ul. Łyskowskiego 16
71-641 Szczecin

2. Directly at the PIU's address:

Państwowe Gospodarstwo Wodne Wody Polskie
RZGW in Szczecin
ul. Tama Pomorzańska 13A
70-001 Szczecin

3. Directly at the site office.

4. Additionally, complaints and requests could be submitted:

→ by post to either of the above addresses, or

→ by e-mail to:

e-mail: dolnaodra.szczecin@sweco.pl

Complaint and request response times were set:

- written acknowledgment of receipt - within 7 days of receipt of the complaint;
- if responding to the complaint or request required prior examination and clarification of the matter, relevant materials were collected, analyses or research were performed, etc., a response to the complaint or request would be provided within 14 days of its submission;

⁸ then: Sweco Consulting sp. z o.o.

- if the matter did not need investigation, a response to the complaint or request would be provided within 7 days of its submission;
- in particularly complicated cases and in cases where the examination of the complaint or request required amendments of LA&RAP, the response time would be extended to 30 days.

In SWH PW RWMB Szczecin and the Consultant's structures persons were appointed to handle complaints and contacts with the complainants.

4.2. Summary of complaints

Complaints and requests were recorded in a separate register, indicating the dates of their submission and response, as well as the outcomes.

In the course of the Investment Project three complaints were received on the same day from property owners (Piasek section). Those were processed immediately and actions aimed at minimizing the impact were taken. The details are set out in the table below.

Table 4. Summary of complaints

Item	Date of complaint	Complainant	Subject matter	Solution
1.	25 Oct 2022	Natural person - property owner	Water appeared in the basement of a house located on the real property.	The situation was monitored. The engineer did not observe the reappearance of water in the house. Due to the determination that water may have appeared in connection with the implementation of the investment, measures were taken to remove water from the basement. There were no damages on the part of the applicant and his claims were satisfied.
2.	25 Oct 2022	Natural person - property owner	Moisture on a building's walls	It was determined that the moisture on the walls and water in the basement were not caused by the

				<p>construction works performed.</p> <p>Regardless of the above, the situation was monitored. The Engineer did not report another instance of water in the house.</p>
3.	25 Oct 2022	Natural person - property owner	Moisture on a building's walls	<p>It was determined that the moisture on the walls and water in the basement were not caused by the construction works performed.</p> <p>Regardless of the above, the situation was monitored. The Engineer did not report another instance of water in the house.</p>

4.3. Conclusions

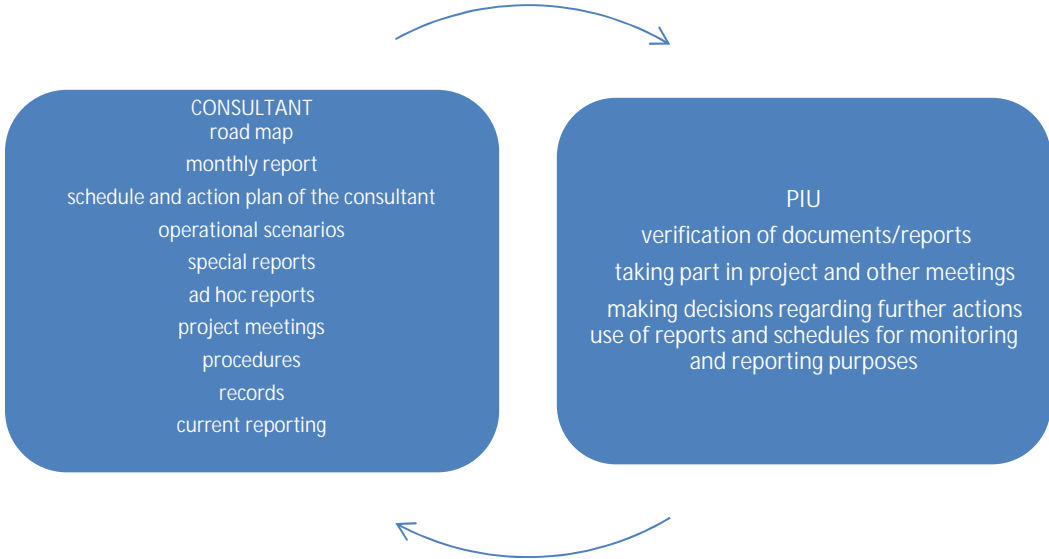
The proper implementation of LA&RAP, quick and proper identification of all PAP, and remaining in constant contact with PAP from the moment of announcing preparations to the start of the Investment Project, and on-going monitoring of execution of LA&RAP, helped us learn the needs of PAP and meet them, which meant no complaints file by any PAP in the course of the undertaking. The only complaints that were submitted regarded appearance of water in the basement and moisture on walls of a building. Therefore, the Investor investigated if it was related to the works being performed. Importantly, these complaints were not related to the activities planned within the framework of the LA&RAP.

After the Design Supervision's inspection of the real property and construction site (attended by the Contractor, the Design Supervision and the Contract Engineer), it was determined that the ground water level increase that caused moisture / water problems in the PAP' buildings was solely related to long-term precipitation and no efficient water drainage and damp proofing of the buildings. The residents were notified of the findings and requested to monitor the situation and report new moisture problems, if any. After the long rainy period no such issues were observed and no further complaints were received.

5. MONITORING

5.1. Description of the methodology

Monitoring of LA&RAP implementation was an integral part of the Contract monitoring and management system. For this reason, for the purposes of LA&RAP progress monitoring, the Contract monitoring tools were used. The goal here was to enable reporting to the financing institutions and to provide current information on issues, unforeseeable events, or non-conformities. LA&RAP was an integral part of the investment process, allowing for immediate response in case of problems or non-compliances. Appropriate cooperation between the Consultant, PIU and PCU was of fundamental importance. The exchange of monitoring-related information is presented in the following diagram. The general monitoring and evaluation procedures are described in more detail in the document entitled Land Acquisition and Resettlement Policy Framework (LARAF) and particularized in LA&RAP under this Task.



It should be emphasized that during implementation of LA&RAP PAP were provided telephone numbers and e-mails of contact persons in the Consultant's, and Investor's teams. The persons contacted PAP regarding any actions related to determination of compensation amounts and their payment. Furthermore, every PAP and member of local community was able to not only file complaints, requests, or reservations in an official manner, which for various reasons could be found difficult, but also voice their concerns, complaints, and comments directly by phone or e-mail.

5.2. Summary of the indicators that were monitored

The LA&RAP document contained the following table with key indicators to be monitored in the course of the Investment Project.

The table below shows a summary of the monitored indicators used for implementation of Task 1A.2.

Table 5. Key indicators monitored through the course of the Investment Project (completed)

Indicator	Source of information	Monitoring frequency	Progress indicator
On-target parameters			
Number of real properties acquired	Civil law contracts, registers of the Consultant	Monthly / Quarterly	34 ⁹
Number of project affected persons (PAP)	Land and mortgage registers, extracts from land registers, concluded contracts of land lease, direct visits at sites	On-going up-dates throughout negotiations and payment of compensation	10
Total resettlement expenditure, including (paid) compensation	Consultant's Registers	Monthly / Quarterly	PLN 126,745.50
Actual parameters			
Total resettlement expenditure, including (actual) compensation	The Investor's financial registers	Monthly / Quarterly	PLN 126,745.50 ¹⁰
Number of real properties acquired	The Investor's / Consultant's Registers	Monthly / Quarterly	20 ¹¹
Performance indicators			
Number of complaints	The Investor's / Consultant's Registers	Monthly / Quarterly	3
Number of complaints heard	The Investor's / Consultant's Registers	Monthly / Quarterly	3
Paid compensation (other)	The Investor's financial registers	Monthly / Quarterly	PLN 126,745.50

Monitoring of the implementation of LA&RAP under the Task was carried out as specified in LA&RAP. As part of the monitoring, the Consultant prepared monthly, quarterly, and annual reports, completed

⁹ The 23 plots planned to be acquired consist of 10 plots within the Piasek section, which were owned by the municipality and natural persons, 11 plots owned by the State Treasury, as well as 13 plots within the Ognica section, which were owned by the municipality and natural persons

¹⁰The amount has to be increased by cost of easement on real property owned by ST NSCA Szczecin. The parties concluded an agreement on terms of the easement but evaluation report for the easement has not been prepared yet.

¹¹ Due to the abandonment of the construction of the Ognica section, plots of land were acquired only within the Piasek section

registers and tables with relevant entries, and provided current reporting. The Consultant, working with other representatives of the Consultant and PIU developed also work schedules and action plans.

As stated in LA&RAP, the key aspect of monitoring implementation of LA&RAP was registering events and facts by the Consultant and PIU, in particular in a register of correspondence, a register of complaints, a register of progress in securing access to property for construction purposes and a register of progress in compensation payments. The data contained in the registers were taken into account when preparing the summary of real property acquired and amounts and types of compensation paid. All and any had to be recorded in the registers. On the basis of the above registers, the following parameters were closely monitored:

- a) number of properties to be expropriated and already expropriated,
- b) number of persons requiring resettlement and already resettled,
- c) number of properties for temporary acquisition (planned and actual),
- d) amount of all resettlement-related expenditures (planned and actual),
- e) compensation paid for loss of legal title to the property,
- f) compensation paid for loss of sources of income,
- g) other compensation paid in connection with the project,
- h) degree and status of implementation of protective measures,
- i) acquired and granted replacement properties,
- j) number of complaints.

Taking into account the above monitoring assumptions, it was possible to develop tables containing data relevant from the point of view of the LA&RAP, which are presented below

Number of properties to be expropriated and already expropriated	Number of persons requiring resettlement and already resettled	Number of properties for temporary acquisition (planned and actual)	Compensation paid for loss of legal title to the property	Compensation paid for loss of sources of income
34/21 ¹²	0/0	14/14	3 PLN 126,745.50 Property owners	0 PLN 0

The degree and status of implementation of protective measures	Acquired and granted replacement properties	Number of complaints filed and processed
No need to take further actions.	0/0	3/3

¹² Due to the withdrawal from the construction of the Ognica section, 13 plots of land were not expropriated.

<p>The protective measures implemented during the works are described in LA&RAP.</p>		
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5.3. Impact of the Project on residents of the investment area and other persons concerned

Implementation of the Contract actually benefited residents of the areas covered by the investment project and adjacent areas. The undertaking's objective was flood protection, and that impacts directly residents of the whole region. Importantly, the area is considered special flood risk area. Consequently, it should be considered that the beneficiaries of the Project were not only all the residents of the Investment area, but also residents of areas not covered directly by the undertaking, for that land is also protected against flood.

Execution of the Contract had direct impact on the sense of security of broadly perceived local community.

Performance of the works proceeded trouble-free, as indicated by the number of complaints filed. Furthermore, the basis for the complaints, which was determined after their submission, was not actually related to performance of the works. The situation resulted from proper implementation of the measures specified in the Land Acquisition and Resettlement Action Plan for the Contract and the Contractor's performance of the works according to the Environment Management Plan, as well as on-going, continuous monitoring.

Each PAP received compensation in the amount determined by an independent real property appraiser. Due to the acceptance of the proposed amounts, there was no need to involve administrative bodies into setting the compensation amounts, i.e. there was no need for relevant voivode to issue a relevant decision. Therefore, every PAP received compensation in the amount agreed and approved.

5.4. Identified problems and their resolution

During the implementation of the Investment Project, no problems were identified that could jeopardize its implementation or could negatively impact PAP or other persons, including extension of the list of PAP.

There were issues that required in-depth analysis, such as the possibility of granting land-for-land compensation requested by PAP, or determining the conditions for establishing easement on property owned by the State Treasury and managed by the National Center for Support of Agriculture, Szczecin branch, but none of them could be deemed a difficulty unusual to implementation of such a project. Each issue encountered during implementation of the Investment Project was resolved - what is important - working with the entity concerned.

6. SUMMARY

The main objective of the Project, within the scope of the Works Contract 1A.2, i.e. the protection of residents in floodplains in specific parts of the Odra River basin against serious floods, has been achieved through the construction and reconstruction of flood embankments, modernization of the polder, modernization of the power line and other activities. This eliminated the need to incur financial outlays for the restoration of flood damage.

Besides the economic aspect, equally important was the unmeasurable social aspect of the project consisting in giving the sense of security to local communities residing in the municipalities where the Investment Project was implemented. The local community was aware of the risks related to flood and the need to take concrete actions aimed at ensuring flood safety, which was reflected in numerous talks held during the organized meetings.

Contract for Works 1A.2 ultimately did not cause any physical nor economic resettlement. The Contract had no negative impact on business or agricultural activities. Furthermore, it had no impact on loss of sources of income, jobs, accessibility of infrastructure, loss of farming opportunities, loss of access to natural resources/parks, reserves, access to educational institutions, cultural institutions and other institutions. The amounts and method of determining the compensation were accepted by all PAP.

Throughout the period of performance of the Contract, interested entities had the opportunity to submit complaints and requests regarding the performance of the Contract. During the implementation of the Investment, only three complaints were received, which were immediately and positively resolved. However, these complaints, as it was pointed out, were not related to the process of acquiring the property. Notwithstanding the foregoing, the Investor took action and provided assistance to the reporting party, as well as monitored the situation, in order to determine whether the problem would recur.

At the preparation stage of the Contract and after completing draft LA&RAP public consultations were held: the procedure was carried out according to World Bank's standards and Polish legislation.

Execution of the works complied with Polish law, World Bank OP 4.12 and LA&RAP. It applied to both acquisition of real property necessary for execution of the Contract, and to the manner of performing works. The guiding principle was to improve or at least restore the living conditions of PAP and ensure the long-term sustainable use of environmental resources in the area. After completion of Contract for Works 1A.2 the local community's standard of living was restored or improved.

The key objective of the Land Acquisition and Resettlement Plan, i.e. acquisition of the real properties required for execution of the Contract according to Polish law and World Bank's OP 4.12, including Land Acquisition and Resettlement Framework, in the manner minimizing the negative impact on Project Affected Persons that would not require physical or economic relocation of households, was attained. PAP's standard of living has improved or at least been restored. It should also be noted that the abandonment of the Ognica section did not affect the overall flood protection of the site.

FOR CONTRACT FOR WORKS 1A.2

Below you can find photos showing the completed investment.

1. Piasek Section:



FOR CONTRACT FOR WORKS 1A.2

2. Gryfino Section:



FOR CONTRACT FOR WORKS 1A.2

3. Krajnik Section:



FOR CONTRACT FOR WORKS 1A.2



FOR CONTRACT FOR WORKS 1A.2



FOR CONTRACT FOR WORKS 1A.2

